

Skagit County Comprehensive Plan

October 10, 2007

Skagit County Planning & Development Services, Skagit County, Washington



Skagit County Comprehensive Plan

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Contents

Preface

General	i
<i>Comprehensive Plan Policy Elements & Accompanying Profiles</i>	i
<i>Unconsolidated Elements</i>	ii

Chapter 1: Introduction

Introduction	1•1
Skagit County Perspective	1•1
Linking the Past to the Present	1•2
Comprehensive Planning in Skagit County	1•3
Growth Management Act	1•3
Public Involvement	1•5
Planning for Tomorrow	1•5
The Vision: A Comprehensive and Balanced Approach	1•5
<i>Visioning Process</i>	1•5
<i>Major Themes of the Community Vision</i>	1•5
Strengthening Communities Through Local Planning	1•8
The 2005 Update	1•10
<i>Growth Forecast</i>	1•11
<i>Update Process</i>	1•11
<i>Update Themes</i>	1•12

Chapter 2: Urban, Open Space & Land Use Element

Introduction	Element 2•1
GMA Mandate	Element 2•1
Land Use Designations	Element 2•4
Urban Growth Areas	Element 2•5
<i>Goal A – Urban Growth Areas</i>	Element 2•5
<i>Goal A-1, Urban Growth Area Designation</i>	Element 2•5
<i>Goal A-2, Concurrency</i>	Element 2•6
<i>Goal A-3, Urban Services</i>	Element 2•7
<i>Goal A-4, Joint City-County Planning</i>	Element 2•8
<i>Goal A-5, Commercial Development</i>	Element 2•8
<i>Goal A-6, Quality of Life</i>	Element 2•9
<i>Goal A-7, Transformance of Governance</i>	Element 2•9
<i>Goal A-8, Development Process</i>	Element 2•10

Open Space	Element 2•11
<i>Goal B – Open Space</i>	Element 2•11
<i>Goal C – Land Use Approvals</i>	Element 2•13
<i>Goal D – Pre-Existing Non-Conforming Uses</i>	Element 2•13
Public Uses	Element 2•14
<i>Goal E – Public Uses</i>	Element 2•14
<i>Goal F – Lot Certification</i>	Element 2•14
<i>Goal G – Land Division</i>	Element 2•15

Urban, Open Space & Land Use Profile

Introduction	Profile 2•1
Urban Growth Areas	Profile 2•2
Bayview Ridge and Swinomish UGAs	Profile 2•3
<i>Table 2.1 – Land Use Designations and Acreage</i>	Profile 2•3
Open Space Areas	Profile 2•4
<i>Public Open Space</i>	Profile 2•4
<i>Private Open Space</i>	Profile 2•5
<i>Open Space Taxation</i>	Profile 2•5
Public Uses	Profile 2•5

Chapter 3: Rural Element

Introduction	Element 3•1
GMA Mandate	Element 3•1
Rural Area Characteristics	Element 3•5
<i>Goal A – Rural Area Characteristics</i>	Element 3•5
<i>Goal A-2</i>	Element 3•6
<i>Goal A-3</i>	Element 3•7
Limited Areas of More Intensive Rural Development	Element 3•8
<i>Goal B – LAMIRDs</i>	Element 3•8
<i>Goal C</i>	Element 3•12
Rural Village	Element 3•14
Rural Village Density	Element 3•15
Rural Commercial and Industrial Designations	Element 3•15
<i>Goal C-2</i>	Element 3•15
Rural Freeway Service (RFS)	Element 3•20
<i>Goal C-3</i>	Element 3•20
Small-Scale Recreation and Tourism (SRT)	Element 3•21
<i>Goal 4</i>	Element 3•21
Natural Resource Industrial (NRI)	Element 3•22
<i>Goal C-5, NRI Uses</i>	Element 3•22
Rural Marine Industrial (RMI)	Element 3•24
<i>Goal C-6</i>	Element 3•24

Major Industrial Developments (MID)	Element 3•25
<i>Goal C-7</i>	Element 3•25
Master Planned Resorts (MPR)	Element 3•26
<i>Goal C-8</i>	Element 3•26
Small-Scale Business (SSB)	Element 3•28
<i>Goal C-9</i>	Element 3•28
Home-Based Business (HBB1 & HBB2)	Element 3•29
<i>Goal C-10</i>	Element 3•29
Rural Business (RB)	Element 3•30
<i>Goal C-11</i>	Element 3•30

Rural Profile

Introduction	Profile 3•1
Rural Character	Profile 3•1
Rural Growth and Development	Profile 3•1
<i>Table 3.1 – Land Use Designations and Acreage</i>	Profile 3•3
<i>Commercial and Industrial Uses Outside Of UGAs</i>	Profile 3•4

Chapter 4: Natural Resource Lands Element

Introduction	Element 4•1
GMA Mandate	Element 4•1
<i>Table 4.1 – Natural Resource Lands (NRL)</i>	Element 4•2
Chapter Organization	Element 4•3
Agricultural Resource Lands	Element 4•5
<i>Introduction</i>	Element 4•5
Agricultural Resource Designation Criteria	Element 4•5
<i>Goal A</i>	Element 4•5
Agricultural Resource Land Policies	Element 4•6
<i>General Policy Goals: Agricultural Resource Lands</i>	Element 4•6
<i>Goal A-2, Agricultural Support Programs</i>	Element 4•7
<i>Goal A-3, Preserve Agricultural Land Base and Use</i>	Element 4•9
<i>Goal A-4, Allowable Land Uses</i>	Element 4•10
<i>Goal A-5, Minimize Land Use Conflicts</i>	Element 4•11
Forest Resource Lands	Element 4•12
<i>Introduction</i>	Element 4•12
<i>Goal B-1, Forest Resource Designation and Density</i>	Element 4•12
General Policy Goals: Forest Resource Lands	Element 4•14
<i>Goal B-2, Forestry Support Programs</i>	Element 4•15
<i>Goal B-3, Preserve The Forest Land Base</i>	Element 4•17
<i>Goal B-4, Encourage Commercial Forestry</i>	Element 4•17
<i>Goal B-5, Allowable Land Uses</i>	Element 4•18
<i>Goal B-6, Minimize Land Use Conflicts</i>	Element 4•20

<i>Goal B-7, Effective Regulatory Environment</i>	Element 4•20
Rural Resource Lands	Element 4•22
<i>Introduction</i>	Element 4•22
<i>Goal C-1, Rural Resource Designation Criteria</i>	Element 4•22
General Policy Goals: Rural Resource Lands	Element 4•23
<i>Goal C-2, Resource Lands Support Programs</i>	Element 4•24
<i>Goal C-3, Allowable Land Uses</i>	Element 4•24
<i>Goal C-4, Minimize Land Use Conflicts</i>	Element 4•25
Mineral Resource Overlay (MRO)	Element 4•25
<i>Introduction</i>	Element 4•25
<i>Goal D-1, Mineral Resource Designation Criteria</i>	Element 4•26
General Policy Goals: Mineral Resource Overlay	Element 4•29
<i>Goal D-2, Conserve Mineral Resource Lands</i>	Element 4•30
<i>Goal D-3, Reduce Land Use Conflicts</i>	Element 4•31
<i>Goal D-4, Effective Regulatory Environment</i>	Element 4•32
<i>Goal D-5, Safe Operations</i>	Element 4•33
<i>Goal D-6, Water Quality</i>	Element 4•34
<i>Goal D-7, Public Lands</i>	Element 4•35
Right To Manage Natural Resource Lands	Element 4•36
<i>General Policy Goals: Right to Manage Natural Resource Lands Policies</i>	Element 4•36
<i>Goal E-1, Right to Manage Natural Resource Lands Notification</i>	Element 4•37
Natural Resource Lands Information Clearinghouse	Element 4•38
<i>Goal F-1, Natural Resource Clearinghouse</i>	Element 4•38

Natural Resource Lands Profile

Introduction	Profile 4•1
Natural Resource Land Designations	Profile 4•1
<i>Natural Resource Land Support Mechanisms</i>	Profile 4•6
<i>Soils Used in Designating Agricultural and Forest Resource Lands</i>	Profile 4•6
<i>Site-Class</i>	Profile 4•7
<i>Site Index Range</i>	Profile 4•7
<i>Table 4.1 – Prime Alluvial Soils</i>	Profile 4•7
<i>Prime Alluvial Soils (if artificially drained)</i>	Profile 4•7
<i>Prime Alluvial Soils (if protected from flooding)</i>	Profile 4•7
<i>Table 4.2 – Prime Upland Soils</i>	Profile 4•7
<i>Sand and Gravel Deposits</i>	Profile 4•8
<i>Bedrock Formations</i>	Profile 4•8

Chapter 5: Environment Element

Introduction	Element 5•1
Growth Management Mandate	Element 5•2
Critical Areas	Element 5•3

<i>Wetlands</i>	Element 5•3
<i>Aquifer Recharge Areas</i>	Element 5•3
<i>Frequently Flooded Areas</i>	Element 5•4
<i>Geologically Hazardous Areas</i>	Element 5•4
Fish and Wildlife Habitat Conservation Areas	Element 5•5
<i>Goal A</i>	Element 5•5
Classification and Designation Of Critical Areas	Element 5•5
<i>Goal A-1</i>	Element 5•6
Education	Element 5•7
<i>Goal A-2</i>	Element 5•7
Incentives	Element 5•8
<i>Goal A-3</i>	Element 5•8
Intergovernmental Coordination / Cooperation	Element 5•9
<i>Goal A-4</i>	Element 5•9
Protection and Conservation Measures	Element 5•11
<i>Goal A-5</i>	Element 5•11
Air Quality	Element 5•18

Environment Profile

Introduction	Profile 5•1
Shoreline Master Program (SMP)	Profile 5•2
Natural Hazards Mitigation Plan	Profile 5•2
Regional Water Resource Plans	Profile 5•3

Chapter 6: Shoreline Master Program Element

Introduction	Element 6•1
Purpose	Element 6•2
Goals	Element 6•5
<i>Goal A</i>	Element 6•5
Shorelines of Statewide Significance	Element 6•6
<i>Shoreline Area Designations</i>	Element 6•6
<i>Urban Shoreline Areas</i>	Element 6•7
<i>Objective 1</i>	Element 6•7
<i>Definition</i>	Element 6•7
Rural Residential Shoreline Areas	Element 6•8
<i>Objective 2</i>	Element 6•8
<i>Definition</i>	Element 6•8
Rural Shoreline Areas	Element 6•10
<i>Objective 3</i>	Element 6•10
<i>Definition</i>	Element 6•10
Conservancy Shoreline Areas	Element 6•12
<i>Objective 4</i>	Element 6•12

<i>Definition</i>	Element 6•12
Natural Shoreline Areas	Element 6•14
<i>Objective 5</i>	Element 6•14
<i>Definition</i>	Element 6•14
Aquatic Shoreline Areas	Element 6•16
<i>Objective 6</i>	Element 6•16
<i>Definition</i>	Element 6•16
Use Policies: Agricultural Practices	Element 6•17
<i>Objective 7</i>	Element 6•17
Aquaculture	Element 6•19
<i>Objective 8</i>	Element 6•19
Commercial Development	Element 6•21
<i>Objective 9</i>	Element 6•21
Dredging	Element 6•23
<i>Objective 10</i>	Element 6•23
Forest Management Practices	Element 6•27
<i>Objective 11</i>	Element 6•27
Landfills	Element 6•28
<i>Objective 12</i>	Element 6•28
Marinas And Launch Ramps	Element 6•31
<i>Objective 13</i>	Element 6•31
Mining	Element 6•35
<i>Objective 14</i>	Element 6•35
Outdoor Advertising and Signs	Element 6•37
<i>Objective 15</i>	Element 6•37
Piers and Docks	Element 6•38
<i>Objective 16</i>	Element 6•38
Ports and Industry	Element 6•41
<i>Objective 17</i>	Element 6•41
Recreation	Element 6•43
<i>Objective 18</i>	Element 6•43
Residential Development	Element 6•47
<i>Objective 19</i>	Element 6•47
Scientific & Educational Resources	Element 6•51
<i>Objective 20</i>	Element 6•51
Shore Defense Works	Element 6•52
<i>Objective 21</i>	Element 6•52
Shoreline Stabilization and Flood Protection	Element 6•55
<i>Objective 22</i>	Element 6•55
Transportation Facilities	Element 6•57
<i>Objective 23</i>	Element 6•57
Utilities	Element 6•60

<i>Objective 24</i>	Element 6•60
Hydropower Facilities	Element 6•63
<i>Objective 25</i>	Element 6•63

Chapter 7: Housing Element

Introduction	Element 7•1
Growth Management Mandate	Element 7•2
Housing Goals and Policies	Element 7•3
<i>Goal A – Housing Quantity</i>	Element 7•3
<i>Goal A-1, Housing Affordability</i>	Element 7•3
<i>Goal B – Housing Quality</i>	Element 7•4
<i>Goal B-1, Information</i>	Element 7•4
<i>Goal C – Housing Distribution And Accessibility</i>	Element 7•4
<i>Goal C-1, Housing For Special Needs</i>	Element 7•4
<i>Goal D – Farm-worker Housing</i>	Element 7•5
<i>Goal E – Manufactured Housing</i>	Element 7•5

Housing Profile

Introduction	Profile 7•1
Population	Profile 7•1
<i>Table 7.1 – Estimated Months of Supply of For-Sale Housing</i>	Profile 7•2
Housing Supply	Profile 7•2
Affordability	Profile 7•2
<i>Table 7.2 – Skagit County Housing Affordability Index</i>	Profile 7•3
<i>Table 7.3 – Skagit County Housing Affordability(2004 \$)</i>	Profile 7•3
<i>Table 7.4 – Skagit County Household Income Thresholds, 2004</i>	Profile 7•3
Housing Demand	Profile 7•4
Affordable Housing Strategy	Profile 7•5

Chapter 8: Transportation Element

Introduction	Element 8•1
GMA Mandate	Element 8•2
Regional Transportation Policies	Element 8•5
<i>Goal A</i>	Element 8•6
<i>System Management</i>	Element 8•6
<i>Goal A-1</i>	Element 8•6
Level Of Service	Element 8•7
<i>Goal A-2</i>	Element 8•7
Public Transportation	Element 8•8
<i>Goal A-3, Coordination</i>	Element 8•8
Passenger Rail	Element 8•8

<i>Goal A-4, Passenger Rail Transportation</i>	Element 8•8
Ferry Service	Element 8•9
<i>Goal A-5, Ferry Service</i>	Element 8•9
Non-motorized Transportation	Element 8•10
<i>Goal A-6, Network</i>	Element 8•10
Freight And Economic Development	Element 8•11
<i>Goal A-7</i>	Element 8•11
Tourism, Recreation, Special Events, and Scenic Highways	Element 8•12
<i>Goal A-8, Tourism And Recreation</i>	Element 8•12
<i>Goal A-9, Scenic Highways</i>	Element 8•12
Traffic Safety	Element 8•13
<i>Goal A-10, Traffic Safety</i>	Element 8•13
Road Maintenance and Monitoring	Element 8•13
<i>Goal A-11, Maintenance and Monitoring</i>	Element 8•13
Demand and System Management	Element 8•14
<i>Goal A-12, System Management</i>	Element 8•14
Land Use and Development	Element 8•14
<i>Goal A-13, Land Use and Development</i>	Element 8•14
Concurrency	Element 8•16
<i>Goal A-14</i>	Element 8•16
Implementation and Intergovernmental Coordination	Element 8•17
<i>Goal A-15, Implementation and Intergovernmental Coordination</i>	Element 8•17
Capital Improvement Programs	Element 8•18
<i>Goal A-16, Capital Improvements</i>	Element 8•18

Transportation Profile

Introduction	Profile 8•1
Land Use Assumptions	Profile 8•1
Facilities and Service Needs	Profile 8•2
<i>Inventory of Existing Facilities and Services</i>	Profile 8•2
<i>Level of Service</i>	Profile 8•3
<i>Actions to Address LOS Shortfalls</i>	Profile 8•4
<i>Demand Forecasts</i>	Profile 8•4
<i>System Expansion Needs</i>	Profile 8•4
Finance	Profile 8•5
Intergovernmental Coordination	Profile 8•5
Demand Management	Profile 8•6

Chapter 9: Utilities Element

Introduction	Element 9•1
GMA Mandate	Element 9•2
Utilities	Element 9•3

<i>Goal A</i>	Element 9•3
<i>Goal A-1, Systems Coordination</i>	Element 9•3
<i>Goal A-2, Consistency of Plans and Standards</i>	Element 9•3
<i>Goal A-3, Utility Facility Siting</i>	Element 9•4
<i>Goal A-4, Undergrounding</i>	Element 9•4
<i>Goal A-5, Energy Conservation</i>	Element 9•5
Solid Waste	Element 9•6
<i>Goal A-6, Solid Waste Management</i>	Element 9•6
Sewer	Element 9•6
<i>Goal A-7, Sanitary Sewer</i>	Element 9•6
Public Water	Element 9•7
<i>Skagit County Coordinated Water System Plan Summary</i>	Element 9•7
<i>Water Rights Agreement Summary</i>	Element 9•8
<i>Countywide Planning Policies Regarding Water</i>	Element 9•8
<i>Comprehensive Plan Policies Regarding Water</i>	Element 9•9
<i>Objective A-8</i>	Element 9•9
Storm Water	Element 9•11
<i>Goal B</i>	Element 9•11
<i>Goal B-1, Risk Avoidance</i>	Element 9•11

Utilities Profile

Introduction	Profile 9•1
Water	Profile 9•1
Sanitary Sewer	Profile 9•2
Drainage	Profile 9•2
Solid Waste	Profile 9•2
Electrical Power	Profile 9•3
Natural Gas	Profile 9•3
Telecommunications	Profile 9•3
Utilities Issues	Profile 9•3

Chapter 10: Capital Facilities & Essential Public Facilities Element

Introduction	Element 10•1
Capital Facilities Element Source Documents	Element 10•2
GMA Mandate	Element 10•2
Capital Facilities	Element 10•5
<i>Goal A</i>	Element 10•5
Capital Facility Needs	Element 10•5
<i>Goal A-1, Facility Needs</i>	Element 10•5
Financial Feasibility	Element 10•8
<i>Goal A-2, Financial Feasibility</i>	Element 10•8
Citizen Involvement	Element 10•11

<i>Goal A-3, Citizen Involvement</i>	Element 10•11
Essential Public Facilities	Element 10•11
<i>Introduction</i>	Element 10•11
<i>Goal B</i>	Element 10•11

Capital Facilities & Essential Public Facilities Profile

Introduction	Profile 10•1
Capital Facilities Planning Process	Profile 10•1
<i>Table 10.1 – Sample Level of Service Measurements</i>	Profile 10•2
Level of Service	Profile 10•2
<i>Setting The Standards for Levels of Service (LOS)</i>	Profile 10•2
Financing Strategies	Profile 10•4
Concurrency System	Profile 10•4
Law and Justice	Profile 10•5
Public Works	Profile 10•5
Community	Profile 10•6
<i>Fairgrounds</i>	Profile 10•6
<i>Senior Services</i>	Profile 10•6
<i>Parks And Recreation</i>	Profile 10•6
<i>Parks and Recreation Plan Summary</i>	Profile 10•7
<i>Table 10.2 – Park Classification Needs</i>	Profile 10•7
<i>Table 10.3 – Park Inventories</i>	Profile 10•7
<i>Table 10.4 – Demand and Need for Park Facilities</i>	Profile 10•8

Chapter 11: Economic Development Element

Introduction	Element 11•1
Growth Management Mandate	Element 11•1
Economic Development	Element 11•5
<i>Goal A – Employment</i>	Element 11•5
<i>Goal A-1, Industry</i>	Element 11•5
<i>Goal A-2, Living Wage Jobs</i>	Element 11•5
<i>Goal A-3, Entrepreneurs</i>	Element 11•5
<i>Goal A-4, Skill Building</i>	Element 11•5
Commercial and Industrial Development	Element 11•6
<i>Goal B – Economic Viability</i>	Element 11•6
<i>Goal B-1, Diversity</i>	Element 11•6
<i>Goal B-2, Capacity</i>	Element 11•6
<i>Goal B-3, Redevelopment</i>	Element 11•6
<i>Goal B-4, Telecommunications</i>	Element 11•6
<i>Goal B-5, Recruitment</i>	Element 11•6
<i>Goal B-6, Retention</i>	Element 11•7
<i>Goal B-7, Marine Industry</i>	Element 11•7

<i>Goal B-8, Upper Skagit Valley</i>	Element 11•7
Visitor Services	Element 11•8
<i>Goal C – Destination</i>	Element 11•8
<i>Goal C-1, Visitor Opportunities</i>	Element 11•8
<i>Goal C-2, Tourism Attraction</i>	Element 11•8
Human Services	Element 11•9
<i>Goal D – Service Support</i>	Element 11•9
<i>Goal D-1, Human Service Opportunities</i>	Element 11•9
<i>Goal D-2, Access To Services</i>	Element 11•9
<i>Goal D-3, Facilities</i>	Element 11•9
Conservation And Economic Development	Element 11•9
<i>Goal E – Quality Of Life</i>	Element 11•9
Transportation And Economic Development	Element 11•10
<i>Goal F – Transportation Improvements</i>	Element 11•10
<i>Goal F-1, Infrastructure</i>	Element 11•10
<i>Goal F-2, Marine Economy</i>	Element 11•10
<i>Goal F-3, Ports</i>	Element 11•10
Business And Investment Climate	Element 11•11
<i>Goal G – Public-private Partnerships</i>	Element 11•11
<i>Goal G-1, Public Investment</i>	Element 11•11
<i>Goal G-2, Anticipate Change</i>	Element 11•11
<i>Goal G-3, Intergovernmental Coordination</i>	Element 11•11
<i>Goal G-4, Fiscal Impact</i>	Element 11•11

Economic Development Profile

Introduction	Profile 11•1
Background Summary	Profile 11•1
<i>Demographic Profile</i>	Profile 11•1
<i>Table 11.1 – Skagit County Population Trends</i>	Profile 11•2
Trends	Profile 11•2
<i>Employment</i>	Profile 11•2
<i>Agriculture</i>	Profile 11•3
<i>Table 11.2 – Skagit County Population Projections</i>	Profile 11•3
<i>Table 11.3 – Household Income & Households Below Poverty Level (1990, 2000)</i>	Profile 11•4
<i>Forestry</i>	Profile 11•4
<i>Fishing</i>	Profile 11•4
<i>Commercial and Industrial Activity</i>	Profile 11•4
<i>Infrastructure</i>	Profile 11•5
Strengths, Weaknesses, Opportunities and Threats	Profile 11•5
<i>Skagit County Strengths</i>	Profile 11•5
<i>Table 11.4 – Skagit County Covered Employment Trends, by Industry (1980, 2001)</i>	Profile 11•5
<i>County Weaknesses</i>	Profile 11•6

<i>External Opportunities</i>	Profile 11•6
<i>External Threats</i>	Profile 11•7
Development Strategy	Profile 11•7
<i>Table 11.5 – Targeted Strategic and Joint Sponsorship proposals</i>	Profile 11•7

Chapter 12: Plan Implementation & Monitoring Element

Putting the Plan Into Action	Element 12•1
Implementation Themes	Element 12•2
Periodic Review of the Comprehensive Plan	Element 12•2
Comprehensive Plan Amendment Process	Element 12•3
<i>General Requirements</i>	Element 12•3
<i>Seven-year Urban Growth Area Review</i>	Element 12•4
<i>Seven-year GMA Update</i>	Element 12•4
<i>Annual Comprehensive Plan Amendments</i>	Element 12•5
<i>General Amendment Process Requirements</i>	Element 12•5
Monitoring Plan Effectiveness	Element 12•6
<i>Community Plans: Their Relationship To The Comprehensive Plan</i>	Element 12•7
<i>Function of Community Plans</i>	Element 12•8
<i>Consistency Between the Comprehensive Plan and Community Plans</i>	Element 12•8
Plan Implementation	Element 12•11
<i>Goal A</i>	Element 12•11
<i>Goal A-2</i>	Element 12•12
<i>Goal A-3</i>	Element 12•12
<i>Goal A-4</i>	Element 12•13

Appendix A: Acronyms & Definitions

<i>List of Acronyms</i>	A•2
<i>Definitions</i>	A•5

Appendix B: Milestones in the Comprehensive Planning Process

<i>Comprehensive Planning Process - March 1965 to June 1997</i>	B•2
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Appendix C: Related Plans, Studies & Regulations

<i>Descriptions of Related Plans, Studies & Regulations</i>	C•2
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Appendix D: Adopting & Amending Ordinances

<i>List of Ordinances</i>	D•2
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Preface Plan Organization

General

The Comprehensive Plan contains introductory chapters, policy elements with accompanying information (profiles), and appendices.

The Comprehensive Plan also consists of supporting documents under separate cover, such as the Comprehensive Plan Land Use/Zoning Map, supporting maps on file with Skagit County, and supporting technical volumes and plans, such as the Transportation Systems Plan and the Coordinated Water Systems Plan, to name two.

Except for Chapter 6 – Shoreline Management Master Program Element, and Chapter 12 – Plan Implementation and Monitoring, each policy element contains two parts:

- *A chapter containing land use goals and policies, underlying Growth Management Act goals, and Countywide Planning Policies, and*
- *A profile of the intent, context, or history related to the goals and policies. Profiles are not intended to be policy documents, but rather ancillary information in support of the policy elements.*



Comprehensive Plan Policy Elements & Accompanying Profiles

Chapter 1: Introduction and Summary

This chapter does not contain policies, but provides a brief history and general description of Skagit County today, and offers a brief discussion on the Skagit Valley in its earlier days. It includes information on past comprehensive planning and public involvement, as well as how this comprehensive plan was developed and updated.

Consolidated Land Use Element

Land uses recognized in the Comprehensive Plan fall into four general categories: Urban, Rural, Natural Resource Lands, and Open Space. The following three chapters contain guiding policies



for these land-uses, and together comprise the Land Use Element of the Comprehensive Plan:

Chapter 2: Urban, Open Space & Land Use Element *(and Profile)*

This Element addresses the general distribution and location, and the appropriate intensity and density of Urban and Open Space land uses. The Element also addresses certain land use goals and policies that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing non-conforming uses; public uses; lot certification; and land divisions.

Chapter 3: Rural Element *(and Profile)*

This Element establishes broad goals and policies guiding residential, commercial, and industrial uses in unincorporated Skagit County consistent with the Growth Management Act's allowance of development in the rural area, including "limited areas of more intensive rural development," otherwise referred to as LAMIRDs.

Chapter 4: Natural Resource Lands Element *(and Profile)*

These policies guide long-range planning, programs and regulations to conserve agricultural, forest and mineral resource lands.

Unconsolidated Elements

Chapter 5: Environment Element *(and Profile)*

The Environment Element provides the policy basis for the protection and regulation of critical areas, such as wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish & wildlife habitat conservation areas.

Chapter 6: Shorelines Master Program Element

This chapter contains the goals, policies, and implementation procedures of the Skagit County Shorelines Master Program. Topics addressed include: shoreline use, conservation, public access, circulation, economic development, recreation, protection of historical, cultural, and educational values and, restoration and enhancement.

Chapter 7: Housing Element *(and Profile)*

This chapter contains plan policies that promote suitable living environments at all income levels, encourage housing maintenance, redevelopment and safety, and promote faster approval time when possible in the permitting process.

Chapter 8: Transportation Element *(and Profile)*

This chapter details the transportation goals, objectives, and policies which set forth the adopted Level of Service (LOS) standards and other policy commitments for Skagit County as described in the Transportation System Plan adopted as part of this Plan.

Chapter 9: Utilities Element *(and Profile)*

The policies in this chapter discuss the following: natural gas, telecommunications, electricity, solid waste, sewer, public water, water quality, drainage, flooding and storm runoff.

Chapter 10: Capital Facilities & Essential Public Facilities Element *(and Profile)*

The focus of this chapter is the planning and provision of needed public facilities for the



County's unincorporated and countywide populations. This chapter includes the specific goals, objectives and policies which address capital costs, financing, levels of service methods and consequences, statutory requirements, and specific related goals, objectives and policies. The element also includes goals and policies for the establishment of regional, or difficult-to-site facilities referred to under state law as essential public facilities.

Chapter 11: Economic Development Element *(and Profile)*

This chapter details policies relating to economic needs such as: creating and maintaining diverse employment opportunities, protecting natural resource utilization, increasing non-resource industry diversity, promoting a range of commercial retail and service businesses, increasing tourism, conserving natural resources and open spaces and fostering a healthy public-private cooperative partnership in support of diverse business operations and investment.

Chapter 12: Plan Implementation & Monitoring

This element describes the concepts involved in putting a plan into action, how this Plan is updated and amended, and how the Plan is monitored and evaluated. This chapter also addresses how the Plan and its development

regulations will be applied at the community level, through the community planning process.

Appendices

Appendix A contains definitions and a list of acronyms used within this document.

Appendix B contains a chronological list of the Comprehensive Plan process from 1965 to the initial adoption of this Comprehensive Plan in 1997.

Appendix C identifies and describes related plans, studies and regulations.

Appendix D contains a list of ordinances adopting or amending this Plan.

Technical Appendices *(under separate cover)*

The following documents are included in the Plan, as they are used in the development and implementation of the Plan's policies:

- Comprehensive Economic Development Strategy (CEDS), Skagit Council of Governments, 2003
- Skagit County Housing Needs Assessment, March 1993
- Skagit County Coordinated Water System Plan – Regional Supplement, 2000
- Skagit County Urban Growth Areas Analysis Update: Population, Employment, & UGA Land Allocations by Jurisdiction, March 1997

**Plan Key: Except for Chapter 6
and Chapter 12, each chapter
contains two parts:**

element

Element chapters – containing land use goals and policies, underlying Growth Management Act goals, and Countywide Planning Policies

profile

Profile chapters – containing ancillary information in support of the policy chapters, including the intent, context, or history related to the goals and policies



- The Capital Facilities Plan (CFP) 2003-2008 – Goals and Policies, Capital Improvements, and Implementation Programs
- Skagit County Transportation Systems Plan, August 2003
- Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for Instream and Out of Stream Purposes, December 1996
- Skagit County Comprehensive Solid Waste Management Plan Update and Environmental Impact Statement, December, 2005
- Skagit County Draft GMA Puget Power Electrical Facility Plan and map updates, November 1992
- Skagit County Countywide Policies, amended in 1996, 2000 and 2007
- Population & Employment Forecasting & Allocation 2025, December, 2003

Comprehensive Plan/Zoning Map and Supplemental Maps (*under separate cover*)

The Skagit County Comprehensive Plan/Zoning Map depicts general land-uses, such as Urban Growth Areas, Rural lands, and Natural Resource Lands, among others. These land uses are guided by and designated county-wide based on the policies and criteria set forth in the Comprehensive Plan. The Map also establishes zoning boundaries that are part and parcel of the Skagit County Code. Within each designated land use are one or more zoning districts, within which specific Skagit County land-use regulations apply. Such regulations are consistent with and carry out the policies of the Comprehensive Plan. Also shown on the map are federally designated lands such as national parks and wilderness areas.

In recent years, Skagit County has maintained a variety of maps on the County's website at www.skagitcounty.net. Online mapping technology allows for greater public access, decreased mapping costs, and provides the most up-to-date information. Online mapping has been well received by the public, and has substantially reduced the demand for printed maps. Nevertheless, hard-copy maps are still available, including the Map Portfolio, which formerly accompanied the Comprehensive Plan. Although no longer printed as a volume (the last re-print was in 2000), the Map Portfolio may nevertheless be useful as a historic reference and is kept on file in Skagit County's archives. Maps created by other agencies are not maintained by Skagit County. The 2000 Map Portfolio contains previous versions of the following maps:

- 1) Comprehensive Plan Map
- 2) Rural Villages (2a – 2j)
- 3) Urban Growth Areas (3a – 3g)
- 4) Natural Resource Lands
- 5) Generalized Land Use – 1990
- 6) Floodplain and Floodway
- 7) Land Cover
- 8) Volcano and Geologic Hazards
- 9) Potential Landslide and Erosion Areas
- 10) Generalized N.W.I. Wetlands, Hydric Soils and Stream Inventory
- 11) Priority Habitats and Species
- 12) Alluvial Fans
- 13) Wellhead Protection Areas
- 14) Telecommunications
- 15) Natural Gas Franchise Areas
- 16) Electrical Transmission System – Existing Facilities
- 17) Electrical Transmission System – Proposed Facilities



- 18) Water Service Areas with Primary Transmission Lines
- 19) Skagit County Drainage Utility Service Area
- 20) Road Inventory
- 21) School Districts
- 22) Fire Districts
- 23) S.K.A.T. Transit Service Areas
- 24) Public Sewer Service Areas with Primary Transmission Facilities



Introduction & Summary

Introduction

The primary purpose of comprehensive planning is to help the public and elected officials define objectives, set priorities, and seek solutions to long-term issues. The Comprehensive Plan provides a sense of direction, a broad overview of where a community is (existing conditions) and where it is going (trends and vision). It is a way of assuring that a community's health, safety and general welfare are protected by striving for and creating a better, more healthful, efficient and aesthetically pleasing environment in which to live.

The purpose of the Skagit County Comprehensive Plan is to address these principles within the framework mandates by the state Growth Management Act and to provide goals, policies, and strategies for managing growth over the next 20 years.

Skagit County Perspective

Skagit County is located in the northwestern portion of Washington State. It encompasses 1,735 square miles, ranks 21st in geographic



size among the state's counties and had approximately 110,900 residents as of April 2005.

Skagit County was established in 1883 and named after the river and one of the Indian tribes that lived along its banks. The Skagit River is the third largest in the western United States, flowing 78 miles through a diverse and beautiful land. The county stretches from the crest of the rugged North Cascade Mountains on the east, down through the fertile valleys, to saltwater beaches. The topography of Skagit County ranges from sea level to 8,966-foot Mount Logan and is reflected in the terms used for such places as the Skagit Flats, western islands, upper Skagit, Sauk, and Samish River Valleys, and the Cascades.

Skagit County has a marine climate affected by its proximity to Puget Sound and the



Pacific Ocean resulting in mild winters and warm, drier summers. Agriculture is the dominant factor in Skagit County's economy and community character. Farming and ranching have been an important part of the community's heritage since early settlement in the 1800's. The Skagit Valley is regarded as one of the most fertile valleys in the world, producing major commodities, specialty crops, and vegetable seeds and flowers with unique market niches. Forest lands, which predominate much of the county's upland landscape, are another significant natural resource. The practice of forestry (logging, reforestation, and timber management) was established in the earliest stages of settlement in the county. Large-scale commercial forestry remains a vital industry and is practiced on well over 300,000 acres. Lands designated for forest resource production account for 29% of Skagit County's total land area of 1.1 million acres. Fishing – commercial and recreational – is another natural resource industry that has influenced Skagit County economically and culturally. The mining industry similarly has much importance to the County economy. In addition to natural resource-based industries, the economy has diversified to include strengths in the areas of retail sales, contracting, fabrication, and services.

Linking the Past to the Present

The Skagit Valley was inhabited for thousands of years before the arrival of settlers in the 19th Century. The cession of tribal lands through the Point Elliot Treaty of January 22, 1855 greatly changed traditional Native Americans' ways and beliefs. Land titles and surveys were alien ideas to the customs of Native Americans, but were basic to the farmers settling in the valley.

A fern-covered prairie on March's Point seems to have been the site of the first white settlement. By 1870, other new settlements were located elsewhere in the Flats, although there was still very little development. Construction of dikes enabled the growth of farming on the rich delta land.

By 1890 railroads were instrumental in supporting the farming, logging, and mining industries, featuring a line from Portland, Oregon to Anacortes. During the 1890s, two north-south lines were completed through the county, connecting it with Seattle and Vancouver. By 1901, the east-west line was extended from Hamilton through Concrete and into Rockport.

The Skagit River has played an important role in the history of Skagit County. Tribal settlements were located near salt water and along the rivers. For new settlers in the logging business, the Skagit provided the means to transport timber, although logjams hindered activity until 1889. By 1890, most of the land next to water had been logged off, and operations moved further inland using animals and machines to transport timber.

The River and Sound also furnished an abundance of resources. Salmon provided an important food source for the early tribal peoples. Commercial fishing by new settlers began in the 1890s with the building of fish-processing plants and by 1900, clams and oysters were also being canned. By the turn of the century, however, over-fishing had reduced available stocks and experiments with fish hatcheries sought to supplement dwindling fish runs. Over the next thirty years, canneries continued to be productive in Anacortes. When the commercial fishing industry declined, other marine industries emerged, such as boat-building and recreational boating. Today, the Anacortes and La Conner marinas are among the largest in the State of Washington.



Skagit County separated from Whatcom in 1883. In 1884, La Conner was established as the temporary county seat with its established port and considerable population. The county's first newspaper, the Skagit News, garnered sufficient support to make Mount Vernon as the county seat and a vote later in 1884 confirmed the change.

Comprehensive Planning in Skagit County

Skagit County has a 40-year commitment to the value of planning. The first Comprehensive Plan was adopted in 1965 and was the guiding document for the physical development of the county until the growth management era.

The 1965 Comprehensive Plan:

- *Set the stage for farmland preservation.*
- *Identified logical areas for industrial and residential uses.*
- *Called for avoiding development in areas sensitive to or suffering from pollution.*
- *Introduced the County's first zoning and subdivision regulations.*

During the period 1970 – 1990, the County prepared district plans; updated the zoning code; adopted joint sphere of influence agreements with the cities and towns; worked with the tribes to prepare joint plans for the reservations; and began working with the cities and towns on growth management plans.

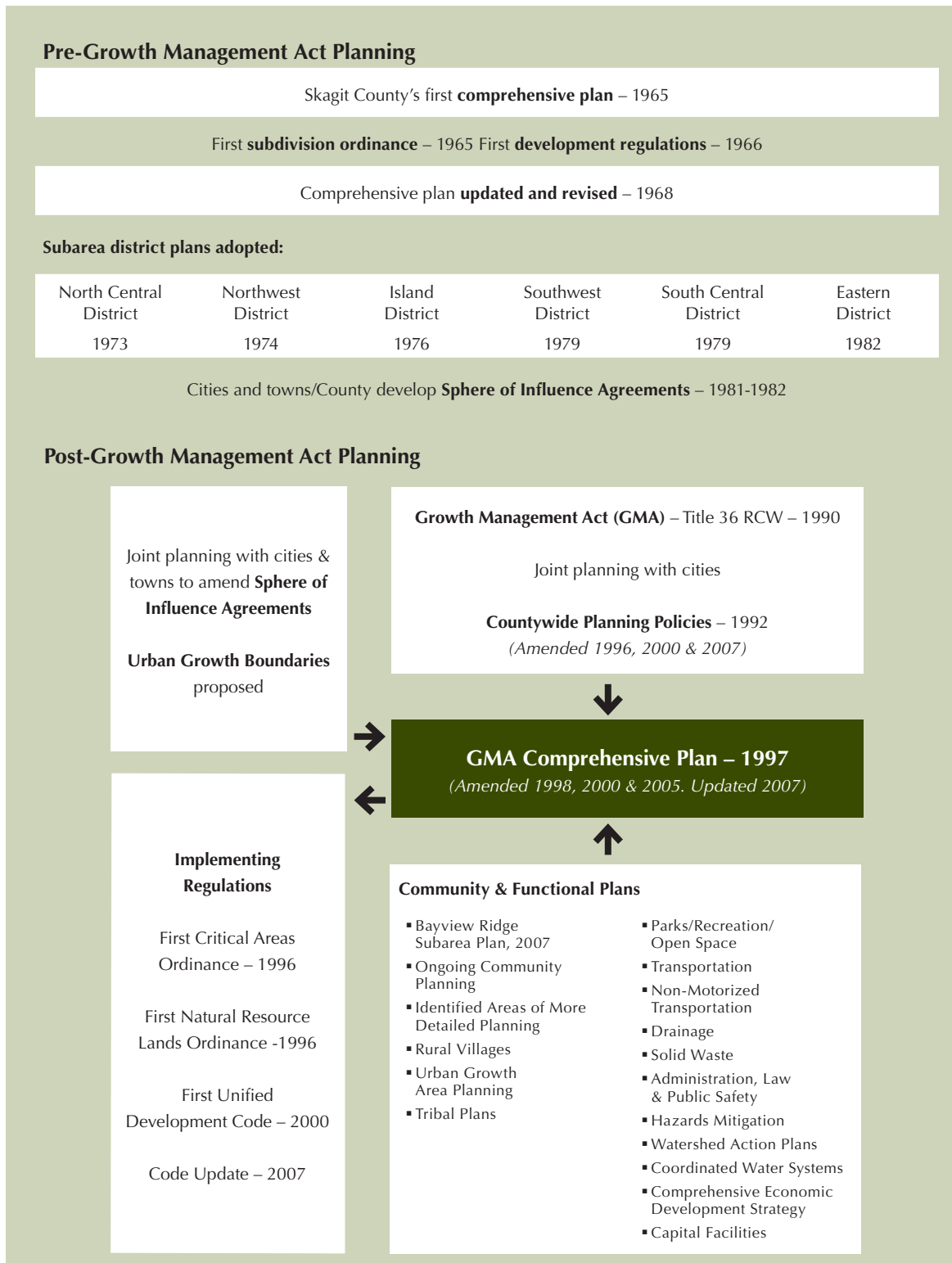
Figure 1 illustrates the progression of County planning through the pre- and post-growth management eras.

Growth Management Act

Starting in October of 1990, the County initiated planning as required by the Growth Management Act (GMA), adopted by the State Legislature earlier that year. This began more than six years of work by the community, Planning Commission, and the Board of County Commissioners leading to the May, 1997 adoption of the current Comprehensive Plan. In addition, the County worked with the cities to draft the Countywide Planning Policies which were adopted in July of 1992 and amended in 1996 and 2000. The Countywide Planning Policies support the thirteen state-mandated GMA goals for compact urban growth, reducing sprawl, and addressing transportation, housing, economic development, property rights, permits, natural resource industries, open space and recreation, environment, citizen participation, public facilities and services, and historic preservation. The Countywide Planning Policies serve as the legal backbone of the comprehensive plans of the County and cities.



Figure 1 – Planning Framework



Public Involvement

From the start of the GMA era, the County embraced the GMA requirement for “early and continuous” public involvement. This included a wide-ranging visioning process, creation of citizens’ advisory committees for the key plan elements, newsletters and media articles, videotapes, and presentations and briefings to community and interest groups. Since the Plan was first adopted, the County has used the Planning Commission as the primary focus for public outreach and communication. Community planning processes for Bayview Ridge, South Fidalgo Island, Alger and Hamilton involve appointed advisory committees. The County has recognized the Guemes Island Planning Advisory Committee (GIPAC) as the community-based representative for subarea planning for Guemes Island. Natural resource advice is provided in part by the Agricultural Advisory Board and the Forest Advisory Board. Other advisory committees have worked on such issues as mineral resource lands and Master Planned Resorts.

For the 2005 update, the Board of County Commissioners appointed a 15-member advisory committee to assist the Planning & Development Services department in reviewing the Plan and formulating recommendations for amendments. As time goes on, the County employs a wider range of outreach procedures such as open houses, the Community Report newsletter, and the Skagit County website to reach the community. A detailed listing of major public involvement activities may be found in Appendix B to the Plan.

Planning for Tomorrow

The GMA is intended to direct local (county and city) planning to create blueprints for

growth over a 20-year period. The basic objective of the legislation is to guide and encourage local governments in assessing their goals, evaluating their community assets, writing comprehensive plans, and implementing those plans through regulations and innovative techniques to encompass their vision of the future. The Growth Management Act invests local government with significant decision making power. This “bottom up” approach is consistent with long held traditions of local governance in this state.

The Vision: A Comprehensive and Balanced Approach

Visioning Process

From the fall of 1990 through the spring of 1991, citizens worked at home and at public workshops to voice their visions for the future. Participants across the county said they wanted to preserve the high quality of life, strive for government efficiency, support economic opportunities, increase housing choices, ensure that transportation facilities and services are available to serve development at time of occupancy and use (concurrency), provide for an efficient land-use pattern, preserve rural, resource and ecologically fragile areas for future generations, respect property rights and maintain opportunities for citizen participation and involvement throughout Skagit County’s planning processes.

Major Themes of the Community Vision

All of the goals, objectives and policies of the Comprehensive Plan are based on these community vision statements and are an



expansion of the Countywide Planning Policies and State GMA goals:

Preserve the high quality of life: Residents of Skagit County choose to live here for many reasons: natural beauty, clean air, good jobs, a good place to create a home and family. This plan seeks to foster this high quality of life for residents and their children by providing for social, cultural, educational, economic, recreational, civic, transit, health, and safety needs.

Strive for government efficiency: This plan calls for efficient delivery of services in a cost-effective way by:

- *Concentrating infrastructure investments and service delivery to support development patterns near cities and towns where a full range of local services are or can be made available.*
- *Looking to Skagit County to provide certain countywide, regional facilities and services.*
- *Relying primarily upon cities, towns and special purpose districts as the providers of local facilities and services appropriate to serve those local needs, except where the County is a local service provider.*

Support economic opportunities: This plan strives to promote a strong and diverse economy for Skagit County residents through policies

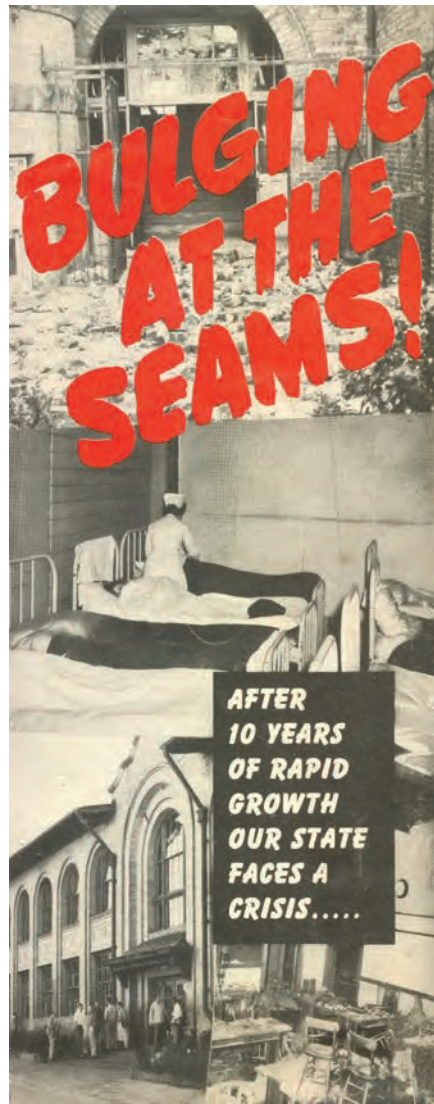
and programs that promote new business opportunities, increase family wage jobs and create a predictable regulatory environment for businesses and citizens. Sustainable economic development efforts will focus on providing

all communities with a balance of jobs and housing and helping communities with redevelopment or new economic initiatives.

Increase the housing choices for all residents: Skagit County unincorporated residents live in a wide variety of home types: single family houses with yards, large rural lots, duplexes, apartments, and mobile homes. This plan seeks to increase housing opportunities for all residents (families, individuals, seniors, and persons with special needs). The plan promotes more choices for both owners and renters alike, such as single family homes on smaller lots, creative opportunities for all types of home ownership, and high quality housing design that fits with surrounding neighborhoods and is located closer to jobs, in particular within UGAs.

Ensure that necessary transportation facilities and services are available to serve development at the time of occupancy and use: This plan provides a basis for targeting road and transit investments

where growth is desired and for equitable contributions to the transportation system by new development.



As this 1937 pamphlet dramatically suggests, growth – whether rapid or more moderately paced – challenges service providers to keep



Balance urban uses and environmental protection: This plan promotes an efficient and effective land use pattern within urban growth areas that respects environmental values by balancing urban uses with nature and open space. This will be achieved through careful site planning that maximizes developable land while respecting natural systems. This plan also proposes that the County consider community and joint planning to ensure natural systems continue functioning at a smaller geographical level while allowing the economy to expand.

Protect and retain rural lifestyles: This plan seeks to maintain the unique rural lifestyle for which Skagit County is widely known and cherished. Skagit County's rural communities and open spaces require protection and conservation from urban sprawl and suburban development patterns. Rural community character and open spaces are a valued part of Skagit County's diversity.

Protect and conserve agriculture, forest and mineral resource lands: Natural resource lands, such as farms and timber lands, provide economic, social, cultural and environmental benefits. This plan ensures that these areas, including mineral resource lands, continue to be viable today and into the future.

Protect and conserve the environment and ecologically sensitive areas, and preclude development and land uses which are incompatible with critical areas: This plan recognizes that the environment is an important public resource. Protecting and conserving the environment and ecologically sensitive areas is in the community's best interest. Development of areas susceptible to natural hazards may lead to inefficient use of limited public resources, jeopardize environmental resource functions and values, subject persons and property to unsafe conditions, and affect the quality of life.

Respect Property Rights: This plan respects private property rights by assuring that regulatory and administrative actions do not result in an unconstitutional taking of private property. Skagit County, in exercising its land use regulatory authority to protect the public health, safety and general welfare (Article XI Section 11 of the State Constitution), must respect private property rights by not exceeding the constitutional limits on its authority. Planning, land use regulations and zoning protect individual and community rights in the following ways:

- *By avoiding nuisances by insuring against incompatible neighboring land uses;*
- *By balancing public and private responsibilities that may have conflicting interests;*
- *By providing predictability that enhances the value of private property;*
- *By incorporating trends of population growth and resource availability to provide necessary public facilities;*
- *By providing codes, ordinances and regulations that organize a community's physical layout;*
- *By protecting and conserving the natural resources that provide us with clean air and water;*
- *By protecting our heritage by preserving both natural and man-made resources, and scenic and cultural areas that generate civic pride;*
- *By assuring that each generation has responsibilities as a trustee of the environment for future generations;*
- *By attaining the widest range of land uses without degradation, risk to health or safety, or other undesirable and unintended consequences; and*



- *By recognizing that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the protection and enhancement of the environment;*
- *By recognizing existing non-conforming land uses and the development rights associated with them.*

Encourage Citizen Participation and Involvement: This plan derives its strength from the thousands of citizens who have participated throughout the planning process to develop a vision for Skagit County's future. Skagit County has a diverse and vocal population whose opinions continually shape public policy. The development of Skagit County's Comprehensive Plan is the product of a planning process that included extensive public participation. Procedures provided for broad dissemination of all plan proposals and alternatives, opportunities for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services and consideration of and response to public comments.

Strengthening Communities Through Local Planning

To be successful, plans must address a broad spectrum of issues that affect a community. The plans must address social as well as physical infrastructure needs. Skagit County's community planning efforts were designed to strengthen communities at three geographic levels: countywide, community, and inter-jurisdictional (with cities, towns, tribes, and other institutions). Functional plans overlay all three community-planning levels. At each

planning level, issues and needs vary widely. Each plan will be tailored to those unique characteristics and specific issues. Countywide plans are regional in nature, community plans are defined by watershed boundaries, existing development patterns, or other physical features, and joint plans primarily address cities, towns, and Tribal Reservations and their Urban Growth Areas. Community plans will address the full range of issues for a healthy community, such as public safety, health and human services as well as land use and infrastructure. This menu approach allows the geographic scope of a plan to be determined based on local physical and natural features, political boundaries, issues and concerns.

Countywide Plan: A Regional, Countywide Perspective

The Skagit County Comprehensive Plan seeks to manage growth by protecting natural resource lands, open space and rural areas, and establishing Urban Growth Areas where development is directed. This Plan:

- Ensures efficient use of land by minimizing the public costs and adverse impacts of growth;
- Avoids incompatible rural and urban uses by reducing sprawl;
- Provides efficient and safe transportation networks;
- Supports coordinated networks for open spaces, greenbelts, and recreation;
- Protects critical areas and environmentally sensitive lands;
- Maintains and improves the quality of air and land resources;
- Minimizes risk to public health and safety; and



- Preserves urban and rural landscapes, lifestyles, character, and features.

This Plan establishes the most appropriate uses of land in unincorporated Skagit County through the year 2025. Broad land use designations have been adopted to provide the basis for regulating uses on natural resource lands, urban growth areas, rural areas, and open spaces. Natural resource lands are where Skagit County will through conservation and protection measures promote long-term, commercially significant agriculture, forest, and mineral resource uses.

Urban growth areas include incorporated (city and town) areas and unincorporated areas appropriate for urban growth through the year 2025. Rural areas include rural activities and uses that are not suitable for urban intensity or natural resource uses that do not meet the GMA standard of long-term commercial significance. Open space areas are lands with regional importance that have been set aside, dedicated, designated or reserved for public or private use or enjoyment for either active or passive recreation, scenic amenities, natural resources, or for the protection of environmentally sensitive areas.

Community Plans: A Sub-Regional Approach

Community plans are more detailed plans for smaller geographic areas that address location-specific issues. Site-specific land-use designations and zoning may result to take into account

these local issues and needs. Community plans provide an opportunity for integrating land use, infrastructure and human service delivery at a more up-closer level than is possible with the Comprehensive Plan.

Joint Plans: Creating Partnerships with Cities, Towns, Tribal Communities and Rural Villages

Urban Growth Area plans seek to reduce taxpayer costs by focusing the expenditure of

public funds, encouraging concentrated development, and increasing choices for housing and economic development. By directing urban growth to areas within and near cities and towns, growth will be focused in those areas where services can best be provided by cities, towns, special purpose districts and the County. Urban Growth Area plans will strengthen local character and make urban areas desirable places to live while ensuring that future generations will continue to enjoy the best qualities of the Skagit Valley, have choices for affordable

places to live, obtain good quality jobs and have a high quality of life. These plans focus on collaborative actions between the County and its cities and towns as established in the Countywide Planning Policies and the Framework Agreement.

- Rural Village plans provide an opportunity for rural residents to define and shape the future of existing, historic unincorporated rural communities. Rural Villages

Plan Key: Four basic plan types utilized by Skagit County

- 1. Comprehensive Plan** – Skagit County's Comprehensive Plan (this document) establishes regional goals and promotes efficient and compatible land use, directs capital facility investment and policy
- 2. Community Plans** – More localized plans developed to address location-specific issues including land use and infrastructure
- 3. Joint Plans** – Plans developed in concert with other agencies including cities or towns, tribal communities or rural villages, typically to help protect rural character and promote efficiency in service provision
- 4. Functional Plans** – These plan types are focused on specific regional services such as water, wastewater, transportation or parks



contribute to rural housing options and provide employment opportunities and limited commercial-retail services for rural residents. Rural Villages will assist in providing for a variety of rural densities by allowing higher density housing than is permitted in the surrounding rural and natural resource areas. Rural Villages provide activity centers where rural residents and others can gather, work, shop, entertain, and reside. Site-specific land-use designations and zoning will take into account local issues and needs.

- Tribal Community plans are unique in that they result from coordinated planning processes involving a tribal community and Skagit County. Skagit County and the local tribes have worked diligently to create better communities for their residents. For example, the Swinomish Rural Village was established in 1988 and modified as an Urban Growth Area in 1997. Agreements were reached to provide for joint County/Tribe comprehensive planning efforts. In 1994, the Board of County Commissioners adopted a resolution recognizing the Swinomish Tribal Community, Upper Skagit and Sauk-Suiattle Tribes as sovereign governments. This creates a formal government-to-government relationship since both entities regulate land use activities affecting Indian and non-Indian interests. Tribal Community plans provide policy guidance for future development (both public and private), land stewardship, and resource protection. The importance of Tribal Community plans is evident as both jurisdictions seek to: assure a quality of life which is deemed desirable to both present and future generations; confront the issues of land and resource management; and balance the interests of Indians and non-Indians.

Functional Plans: Providing Countywide Facilities or Services

Functional plans are detailed plans for facilities and services and other governmental activities, such as:

- Transportation
- Parks
- Solid Waste
- Storm water
- Economic Development
- Housing Needs
- Water
- Schools
- Emergency Services
- Natural Hazards

Some functional plans are operational or programmatic, which means they guide daily management decisions or include the specific details of facility design and location. Functional plans are prepared by Skagit County, independent special districts, and other public agencies.

Capital improvement programs (CIPs) are important components of functional plans as these plans identify needs, costs, and funding mechanisms for facilities and services. CIP plans distinguish between capacity improvements needed for new growth versus improvements to meet general public health, safety and welfare needs.

The 2005 Update

The Growth Management Act requires local jurisdictions to review and update their plans and development regulations every seven years. Skagit County and all of the cities and towns are in a cycle for updates at 2005, 2012,



2019 and beyond. At each of these points, the 20-year planning horizon is extended and the resulting growth forecasts must be addressed in terms of land needs, infrastructure, and the other GMA factors. The plans can be amended annually as well, but the seven-year update requires a more comprehensive review. The County Comprehensive Plan has undergone substantial reviews and revision since 1997 for a variety of reasons. Consequently, the 2005 update was focused in three ways:

- *A check-up to consider the durability and consistency of the goals and policies. This includes continued consistency with GMA and any recent updates to the act, related state statutes, and evolving local circumstances.*
- *A clean-up to remove or update old information and directives and reduce redundancies.*
- *Development of new goals and policies to provide additional guidance for future planning and implementation.*

Growth Forecast

In 2003, elected officials serving as the Growth Management Act Steering Committee adopted a county population target of 149,080 for 2025, or 46,100 new residents over the next 20 years. The Steering Committee's decision was based on the recommendation of a technical committee of County, city and town planners who reviewed the population forecast range by the state Office of Financial Management (OFM) and the local ability to accommodate growth. The OFM forecast a range from 139,253 to 198,992. The adopted number of 149,080 is approximately half-way between the Office of Financial Management's low and medium estimates. The target was further broken down into numbers for the cities, towns and their municipal UGAs (96,500), the County and tribal UGAs (9,250), and the

rural area population (43,330). These numbers are used as the basis for comprehensive plan updates in each jurisdiction. In addition, the Growth Management Act Steering Committee adopted an employment target for 2025 that – converted to acreage – works out to nearly 3,500 acres of developable commercial and industrial land for the urban areas. This is only 129 acres more than the adopted number for 2015 contained in the current Countywide Planning Policies and reflected in existing Urban Growth Area boundaries. The process is documented in Population & Employment Forecasting & Allocation, December, 2003.

Update Process

Two parallel activities were initiated in 2004. First, the County prepared a scope of work for the update process and formulated a schedule for the review. The Board of County Commissioners appointed a 15-member Steering Committee representing various interests: resource, economic, property rights, environmental, growth management, urban, rural, community, and tribal. The Committee's role was to advise the Planning and Development Services department in the review of the Comprehensive Plan goals and policies. This included a year of intensive meetings resulting in recommended revisions that were sent to the Planning Commission for further review. During this period, Planning and Development Services conducted outreach via the County's Community Report, the website, media releases, presentations to community groups, and open houses.

The second update activity included the public docketing of policy recommendations and proposals for changes to the land use map. Citizens submitted these recommendations and proposals to the County. The policy recommendations were integrated into the Steering Committee review and recommendations. The mapping proposals





were screened by Planning and Development Services staff, previewed by the Board of County Commissioners, and then evaluated for consistency with the goals and policies of the Plan. Other mapping proposals were brought forward by Planning and Development Services following suggestions by other advisory bodies and the Board.

The draft Plan was published in November 2005, commencing review under the State Environmental Policy Act (SEPA), as well as public review and comment, Planning Commission hearings and deliberations, and ultimately transmittal of a recommendation to the Board of County Commissioners.

In addition to the Comprehensive Plan, the 2005 update also examined the adopted Unified Development Code and produced recommendations for amendments to the Code to be implemented over the next year. This is described in a separate report to the

Planning Commission and Board of County Commissioners.

Update Themes

Several themes emerged during the 2005 update process regarding the following needs:

A land use management database – The County has less data regarding the inventory of “buildable” lands, legal lots, and associated development capacity than is desired for growth management planning. Building such a data base is an expensive task and probably cannot be compiled at one time. Rather, the County should initiate the development of the database on an incremental basis – perhaps in conjunction with the phasing of community plans.

A predictable program of community planning – The Plan identifies both specific and general areas that need another, more specific type of planning to address localized issues and conditions. This program should be established by determining the scope of community plans and then adopting a schedule based on priorities of need, funding, and other criteria. This process is important as a way to address more specific applications of designating local areas of more detailed planning.

Additional work with the cities on urban growth planning – The Countywide Planning Policies should be updated to address the provision of infrastructure and other government services within Urban Growth Areas, Urban Growth Area expansion and development standards, an affordable housing strategy, and other common issues.

More emphasis on the preservation of the resource land base – Farming, forestry and other resource activities are threatened by the loss of the land to non-resource uses. In particular, the transfer of resource lands to non-profit corporations and other agencies for



purposes of habitat protection or enhancement results in farm and forest land being taken out of natural resource production.

Closer coordination with natural hazard avoidance – Both urban and rural area planning in Skagit County need to be more sensitive to the threats posed by devastating natural hazard events, particularly flooding. UGA expansion, rural community development, public facility siting, and other forms of growth in identified hazard areas should be avoided through integrated comprehensive and hazard mitigation plans.

More and better incentives – The toolbox of methods for achieving the County’s growth management goals for the preservation of resource lands, protection of critical areas, and preservation of property rights should be expanded. These tools include the purchase and transfer of development rights as well as density “credits” for producing affordable housing and other desired results.



Urban, Open Space & Land Use Element

Introduction

Land uses in Skagit County fall into four general categories recognized by the Comprehensive Plan: Urban, Rural, Natural Resource Lands, and Open Space. The Urban, Open Space and Land Use Element addresses the general distribution and location, and the appropriate intensity and density, of Urban and Open Space land uses. There are separate chapters for Rural and Natural Resource Lands – Chapters 3 and 4 respectively – because of their significance in Skagit County. This Urban, Open Space and Land Use Element also addresses certain land use goals and policies that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing, non-conforming uses; public uses; lot certification; and land divisions.

GMA Mandate

The following GMA Planning Goals are directly relevant to the urban, open space and land use matters addressed in this chapter:

- *Encourage urban development in urban areas where adequate public facilities and*



services exist or can be provided in an efficient manner.

- *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*
- *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*
- *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*
- *Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase*



access to natural resource lands and water, and develop parks.

- *Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance.*

These GMA goals in the context of the entire Growth Management Act led to the development of the following Countywide Planning Policies that provide specific guidance to the land use policies in this chapter:

- *Urban growth shall be allowed only within cities and towns, their designated Urban Growth Areas and within any non-municipal urban growth areas already characterized by urban growth, identified in the County Comprehensive Plan with a Capital Facilities Plan meeting urban standards. (CPP 1.1)*

- *Cities and towns and their urban growth areas shall include areas and densities sufficient to accommodate as a target 80% of the county's 20-year population projection. (CPP 1.2)*

- *Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban governmental services concurrent with development. The GMA defines urban governmental services as those governmental services historically and*

typically delivered by cities, and includes storm and sanitary sewer systems, domestic waster systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas. (CPP 1.3)

- *Urban growth areas shall include greenbelt[s], open space, and encourage the preservation of wildlife habitat areas. (CPP 1.4)*

Plan Key: Washington's Growth Management Act (GMA)

Washington cities and counties have prepared comprehensive plans for many years, but planning took on new meaning with the legislature's passage of the Growth Management Act (GMA) in 1990. The GMA was enacted to address a number of important issues, including rapid population growth and concerns with suburban sprawl, environmental protection, quality of life, and related issues.

Today, **29 counties** – representing approximately 95 percent of Washington State residents – plan under GMA requirements.

For more on the Growth Management Act, see the Washington State Department of Community, Trade & Economic Development (CTED) website, at www.wa.cted.gov, or the Municipal Research and Services Center of Washington (MRSC) website, www.mrsc.org

- *Cities shall encourage development, including greenbelt and open space areas, on existing vacant land and in-fill properties before expanding beyond their present corporate city limits towards urban growth boundaries. (CPP 1.5)*

- *Annexations beyond urban growth areas are prohibited. (CPP 1.6)*

- *Development within established urban growth boundaries shall, as a minimum, conform to those urban development standards in effect within the respective municipality as of April 1, 1999.*

Bayview Ridge UGA

urban standards for roads, sewer, and storm water shall meet or exceed those in effect in the City of Burlington on April 1, 1999. UGAs with populations of over 1,500 or a Commercial/Industrial land allocation (new) over 100 acres shall have, as a minimum, the...urban law enforcement and fire service levels [as further elaborated in this Countywide Planning Policy]. (CPP 1.7)



- *All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. (CPP 1.8)*
- *Contiguous and orderly development and provision of urban services to such development within urban growth boundaries shall be required. (CPP 2.1)*
- *Development within the urban growth area shall be coordinated and phased through inter-agency agreements. (CPP 2.2)*
- *Master planned sites designated for industrial and large-scale commercial uses shall be clustered, landscaped, and buffered to alleviate adverse impacts to surrounding areas. (CPP 2.7)*
- *Commercial areas shall be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit. Strip commercial development shall be prohibited. (CPP 2.8)*
- *Urban commercial and urban industrial development, except development directly dependent on local agriculture, forestry, mining, aquatic and resource operations, and major industrial development which meets the criteria contained in RCW 36.70A.365, should be restricted to urban or urban growth areas where adequate transportation networks and appropriate utility services are available. (CPP 2.9)*
- *The Comprehensive Plan should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights. (CPP 4.3)*
- *Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long term commercial significance unless a program authorizing transfer or purchase of development rights is established. (CPP 8.3)*
- *Open space corridors within and between urban growth areas shall be identified; these areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas. (CPP 9.1)*



Plan Key: Skagit County Land Use Designations

Skagit County's diverse geographic and economic conditions are reflected in the County's set of land use designations, a varied set of categories that help ensure land is used efficiently, benefits the wider economy and population, and protects the environment.

Skagit County land use maps group more than 30 designations into six basic types. Here's an overview:

- **Urban** – Includes all incorporated areas not regulated by County land use policies.
- **UGA Zoning** – Designations outside of incorporated areas, but within municipal Urban Growth Areas (UGAs) including localized designations, development district designations, and a range of "Urban Reserve" designations.
- **Rural** – Designations applied in areas where very low development densities are appropriate.
- **Natural Resource Lands** – Designations applied to agricultural, mineral, and forest lands.
- **Commercial/Industrial** – Non-urban commercial activities including small businesses, freeway services and rural village business.
- **Open Space** – Undeveloped lands of statewide or regional significance.

For more on Skagit County's land use designations, see the following *Urban, Open Space and Land Use Profile* chapter.



Land Use Designations

Skagit County's land use goals and policies are implemented through land use designations and related zoning districts and regulations. Comprehensive Plan land use designations are intended to represent the most appropriate uses of land in the unincorporated portion of Skagit County. Designation criteria provide objective rationale for the application of land use designations to the Skagit County Comprehensive Plan/Zoning Map, based on the characteristics of the land.

This next portion of the Urban, Open Space and Land Use Element describes the criteria and procedures for designating Urban Growth Areas; the policies that guide development and the provision of infrastructure within those areas; and the need for coordination and joint planning between the County and cities, towns, and tribal governments to ensure the necessary transition of governmental services within the Urban Growth Areas. In discussing municipal Urban Growth Areas, or those associated with a city or town, it is important to keep in mind that there is both an incorporated portion which is the area within the city or town limits, and an unincorporated portion, or the area outside of the municipal limits that may be added through annexation.

Since many of the following land use policies refer to residential density, it is important to understand the difference between "gross density" and "net density." Gross density means the total number of dwelling units divided by the total land area of the site or area, excluding nothing. Net density means the total number of dwelling units divided by the net area of the lot or site. The net area excludes roads, public open spaces, community facilities, and critical areas.



■ Urban Growth Areas

Goal A – Urban Growth Areas

Guide most future development into concentrated urban growth areas where adequate public facilities, utilities, and services can be provided consistent with the Countywide Planning Policies.

Goal A-1, Urban Growth Area Designation

Establish Urban Growth Areas in which urban development will be encouraged and outside of which growth can occur only if it is rural in character.

Policies

- 2A-1.1** Work with local jurisdictions to designate and maintain Urban Growth Areas (UGAs) of sufficient size to accommodate the County's 20-year urban population and employment allocations. Areas proposed for UGA designation shall meet the following criteria:
- a) *Compact development can be accomplished through infill or expansion, while minimizing the fiscal and environmental impacts of growth and assuring opportunities for housing, jobs, and commerce.*
 - b) *A range of governmental facilities and services presently exists or can be economically and efficiently provided at urban levels of service. These services include sewer, water, storm drainage, transportation improvements, fire and law enforcement protection, and parks and recreation.*
 - c) *The area has a physical identity or social connection to an existing urban environment.*
 - d) *Natural features and land characteristics are capable of supporting urban development without significant environmental degradation.*
 - e) *The land does not have long-term, commercially significant value for agriculture, forestry, or mineral production and that can accommodate additional development without conflicting with activities on nearby natural resource lands.*
- 2A-1.2** Work with cities and towns to establish criteria for evaluating future proposals for Urban Growth Area expansions including: land capacity analysis; ability to provide urban services; impacts on critical areas, natural resource lands, and hazard areas; and compliance with related Countywide Planning Policies.



Urban Growth Area expansion proposals shall demonstrate that expansion is necessary within the 20-year planning period, that public facilities and services can be provided concurrent with development, and that reasonable efforts have been made to encourage infill and redevelopment within existing Urban Growth Area boundaries before those boundaries can be expanded.

2A-1.3 In designating Urban Growth Areas, consider GMA requirements to provide for recreational lands, critical areas, open space corridors, greenbelts, and view sheds, and to avoid natural hazard areas prone to flooding or other risks to public safety.

2A-1.4 The following Urban Growth Areas are designated within Skagit County:

Non-Municipal UGAs

- *Bayview Ridge*
- *Swinomish*

Municipal UGAs

- *Anacortes*
- *Burlington*
- *Concrete*
- *Hamilton*
- *La Conner*
- *Lyman*
- *Mount Vernon*
- *Sedro-Woolley*

2A-1.5 Overall residential densities within Urban Growth Areas shall be a minimum of four (4) dwelling units per net acre, when urban services are provided. “Net density” is what results when only the area of the residential lots is counted, not roads, open spaces, drainage facilities, or other site uses that are not residential.

Goal A-2, Concurrency

Adequate urban public facilities and services shall be provided concurrently with urban development, as appropriate for each type of designated land use in the Urban Growth Area.



Policies

- 2A-2.1** Encourage growth in areas already characterized by urban development or where the appropriate levels of urban public facilities and services are established in adopted capital facilities plans.
- a) *Ensure that adequate urban public facilities and services are provided in Urban Growth Areas concurrent with urban development.*
 - b) *Implement streamlined standards and development procedures to encourage and facilitate development within the Urban Growth Areas.*

Goal A-3, Urban Services

Within the designated Urban Growth Areas, coordinate with the respective local jurisdictions and other service providers within the Urban Growth Areas to ensure that growth and development are timed, phased, and consistent with adopted urban level of service standards.

Policies

- 2A-3.1** Urban public facilities include: improved streets, roads, highways, sidewalks, road lighting systems and traffic signals; urban level domestic water systems, sanitary sewer systems, storm sewer systems, park and recreational facilities and schools as defined in the Capital Facilities Element with adopted level of service standards.
- 2A-3.2** Urban public services include fire protection and suppression; emergency medical services; public safety; public health; education; recreation; environmental protection; and other services as identified in the Capital Facilities Element with adopted level of service standards.
- 2A-3.3** Urban governmental services should not be extended to, or expanded in, rural areas except in those limited circumstances necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not support urban development.
- 2A-3.4** The process of siting of major industrial developments in the rural area with associated provision of urban facilities and services shall be in conformance with RCW 36.70A.365 and Countywide Planning Policy 2.6.
- 2A-3.5** The process of siting new fully self-contained communities in the rural area with associated provision of urban facilities and services shall be in



conformance with RCW 36.70A.350, the Countywide Planning Policies, and the community planning process.

Goal A-4, Joint City-County Planning

Conduct joint planning between the County and local jurisdictions for future annexation areas within the Urban Growth Areas in accordance with the Framework Agreement and the Countywide Planning Policies.

Policies

- 2A-4.1** Joint planning should consider issues including, but not limited to:
- a) *coordination of development permit review.*
 - b) *assessment of the capacity of current public facilities and services to accommodate projected growth.*
 - c) *the phasing of development within the Urban Growth Area and the provision of capital improvements to the area concurrent with development.*
 - d) *the impacts of annexation on property owners, service providers, and other stakeholders in the Urban Growth Area.*
 - e) *fiscal impacts and cost/revenue implications of future annexations.*
- 2A-4.2** Use interlocal agreements, pre-annexation agreements, and/or development agreements to equitably allocate financial burdens and resolve other issues resulting from the transition of governance from the County to local jurisdictions.
- 2A-4.3** Work with local jurisdictions to implement the Countywide Planning Policies and address other regional land use, economic, and transportation issues through interlocal agreements and codes.

Goal A-5, Commercial Development

Encourage commercial and industrial development to locate in well-defined centers within the Urban Growth Areas. Prohibit new zoning that furthers the continuation of strip commercial development.

Policies

- 2A-5.1** Plan for compact commercial and industrial centers in the Urban Growth Areas and provide infrastructure accordingly.



- 2A-5.2** Attract commerce and industry to designated areas within Urban Growth Areas by ensuring an adequate supply of land with adequate urban public facilities and services.

Goal A-6, Quality of Life

Ensure a high quality of life within Urban Growth Areas.

Policies

- 2A-6.1** Foster development within Urban Growth Areas that creates and maintains safe, healthy and diverse communities. These communities should contain a range of affordable housing and employment opportunities, and school and recreational facilities, and be designed to protect the natural environment and significant cultural resources.
- 2A-6.2** Adopt plans, policies, codes and development standards that promote public health by increasing opportunities for residents to be more physically active. Such actions include: concentrating growth into Urban Growth Areas, promoting more compact urban development, allowing mixed-use developments, and adding pedestrian and non-motorized linkages where appropriate.
- 2A-6.3** Concentrate facilities and services within Urban Growth Areas, using urban design principles, to make them desirable places to live, work, and play; increase the opportunities for walking and biking within the community; use existing infrastructure capacity more efficiently; and reduce the long-term costs of infrastructure maintenance.

Goal A-7, Transformance of Governance

Provide for the orderly transition from rural to urban development patterns within the unincorporated portions of the municipal Urban Growth Areas.

Policies

- 2A-7.1** Work with the cities and towns to ensure the cooperative and timely transfer of governmental responsibilities as urban development occurs.
- 2A-7.2** Limit land divisions and development intensities within the Urban Growth Areas to rural levels until property is annexed, thereby creating an economic incentive to encourage annexation.



- 2A-7.3** Allow residential development within Urban Growth Areas at rural densities prior to the provision of urban infrastructure, provided that future development at urban densities is not precluded.

Goal A-8, Development Process

Work with local jurisdictions to simplify the permitting process for land owners and developers within the unincorporated portions of the Urban Growth Areas.

Policies

- 2A-8.1** Maintain, in consultation with local jurisdictions, a common set of municipal Urban Growth Area zoning districts and development regulations for residential, commercial, industrial, and other land uses in the Urban Growth Areas.
- 2A-8.2** Maintain development regulations that allow development in the Urban Growth Areas at lower-than-urban densities and/or intensities, prior to annexation, provided that future urban development is not precluded. Development shall follow standards generally consistent with those applied in the rural portions of the County.
- 2A-8.3** Maintain zoning maps for each of the Urban Growth Areas showing the zoning of all lands within the unincorporated portions of the Urban Growth Areas.
- 2A-8.4** Development at urban densities and/or intensities may be allowed prior to annexation. However, such development shall only be allowed if urban infrastructure is provided, and shall be subject to the standards of the future annexing jurisdiction.
- 2A-8.5** Any subdivision of land under these regulations shall include measures to ensure the accommodation of future rights-of-way for urban transportation infrastructure and utilities that will be required when the property is further subdivided and developed at urban densities and land uses.

■ Open Space

As discussed in greater detail in the Urban, Open Space and Land Use Profile, there are two major categories of Open Space in Skagit County: public, and private. Open space lands in private ownership play an important



role in maintaining ecological, scenic, and natural resource values, but because of their private nature they are not shown on the Comprehensive Plan/Zoning Map. Public open space lands are those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive areas. Where identified below to be of regional or statewide importance, such lands are designated on the Comprehensive Plan/Zoning Map. Other publicly held lands, such as local neighborhood parks, scenic roads and highways, shorelines, rivers and streams, and utility corridors, although not designated as open space on the Comprehensive Plan Map, nevertheless offer similar open space functions and benefits.

Goal B – Open Space

Recognize the important functions served by private and public open space, designate and map public open space of regional importance, and designate open space corridors within and around urban growth areas.

Policies

- 2B-1.1** Public open space areas are those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive. They include:
- a) *Neighborhood and community parks. These should be linked by open space networks whenever possible.*
 - b) *Land that offers special natural resource-based and recreational opportunities, such as: federal, state and local regionally important parks and recreation areas; islands; federal wilderness areas; wildlife refuges; lakes; reservoirs; creeks; streams; river corridors; shorelines and areas with prominent views.*
 - c) *Lands which include a significant historic, archaeological, scenic, cultural or unique natural feature.*
 - d) *Areas that take advantage of natural processes, wetlands, tidal actions and unusual landscape features such as cliffs and bluffs.*
- 2B-1.2** Of these public open space areas, the County has designated certain ones on the Comprehensive Plan/Zoning Map as Public Open Space of Regional/Statewide Importance (OSRSI). These areas are so identified because their recreational, environmental, scenic, cultural and other



open space benefit extend beyond the local area to be regional or statewide in significance. They include:

Deception Pass State Park; Montgomery-Duban Headlands Park; Burrows Island, Saddlebag Island; Hope Island; Ika Island; Huckleberry Island; Skagit Island; Larrabee, Rasar, and Bayview State Parks; PUD #1 Judy Reservoir; Skagit Wildlife Refuge; North Cascades National Park; Noisy Diobsud Wilderness; Glacier Peak Wilderness; Ross Lake National Recreation Area; Mount Baker National Forest; Seattle City Light Wildlife Mitigation Lands; Rockport State Park; WA Department of Natural Resources Natural Resource Conservation Areas and Natural Area Preserves; and portions of the Northern State Recreation Area.

- 2B-1.3** By December 1, 2007, Skagit County will develop a program to identify and prioritize open space corridors and greenbelts within and between UGAs that include lands useful for recreation, wildlife habitat, trails, and connection of critical areas. The program will include a list identifying and prioritizing open space and greenbelt lands desirable for public acquisition. Any potential acquisition that may be proposed by such a program will not include any condemnation actions, but instead will be achieved by voluntary donation, CaRD subdivision, or mutually agreeable sale.
- 2B-1.4** Private Open Space is privately owned land that has been or will be set aside by the operation of the Critical Areas Ordinance, by voluntary conservation or by other means. These lands may include:
- a) *Critical areas as defined in the Critical Areas Ordinance.*
 - b) *Lands with conservation and land reserve easements in place.*
 - c) *Lands within urban growth areas that are wooded and serve a functional purpose in climate, noise, light or pollution control, or provide wildlife habitat or greenbelts.*
 - d) *Lands that can provide for a separation between communities, minimize or prevent sprawl, provide a buffer between urban and rural areas, or between natural resource lands and rural areas.*
- 2B-1.5** The Current Use Open Space Taxation Program includes properties utilized for agricultural, timber and open space uses as provided in RCW 84.34. Property owners should be encouraged to enroll in the Current Use Open Space Taxation Program.



Goal C – Land Use Approvals

Recognize for a reasonable period of time land use approvals that have been granted but not yet acted upon. After landowner notification and the designated period of time, those approvals shall expire.

Policies

- 2C-1.1** Historic land use approvals such as conditional use permits, special use permits, and contract rezones that already have been exercised may continue to operate under the conditions of their original permit or land use approval. Any expansion or change beyond the conditions of the original permit or land use approval shall require a revised permit or land use approval.
- 2C-1.2** Historic subdivisions shall be subject to the provisions of RCW 58.17.170. Other historic land use approvals with vested development rights that have not yet been exercised will remain valid for five years from the date property owners are given notice of adoption of this policy. Property owners will be notified within two years of adoption of this policy. Land use approvals not exercised within this five-year period shall expire.

Goal D – Pre-Existing Non-Conforming Uses

Prohibit expansions of pre-existing non-conforming uses that are not in conformance with the Comprehensive Plan or development regulations.

Policies

- 2D-1.1** A nonconforming use is any use established in conformance with Skagit County rules and regulations in effect at the time of establishment, which no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the code, due to changes in the code or its application to the subject property.
- 2D-1.2** Nonconforming uses will be allowed to continue operation subject to County regulations governing nonconforming uses and general municipal police powers regarding health and safety. Expansion of such uses shall be limited to certain previously approved and therefore vested expansion plans.



■ Public Uses

Public Uses, generally, are government or quasi-government owned and operated facilities such as primary and secondary schools, libraries, postal services, offices, training facilities, fire and police stations, and courts. Public Uses under this section do not necessarily include Essential Public Facilities as provided for in Chapter 10 of this Comprehensive Plan.

Goal E – Public Uses

Allow public uses as special uses in most comprehensive land use designations, to be reviewed on a site-specific basis.

Policies

- 2E-1.1** In most comprehensive plan land use designations, public uses are to be allowed as either administrative or hearing examiner special uses. They are reviewed as site-specific projects so that public benefits and land use impacts can be analyzed and, if necessary, mitigated.
- a) *Public uses on Natural Resource Lands are limited to those providing emergency services.*

Goal F – Lot Certification

Only lots created in a legal manner consistent with state law and County regulations shall be considered for development permits.

Policies

- 2F-1.1** The County shall establish and maintain a review process to determine whether lots on which development is proposed were created legally. Only lots created legally shall be considered for development permits pursuant to the provisions of RCW 58.17.210.
- 2F-1.2** A legally created lot meeting the minimum dimensional standards for the zoning district it is located in shall be eligible to be considered for development permits. A legally created substandard lot, meaning a lot not meeting the dimensional requirements of the zone, shall be evaluated against performance criteria considering factors such as lot size and previous development activities in determining eligibility for development.



- 2F-1.3** The performance standards used in reviewing substandard lots will seek to protect property rights and investment-backed expectations, as well as preserve natural resource lands and prevent sprawl.

Goal G – Land Division

Allow for the orderly division of land by providing for the creation of new lots meeting the dimensional standards of the zoning district in which the lots are located.

Encourage innovative land division technique as an alternative to traditional land division practices. These techniques allow flexibility in design and provide for better preservation of critical areas, natural resource lands and rural character.

Agricultural Land Preservation allows for the separation of an existing house from the existing larger parcel on lands designated Agricultural-Natural Resource Land and Rural Resource-Natural Resource Land, and is intended to encourage long-term agricultural land protection. This type of division allows flexibility to the landowner and protects the land with a conservation easement held in perpetuity.

Planned Unit Developments (PUD) or Planning Residential Developments (PRD) allow variations in controls related to density and other design elements. PUDs/PRDs are more appropriately located in urban growth areas or new fully contained communities where urban services and utilities are provided. They differ from standard land divisions because they routinely involve density bonus beyond what is normally permitted in a given land use designation or zone in exchange for meeting certain land use management objectives. PUDs often involve permitting of mixed uses (commercial/residential) development whereas PRDs are typically limited to residential uses.

Policies

- 2G-1.1** Planned Unit Developments and Planned Residential Developments shall be allowed only in Urban Growth Areas where public services and utilities are available or will be provided concurrent with development.

The Conservation and Reserve Development (CaRD) provisions allow innovative techniques to be used for land divisions in the Rural area and in certain circumstances on Natural Resource Lands. The CaRD land division



concept is attractive because it provides future land use options and protects and conserves open space, natural resource lands, rural character and critical areas. It also allows landowners to maintain some equity and development potential on the land while retaining open spaces and minimizing infrastructure costs. In certain Rural land use designations, incentives are provided in the form of density bonuses to encourage voluntary participation in this approach to land division. Even where density bonuses are not provided, CaRD land divisions can reduce infrastructure and other costs.

Policies

2G-1.2 CaRD land divisions may achieve some or all of the following benefits:

- a) *Flexibility in site development, which may result in more compact, clustered lots or environmentally sound use of the land, while maintaining the County's rural character.*
- b) *Buffer areas to reduce land use conflicts between Rural and natural resource uses and the loss of Natural Resource Lands.*
- c) *Reduction in housing costs due to reduced engineering, infrastructure, and development costs, smaller lot sizes, and more intense use of buildable areas.*
- d) *Greater opportunity for property owners to derive reasonable economic use of the land by maintaining larger open space areas that may be used for the production of food, fiber, or minerals.*
- e) *More flexible land development options in areas with potential to be designated urban growth areas in the future.*
- f) *Allowance of bonus development lots when a landowner meets the various requirements of the CaRD provisions.*
- g) *Large tracts of open space land held for recreation, natural resource management, and protection of critical areas and significant cultural resources.*

2G-1.3 CaRD land divisions shall be designed to minimize impacts on neighbors, infrastructure systems, and the surrounding environment.

2G-1.4 When CaRD land divisions are approved for Long CaRDs their conservation easements or conditions/covenants/restrictions (CCRs) shall be in place for a specified period of time.

- a) *Certain identified critical areas shall be set-aside as a Protected Critical Areas (PCAs) and others may be placed into Open Space Preservation Areas (OS-Pas).*



- b) *A long CaRD land division which has designated Natural Resource Lands (NRL) not satisfying 2G-1.4(a) above shall have the remaining NRL set-aside as a conservation easement, which removes the development right on such lands until such time as the land is determined by a court of competent jurisdiction to no longer have long-term commercial significance for the production of food, agricultural products, timber, or extraction of minerals.*
- c) *A long CaRD land division that has designated Rural lands not satisfying 2G-1.4(a) above shall have the undeveloped lands set-aside as a land reserve until the land is redesignated through a comprehensive plan amendment.*



Urban, Open Space & Land Use Profile

Introduction

Skagit County's Comprehensive Plan focuses on a Countywide, regional land use approach that is derived from Growth Management Act goals, Countywide Planning Policies, market and other factors affecting land development, projections about future trends, the community vision statements described in Chapter 1, and evolving public opinion.

The Plan is based on a vision of how Skagit County can grow and develop while protecting the region's high quality of life and equitably sharing public and private costs and benefits of growth. The Plan encourages well-managed development to protect public health, safety and welfare, and to enhance Skagit County's community character, natural beauty and environmental quality. The Comprehensive Plan establishes four general land use categories: Urban Growth Areas, the Rural Area, Natural Resource Lands, and Open Space areas. These various land use categories are distinguished from each other through land use designations that are reflected on the Skagit County Comprehensive Plan and Zoning Map. Each land use designation has a corresponding zoning district that contains the specific development standards for land use activities in that zone. Table 1 shows the general



distribution of Urban, Rural, Natural Resource Land and Open Space areas in the County.

The Urban, Open Space and Land Use Element addresses the general distribution and location, and the appropriate intensity and density, of Urban and Open Space land uses. There are separate chapters for Rural and Natural Resource Lands – Chapters 3 and 4 respectively – because of their significance in Skagit County. The Urban, Open Space and Land Use Element also addresses certain land use goals and practices that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing, non-conforming uses; public uses; lot certification; and land divisions.



Urban Growth Areas

Most new growth in Skagit County is encouraged to locate in Urban Growth Areas. These areas include the incorporated cities and towns and unincorporated land surrounding the incorporated areas that the County has determined to be necessary and appropriate for urban growth through the year 2025. Each city or town in Skagit County has an Urban Growth Area (or UGA). The UGAs for the towns of La Conner and Lyman do not extend beyond their town limits, whereas the UGAs for the other municipalities include the incorporated area – the city or town itself – as well as additional land which may be added to the corporate limits through annexation. There are also two non-municipal Urban Growth Areas:

- *Bayview Ridge UGA*
- *Swinomish UGA*

Only about three percent of all land in Skagit County is designated urban.

The Urban Growth Area designation recognizes historic urban development patterns and present and future needs for urban land. An adequate supply of land through 2025 will ensure that immediate and future urban needs are met, and will provide for an orderly and efficient transition from low-intensity land use to urban land use over time. The establishment or modification of Urban Growth Area boundaries takes into consideration population and employment growth projections for the planning period, the ability of local jurisdictions to provide required urban services in an efficient and economical manner, and the protection of critical areas and Natural Resource Lands of long-term commercial significance.

The County, cities and towns have worked closely together to establish development standards for the unincorporated portion of municipal Urban Growth Areas that address the needs of property owners, the local jurisdictions and service providers. Prior to annexation, only low-intensity rural residential and commercial uses are allowed, to preclude land division patterns and uses that may prevent future development at full urban densities. Urban development may only take place concurrent with the availability of public services and capital facility programs. When property is annexed and services are made available, development may occur at appropriate urban densities, resulting in an orderly, economical transition from rural to urban land use patterns.

Since many of the policies in the Urban, Open Space and Land Use Element refer to residential density, it is important to understand the difference between “gross density” and “net density.” Gross density means the total number of dwelling units divided by the total land area of the site or area, excluding nothing. Net density means the total number of dwelling units divided by the net area of the lot or site. The net area excludes roads, public open spaces, community facilities, and critical areas.



Table 2.1 – Land Use Designations and Acreage

Land Use Designations	Acreage*
Water Bodies	[176,696]
Public Open Space of Regional/Statewide Importance (OSRSI)	
National Forest	282,812
National Park & Recreation Areas	130,848
Wilderness	83,530
State Parks & Recreation Areas	5,425
Other	16,727
Subtotal	519,342
Natural Resource Lands (NRL)	
Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRC-NRL)	26,871
Agriculture (Ag-NRL)	89,277
Subtotal	473,779
Mineral Resource Overlay (MRO)	[61,492]
Rural Lands	
Rural Village Residential (RV)	2,791
Rural Intermediate (RI)	8,035
Rural Reserve (RRv)	70,378
Subtotal	81,204
Commercial/Industrial Lands	
Rural Business (RB)	186
Rural Freeway Service (RFS)	29
Rural Village Commercial (RVC)	20
Natural Resource Industrial (NRI)	239
Small-Scale Recreation & Tourism (SRT)	16
Rural Center (RC)	19
Rural Marine Industrial (RMI)	50
Small-Scale Business (SSB)	29
Master-Planned Resort	113
Subtotal	703
Urban Growth Areas (UGA)	
Incorporated UGA Areas (not including incorporated water areas)	22,675
Unincorporated UGA Areas	11,409
Subtotal	34,084
Total	1,109,112

Bayview Ridge and Swinomish UGAs

The only unincorporated Urban Growth Areas that are not expected to be annexed by a city or town are the Bayview Ridge UGA and the Swinomish UGA. The County has adopted a subarea plan and development regulations for the Bayview Ridge UGA that includes goals, policies, and land use and zoning designations specific to that area. The Bayview Ridge Subarea Plan has been developed following the goals, policies and procedures contained in the Plan Implementation and Monitoring Element which is Chapter 12 of this Comprehensive Plan.

The Bayview Ridge Subarea is 4,011-acres, which includes a 3,633-acre non-municipal Urban Growth Area, located approximately one mile west of the City of Burlington. The Bayview Ridge Subarea community is characterized by a mix of industrial/business uses, airport and aviation-related uses, pasture land, and a variety of residential uses. The land use designations for the subarea include:

- *Bayview Ridge Residential (BR-R)*
- *Bayview Ridge Urban Reserve (BR-URv)*
- *Bayview Ridge Light Industrial (BR-LI)*
- *Bayview Ridge Heavy Industrial (BR-HI)*
- *Aviation Related (AVR)*
- *Bayview Ridge Community Center (BR-CC)*

These designations have been created to respond to the existing and anticipated future growth conditions within the subarea based on an extensive community-based planning process including environmental review. The subarea plan includes a capital facilities element identifying needs and solutions for



infrastructure improvements in support of anticipated growth.

The Swinomish UGA is located within a portion of the Swinomish Indian Reservation. The County's authority and responsibility for planning and land use management within the Reservation is promulgated by federal and case law. In general terms, within the exterior boundary of the Swinomish Indian Reservation the interests of the Tribe extend

Plan Key: **Open Space Areas**



One of the key qualities residents appreciate about Skagit County are the many types and relative abundance of wetlands, forested areas, parks and greenbelts – in short, the County's **open space areas**.

Though some of these lands are publicly-owned, or are protected under local or State statutes, many are not. The County is establishing a program to identify and prioritize open space and greenbelt lands desirable for public acquisition, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas.

For more, contact Skagit County Planning & Development Services.

to all lands regardless of ownership while the County's regulatory authority extends only to non-trust and non-tribal fee-simple lands. As such, the County's regulatory authority is put into practice by adopting the Residential District (R) land use designation for the non-trust and non-tribal fee-simple lands within the Swinomish UGA, with the exception of the Hope Island Inn which is designated Commercial (C).

Open Space Areas

There are a variety of types of open space lands in Skagit County. Open space areas include greenbelt corridors within and around urban growth areas, green belts which connect critical areas, lands receiving open space tax incentives, resource lands, conservation easements, rural open space areas, park lands, and significant historic, archaeological, scenic and cultural lands.

By December 1, 2007, Skagit County will develop a program to identify and prioritize open space corridors and greenbelts within and between UGAs that include lands useful for recreation, wildlife habitat, trails, and connection of critical areas. The program will include a list identifying and prioritizing open space and greenbelt lands desirable for public acquisition. Any potential acquisition that may be proposed by such a program will not include any condemnation actions; any potential acquisition for land for open space or greenbelts shall only be achieved by voluntary donation, CaRD subdivision, or mutually agreeable sale.

Public Open Space

Public open space areas include publicly owned lands that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive areas. Where identified below to be of regional or statewide importance, such lands are designated on the Comprehensive Plan/Zoning Map. Other publicly held lands, such as local neighborhood parks, scenic roads and highways, shorelines, rivers and streams, and utility corridors, although not designated as open space on the Comprehensive Plan Map, nevertheless offer similar open space functions and benefits. However, certain areas may not be open to the



public, such as utility corridors, road easements, etc., where ownership or public safety reasons may preclude public access, even though these areas may provide open space benefits to wildlife.

Private Open Space

There are several private organizations in Skagit County that in some way set aside lands for conservation purposes, such as for their ecological, scenic, or natural resource values.

Private land trusts, such as the Skagit Land Trust, the San Juan Preservation Trust, and the Nature Conservancy, among others, own or in some way administer a significant amount of land in Skagit County.

These private organizations contribute to the preservation of wildlife habitat, biodiversity, natural and scenic greenbelts and open-space corridors. Through the use of such techniques as conservation easements, purchase of development rights, or the outright purchase of land, development of these lands is limited or precluded altogether.

Open Space Taxation

Lands enrolled in a taxation program as defined in RCW 84.34 are identified in the Current Use Open Space Taxation Program map. This map also may change over time according to participation.

Public Uses

Public Uses generally are government or quasi-government owned and operated facilities including primary and secondary schools, libraries, postal services, offices, training facilities, fire and police stations, and courts. Public Uses do not necessarily include

Essential Public Facilities as provided for in Chapter 10 of this Comprehensive Plan.

Within each Comprehensive Plan land use designation, public uses may be considered as “special uses” under the Skagit County Unified Development Code. Public uses are reviewed as site specific projects so that public benefits and land use impacts can be analyzed and, if necessary, appropriate mitigation applied.



Rural Element

Introduction

The Growth Management Act requires counties to include in their comprehensive plans:

“...a rural element [which includes] lands that are not designated for urban growth, agriculture, forest, or mineral resources. 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. It may also provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural uses not characterized by urban growth.” (RCW 36.70A.070 (5))

This Element establishes broad goals and policies guiding residential, commercial, and industrial uses in unincorporated Skagit County consistent with the Growth Management Act’s allowance of development in the rural area, including “limited areas of more intensive rural development.”



GMA Mandate

There are no specific GMA goals for rural growth and development. Rather, the goals for urban growth, reducing sprawl, economic development, and natural resources tend to address the rural focus indirectly. The Act does define “rural character” as being characterized by areas:

- a) *In which open space, the natural landscape, and vegetation predominate over the built environment;*
- b) *That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;*
- c) *That provide visual landscapes that are traditionally found in rural areas and communities;*



- d) *That are compatible with the use of the land by wildlife and for fish and wildlife habitat;*
- e) *That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;*
- f) *That generally do not require the extension of urban government services; and*
- g) *That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.*

The following Countywide Planning Policies (CPPs) provide more specific guidance for the Rural Element:

- *All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services, except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. (CPP 1.8)*
- *Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, and mineral) and having access to public services. Rural development shall have access through suitable county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts. (CPP 2.3)*
- *Commercial areas should be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit. Strip commercial development shall be prohibited. (CPP 2.8)*

Plan Key: Defining “Rural” in Skagit County



What’s the meaning of “Rural?” *Webster’s New World Dictionary* defines it as “of or relating to the country, country people or life, or agriculture”, which may represent a common

understanding of the term “rural.”

For planning purposes, defining rural isn’t easy. Existing and traditional development patterns often include clustered service or residential areas, so definitions based on density alone aren’t enough. The presence of agriculture isn’t always an accurate measure of rural, either.

So how to define rural? Washington State’s Growth Management Act (GMA) does a good job of defining the extremes of urban-scale development and undeveloped natural resource lands, but struggles to define the middle ground of “rural.” For this reason, a 1997 GMA amendment describes what typifies “rural character” to facilitate identification of such lands.

GMA interpretations clearly indicate the need to preserve rural landscapes, including the development necessary to sustain them.

So Skagit County has addressed the issue in a localized fashion, applying rural designations that support existing development, while anticipating future growth in a way that supports overall GMA objectives.

For more on Skagit County’s rural use framework, see the policy section of this chapter and the following *Rural Profile* chapter.

- *The process to consider siting of specific major industrial developments outside of urban growth areas shall follow the process included in the Memorandum of Understanding between the County and the cities for adoption of Countywide Planning Policies... (CPP 2.9)*



- *Rural commercial and industrial development shall be consistent with that permitted by the Growth Management Act, specifically including RCW 36.70A.070(5)(d) and related provisions and the 1997 ESB 6094 amendments thereto. This development shall not be urban in scale or character or require the extension of urban services outside of urban growth areas, except where necessary to address an existing public health, safety or environmental problem. (CPP 2.4)*
- *Rural commercial and industrial development shall be of a scale and nature consistent and compatible with rural character and rural services, or as otherwise allowed under RCW 36.70A.070(5)(d), and may include commercial services to serve the rural population, natural resource-related industries, small scale businesses and cottage industries that provide job opportunities for rural residents, and recreation, tourism and resort development that relies on the natural environment unique to the rural area. (CPP 2.5)*
- *Priority consideration will be given to siting of new rural commercial and industrial uses in areas of existing development, including existing Rural Villages and existing Rural Centers, followed by already developed sites in the rural area, and only lastly to wholly undeveloped sites in the rural area. (CPP 2.6)*
- *Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas. (CPP 4.6)*
- *Home occupations that do not significantly change or impact neighborhood character shall be permitted. (CPP 5.2)*
- *Economic diversity should be encouraged in rural communities where special incentives and services can be provided. (CPP 5.3)*
- *A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations. (CPP 5.5)*
- *Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles. (CPP 5.6)*
- *Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long-term commercial significance of natural resources and critical areas or rural life styles. (CPP 5.7)*
- *Agriculture, forestry, aquatic resources, and mineral extraction shall be encouraged both within and outside of designated resource lands. (CPP 5.8)*
- *Value added natural resource industries shall be encouraged. (CPP 5.12)*
- *The Comprehensive Plan shall support and encourage economic development and employment to provide opportunities for prosperity. (CPP 5.15)*
- *Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact. (CPP 10.6)*



■ Rural Area Characteristics

The Skagit County rural landscape is characterized by open spaces with natural vegetation; a variety of rural residential densities; farms, forests, mining, and aquatic resource areas; small unincorporated rural communities; small, isolated rural commercial and industrial developments; and regionally important recreation areas.

The Rural Area land use designations provide a variety of living environments at lower than urban densities which are compatible with farming, fishing and timber management. Rural areas preserve historic and cultural structures and landscapes, retain open spaces, protect designated natural resource lands and identified critical areas and minimize service demands and costs on county government. The following goals and policies for the rural area include general intent statements based on the above discussion as well as the more formal policies for the designation of rural land uses. Urban and resource land use goals and policies are included in the Land Use and Resource Lands Elements.

Goal A – Rural Area Characteristics

Protect the rural landscape, character and lifestyle by:

- a) *Defining and identifying rural lands for long-term use and conservation;*
- b) *Providing for a variety of rural densities and housing opportunities;*
- c) *Maintaining the character and historic and cultural roles of existing rural communities;*
- d) *Allowing land uses which are compatible and in keeping with the protection of important rural landscape features, resources, and values;*
- e) *Assuring economic prosperity for rural areas; and*
- f) *Assuring that appropriate and adequate rural levels of service are provided.*

Policies

Monitoring Rural Growth

- 3A-1.1** Monitor rural growth in relation to the target established in Countywide Planning Policy 1.2 that 80 percent of new growth should locate in



urban areas. Analyze development trends to determine if changes in land use designations are necessary or additional regulatory techniques or measures are needed to assure compliance with targeted urban/rural population distribution goals.

Goal A-2

Provide for a variety of residential densities and business uses that maintain rural character, respect farming and forestry, buffer natural resource lands, retain open space, minimize the demand and cost of public infrastructure improvements, provide for future Urban Growth Area expansion if needed, and allow rural property owners reasonable economic opportunities for the use of their land.

Policies

- 3A-2.1** Manage development in rural areas through density requirements that protect and maintain existing rural character, natural resource lands, open space, critical areas, significant cultural resources, and water resources, and that manage traffic volumes.
- 3A-2.2** The rate of development in rural areas should be in accordance with adopted Countywide Planning Policies stating that urban areas should accommodate 80 percent of new population growth, with the remaining 20 percent locating in the rural area. Monitor the pace of development in conjunction with the maintenance of data describing the inventory of available buildable land.
- 3A-2.3** Rural residential development near designated natural resource lands shall minimize potential conflicts and not contribute to the conversion of farm and forest land to non-resource uses. Encourage techniques such as land conservation, clustering and buffering.
- 3A-2.4** Encourage rural conservation and reserve development (CaRD) land divisions through public outreach and communication with property owners and developers.
- 3A-2.5** The design of rural residential developments near urban areas should include means to further subdivide at urban densities should these developments be added to the urban area in the future, using techniques such as conservation and reserve development (CaRD) land divisions.
- 3A-2.6** Rural land-use designations within ¼ mile of the designated Mineral Resource Overlay shall be no greater than one dwelling unit per ten acres, except for isolated situations where higher densities, and an



existing mining operation within the MRO, already exist. Where greater densities would normally be possible through a CaRD subdivision, such increase in density can be transferred to a portion of the property located outside the ¼ mile.

Goal A-3

Assure that public facilities, services, roads and utilities are properly planned for and provided, consistent with rural character, needs, and lifestyles.

Policies

- 3A-3.1** Priorities for funding public investment in rural areas shall be to maintain or upgrade existing facilities, services, and utilities to serve existing development at rural service standards. New facilities, services, roads, and utilities which support planned rural growth shall meet rural service standards.
- 3A-3.2** Standards and plans for structures, roads and utility systems, and other public services and facilities shall be consistent with rural densities and uses. Such facilities and services shall be such designed, constructed, and provided to minimize the alteration of the landscape and the impacts to rural residents and community character, to preserve natural systems, to protect critical areas, to protect important land features such as ridge lines, to retain historic and cultural structures/landscapes, and scenic amenities.
- 3A-3.3** The County's public health responsibility for ensuring adequate wastewater treatment includes the determination of failing on-site septic systems, technical assistance to property owners, and actions to require necessary improvements. These services may include community plans and other strategies for creating area-wide solutions when surface waters or groundwater is threatened.
- 3A-3.4** On-site wastewater systems are preferred to treat and dispose of effluent in rural areas. Community on-site systems or decentralized treatment systems may be used in land divisions or to serve limited areas of more intensive rural development (LAMIRDs).
 - a) *The size of a community or large on-site sewage system for a designated LAMIRD shall be limited to the build-out potential of all development within the LAMIRD's designated boundaries, unless it is also needed to addresses existing public health, safety or welfare issues of properties outside of the LAMIRD.*



- b) *The size of a community or large on-site sewage system for a land division shall be limited to the number of residential units allowed under the land division. The system may not be used for development that is not part of the proposal land division unless it is found to be needed, in the land division review process, to address existing public health, safety and welfare issues of existing development.*

- 3A-3.5** Consistent with the Countywide Planning Policies, urban services shall not be extended into or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment.

■ Limited Areas of More Intensive Rural Development

The Rural Area provides a choice of living environments and rural- and natural resource-related economic activities through a mix of large lots, conservation and reserve development (CaRD) land divisions, and limited areas of more intensive rural development. Amendments to the Growth Management Act adopted in 1997 as part of ESB 6094 established that “the rural element may allow for limited areas of more intensive rural development...” or LAMIRDs (RCW 36.70A.070(5)(d)). These limited areas include the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas; the intensification of development on lots containing or new development of small scale recreational or tourist uses; and the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the rural population but that provide job opportunities for rural residents.

Goal B – LAMIRDs

Establish certain Limited Areas of More Intensive Rural Development, consistent with the Growth Management Act, to recognize historic rural residential, commercial, and industrial development patterns, and to allow certain new small-scale recreation and tourism uses and industries that provide jobs for rural residents.

Policies

- 3B-1.1** Skagit County has developed and applied various rural land use designations, as described below, following the GMA provisions for



Limited Areas of More Intensive Rural Development (LAMIRDs) in RCW 36.70A.070(5)(d).

3B-1.2 The GMA establishes three basic types of LAMIRD. The first is authorized by RCW 36.70A.070(5)(d)(i) and consists of commercial, industrial, residential, or mixed use areas that were in existence on July 1, 1990, and that are surrounded by logical outer boundaries. The Skagit County rural land use designations created and placed on the Comprehensive Plan/Zoning Map using these criteria are:

- a) *Rural Village Residential.*
- b) *Rural Intermediate.*
- c) *Similk Beach LAMIRD, and other residential LAMIRDs as may need to be identified to address similar health and environmental issues.*
- d) *Rural Village Commercial, which must fall within the Rural Village Residential boundary.*
- e) *Rural Center.*
- f) *Rural Freeway Service.*
- g) *Rural Marine Industrial.*
- h) *Some Natural Resource Industrial designations also meet these “(d)(i)” LAMIRD requirements, but not all. New natural-resource related uses are also allowed in the rural area under GMA, provided they remain compatible with rural character and do not promote sprawl.*

3B-1.3 The above land use designations provide for the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

3B-1.4 Skagit County has adopted measures to minimize and contain these existing areas or uses of more intensive rural development, as appropriate.

- a) *Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl.*
- b) *Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominantly by the built environment, but that may also include undeveloped lands if limited as provided in RCW 36.70A.070(5)(d).*



- c) *The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary the county shall address:*
 - i) *the need to preserve the character of existing natural neighborhoods and communities;*
 - ii) *physical boundaries such as bodies of water, streets and highways, and land forms and contours,*
 - iii) *the prevention of abnormally irregular boundaries, and*
 - iv) *the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;*
- d) *An existing areas or uses as described above is one that was in existence on July 1, 1990, when the Growth Management Act was adopted.*

3B-1.5 The identification of the Rural Village and Rural Intermediate designations as Limited Areas of More Intensive Rural Development (LAMIRD) does not by its name, label or designation automatically confer any increased development potential to these areas. The LAMIRD label is only intended to indicate that Rural Villages and Rural Intermediate areas are designated consistent with the requirements of RCW 36.70A.070(5)(d). The LAMIRD label itself does not grant any increased land uses, intensities, or densities not already allowed for in the Comprehensive Plan policies and development regulations applicable to the Rural Village Residential or Rural Intermediate designations.

3B-1.6 Two other types of LAMIRD are allowed by GMA. The County's other rural commercial and industrial designations were created and applied consistent with these other provisions. Pursuant to RCW 30.70(A).070(5)(d)(ii), the County's Small Scale Recreation and Tourism designation allows:

- a) *The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development.*
- b) *A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population.*
- c) *Public services and public facilities are limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.*



3B-1.7 The County's Small-Scale Business and Rural Business designations are based on a third type of LAMIRD allowed under GMA. There are distinctions between the two designations: Small-Scale Business may be applied to a new use in the rural area, whereas a Rural Business must have existed on June 1, 1997. Both designations are consistent with RCW 30.70(A).070(5)(d)(iii) which permits:

- a) *The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.*
- b) *Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(14).*

3B-1.8 The GMA provision referenced above in Policy 3B-1.6 is also the basis for the potential creation of a limited number of new Rural Centers in the Rural area. The creation of new Rural Centers is only permitted under very narrow, limited circumstances within the context of a community planning process where the creation of a center is supported by community needs. (See Policy 3C-2.17)

3B-1.9 Certain other land uses are allowed in the Rural Area. These are Master Planned Resorts and Major Industrial Developments, both of which are a type of urban use that may take place under certain circumstances in the rural area; and Open Space uses. Land use designation policies for agricultural, forest, rural resource, and mineral resource lands are included in the Natural Resource Lands Element.

Goal C

Provide for a variety of rural residential land use densities while retaining the rural landscape, character, and lifestyles.

Rural Residential Designations

Rural Reserve, Rural Intermediate, and Rural Village Residential are the main residential land use designations in the Rural area. There is also a Bayview Ridge-Urban Reserve (BV-URv) designation adjacent to the Bayview Ridge Urban Growth Area to allow expansion of the Urban Growth Area in the future if necessary. All lands designated Rural Intermediate and Rural Village Residential are considered to be part of a Limited Area of More Intensive Rural Development (LAMIRD) as



described in policy 3B-1.2 and as authorized by RCW 36.70A.070(5)(d)(i). These designations reflect areas that were generally already developed or platted at land use densities of 1 residence (or “dwelling unit”) per 2.5 acres, or greater, when the Growth Management Act was implemented in 1990. The Rural Reserve designation identifies portions of the Rural area that were not already developed at these higher densities. The Rural designation and density criteria follow:

Policies

- 3C-1.1** Rural Reserve (RRv). The Rural Reserve designation applies to all rural areas outside of the following designations: Natural Resource Lands, Rural Intermediate, Rural Village, any of the various Rural commercial/industrial designations, Open Space of Statewide/Regional Significance, or Urban Growth Area. The maximum allowed residential gross density is 1 residence per 5 acres in conservation and reserve development (CaRD) land divisions, and 1 residence per 10 acres in standard land divisions.
- 3C-1.2** All lands shown as Rural Intermediate and Rural Village Residential on the Comprehensive Plan/Zoning map were designated following the criteria for Limited Areas of More Intensive Rural Development, or LAMIRDs, under RCW 36.70A.070(5)(d)(i), as described in policy 3B-1.2 above.
- 3C-1.3** Rural Intermediate (RI). The Rural Intermediate (RI) designation applies to rural areas where the average existing and/or surrounding parcel density is predominantly more than or equal to 1 parcel per 2.5 acres or 1/256th of a section, not including any lands within a UGA. If rural lands proposed to be added to the RI designation have a density of less than 1 parcel per 2.5 acres, these lands must be included in any calculation of “average existing and/or surrounding parcel density.” These RI designations are intended to balance property rights in the legally vested lots and the built environment that is reflected in certain rural areas of the County with the GMA requirements to minimize sprawl and concentrate growth in urban areas.

Areas may be considered for designation as RI by identifying clearly-contained logical boundaries that are delineated predominantly by the built environment existing on July 1, 1990, per policy 3B-1.2 above. However, in some cases, where lots were legally created since that time, but prior to adoption of the Comprehensive Plan and have either been developed, or have vested rights to develop at those densities, RI designation may be appropriate on those lots as well. Finally, as



described in more detail under the Rural Study Areas policies in the Plan Implementation and Monitoring Element, some RI density may be appropriate in one or more of those study areas, but only after completion of the necessary community plan.

- a) *The RI designation does not necessarily apply to every existing lot smaller than 2.5 acres in the County since, to do so, could result in a pattern of scattered and unconsolidated areas of more intense rural development.*
- b) *Within the Rural Intermediate designation, the minimum lot size that may be created through a land division is 2.5 acres, resulting in a maximum residential gross density of 1 dwelling unit per 2.5 acres.*

3C-1.4 The purpose of the Rural Intermediate designation is to provide and protect land for residential living in a rural atmosphere, taking priority over resource land uses and commercially-oriented special uses. Long-term open space retention and critical area protection are encouraged.

3C-1.5 Bayview Ridge Urban Reserve (BR-URv). The Bayview Ridge-Urban Reserve designation is intended to indicate where the UGA may expand at some future date. Development regulations for the Urban Reserve area require clustering of development within designated areas outside the UGA so as not to preclude future urban residential development, and provide for a transition from rural to urban infrastructure. The maximum allowed residential gross density is 1 residence per 10 acres in a standard land division, or 1 residence per 5 acres in conservation and reserve development (CaRD) land divisions.

■ Rural Village

Policies

3C-1.6 Rural Villages shall be located only in designated Rural areas. Rural Village designation and densities are based on existing rural residential and commercial development patterns and uses, environmental constraints, presence of critical areas, proximity to designated natural resource lands, and adequate capacity to maintain existing rural levels of service.

3C-1.7 Rural Villages represent historical communities throughout the County with future development limited to infill within designated boundaries, as described further in policy 3B-1.2.



- 3C-1.8** The community planning process is the preferred method to determine the sizes, configurations, uses, and development potentials specific to each Rural Village. As discussed in greater detail in Chapter 12, community plans draw upon the local knowledge, experience, and preferences of community residents, provided that such is consistent with the Growth Management Act, Countywide Planning Policies, and the Comprehensive Plan.
- a) *Issues appropriate for consideration through a community plan include suitable land uses within the Rural Village, community infrastructure requirements, and development standards and design guidelines to protect and retain important features valued by the community.*
 - b) *The outer boundaries of a Rural Villages shall only be amended through a community plan or through a 7-year GMA Update, provided that the boundaries of the historic Rural Villages shall be defined predominantly by the built environment that existed on or before July 1, 1990.*
 - c) *Because Rural Villages are the preferred location for commercial uses in the Rural area, the establishment of new Rural Village Commercial designations within existing Rural Village boundaries may occur through the annual Comprehensive Plan amendment process, and is not required to occur through a community plan.*

■ Rural Village Density

Policies

- 3C-1.9** Single-family residential densities for land designated as Rural Village Residential are:
- a) *1 residential dwelling unit per acre, with public water and an approved on-site septic system;*
 - b) *1 dwelling unit per 2.5 acres, with private water and an approved on-site septic system; or*
 - c) *a Rural Village Community Plan may recommend smaller lot sizes, provided public sewer and water are available, and if those smaller lots are consistent with existing Rural Village development patterns and/or are appropriate to better protect critical areas, open spaces or public health and safety.*
- 3C-1.10** Subdivisions of undeveloped parcels on the east side of the Big Lake Rural Village are allowed with lot sizes of 5 acres or greater unless those parcels are divided through conservation and reserve developments (CaRD), utilize public utilities, and protect Big Lake Water quality.



Prior to the adoption of a Big Lake Rural Village Plan, property that is commonly referred to as the Overlook Golf Course may be subdivided according to provisions contained in the Unified Development Code.

- 3C-1.11** The Board of County Commissioners will work with the Department to prioritize community planning efforts for Rural Villages and other areas of more detailed rural planning, as further discussed in the Plan Implementation and Monitoring Element.

■ Rural Commercial and Industrial Designations

Goal C-2

Support the rural economy by fostering opportunities for rural-based employment, home businesses, natural resource-related industries, and economic diversification in tourism and recreation, of an appropriate size and scale to maintain rural character.

Policies

- 3C-2.1** New rural commercial and industrial uses will be located in designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. To encourage efficient use of land, priority consideration will be given to the siting of new rural commercial and industrial uses in areas of existing development. In order of priority, these are Rural Villages and existing Rural Centers, followed by already-developed sites in the rural area, and only lastly by wholly undeveloped sites in the rural area.

Comprehensive Plan and Zoning designations permitting commercial and industrial uses in the unincorporated portions of the county are:

- a) *Rural Village Commercial*
- b) *Rural Center*
- c) *Rural Freeway Service*
- d) *Small-Scale Recreation and Tourism*
- e) *Natural Resource Industrial*
- f) *Rural Marine Industrial*
- g) *Major Industrial Developments*



- b) Master-Planned Resorts*
- i) Small-Scale Business*
- j) Rural Business*

The Home-Based Business special use also permits certain rural commercial activities.

3C-2.2 Comprehensive Plan Amendment applications to any of the rural commercial or industrial designations must meet the following criteria in order to be found consistent with the Comprehensive Plan. The proposed designation and use must:

- a) be consistent with the existing rural character of the area;*
- b) not create conflicts with surrounding agricultural, forest, and mineral resource lands and practices; and*
- c) provide for the protection of critical areas, frequently flooded areas, and surface water and ground water resources, including sole source aquifers.*

3C-2.3 An applicant for any of the rural commercial or industrial designations available under this plan must submit, at the time of application, a development proposal that is consistent with the appropriate designation criteria, and that will commence or may be phased within a specified amount of time following the property's redesignation and rezone. The time lines for commencement and phasing are specified in the development regulations. A development project that has not commenced according to the specified timeline, or those portions of a phased project that have not proceeded according to an approved phasing schedule, will lose its rural commercial or industrial designation and zoning, and will be returned to its prior designation and zone.

3C-2.4 Public services and public facilities necessary for rural commercial and industrial uses shall be rural in nature, limited to those necessary to serve the use, and provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

The following policies describe the various rural commercial and industrial designations, and provide guidance on the types and scale of permitted uses within them.

Rural Village Commercial (RVC)

3C-2.5 The Rural Village Commercial District provides for a range of commercial uses and services to meet the everyday needs of rural



residents and natural resource industries, and to provide goods, services, and lodging for travelers and tourists to the rural area.

- 3C-2.6** Generally, there should be only one contiguous area designated Rural Village Commercial in each Rural Village. New uses should be clustered around the existing Rural Village Commercial district, unless the particular nature of the new use justifies an alternative location within the Rural Village.
- 3C-2.7** Typical uses in the Rural Village Commercial district include small retail and service businesses that primarily serve the needs of the surrounding population or support natural resource businesses and industries, art and performance galleries and studios, overnight lodging and related services for visitors to the rural area, and minor public uses.
- 3C-2.8** Maximum size limits for uses within the Rural Village Commercial district are intended to retain the rural character of the Rural Villages and are based on the size of existing commercial uses within the Rural Villages. A community plan may modify the dimensional standards for a particular Rural Village Commercial district, provided that the newly developed standards are consistent with existing commercial uses within that Rural Village.
- 3C-2.9** Land within a Rural Village may be redesignated to one of the other rural commercial or industrial designations, based on the appropriate land use designation criteria, and subject to a Rural Village community plan if one has been adopted.

Rural Center (RC)

- 3C-2.10** Rural Centers are small-scale commercial clusters at selected locations in the rural portion of the County. They are smaller in size and intensity than Rural Villages and generally serve the population residing within a 2 ½ mile radius.
- 3C-2.11** Typical uses in Rural Centers are small retail and service businesses that primarily serve the needs of the surrounding rural population and visitors to the rural area. Examples include: retail food, drug, feed, nursery, and hardware stores, specialty shops, restaurants, bed and breakfasts, service stations, and personal care services.
- 3C-2.12** Rural Centers may not include new residential uses other than business-owner or operator residences and loft living quarters over store fronts,



unless such residential uses are specifically authorized through a community plan.

- 3C-2.13** Rural Centers are designated at specific, limited sites in the following areas: Allen, Birdsvie, Day Creek, Dewey Beach, East Edison, and Guemes Island.
- 3C-2.14** Rural Centers of sufficient number and size will be designated to meet existing and projected rural commercial needs for retail and service businesses serving the surrounding rural population and visitors.
- 3C-2.15** Substantial infill, development, and redevelopment shall occur within existing Rural Centers and Rural Village Commercial districts before any new Rural Centers may be designated.
- 3C-2.16** Before additional acreage may be added to an existing Rural Center, the County shall conduct an analysis of the logical outer boundaries of that Rural Center, in accordance with RCW 36.70A.070(5)(d)(iv).

Limited Number of New Rural Centers

- 3C-2.17** A limited number of new Rural Centers may be designated to meet future needs for goods and services in areas of the County not otherwise served by an existing Rural Village or Rural Center. These include the Samish Valley north of Sedro-Woolley, and certain islands likely to experience future residential development, such as Vendovi and Sinclair Islands. These have been identified as Rural Study Areas in the Plan Implementation and Monitoring Element.

In addition, as also described in more detail in the Plan Implementation and Monitoring Element, the existing Day Creek Rural Center and the Birdsvie Rural Center may be considered for possible expansion, change, or more intensive rural uses, but only after completion of the community planning effort described in that Element.

- 3C-2.18** Any new Rural Center designations shall meet the following criteria:
 - a) *All property to be included is located within the Rural Intermediate or Rural Reserve designations only.*
 - b) *The commercial area existed predominantly as an area or use of more intensive commercial development on July 1, 1990. Limited exceptions may be provided where uses or areas that developed after July 1, 1990 serve substantially the same function as other Rural Centers that were existing commercial areas as of July 1, 1990.*



- c) *Location at the crossroads of county roads, state routes, or major arterials.*
- d) *The designation does not jeopardize the protection of designated critical areas, frequently flooded areas, and surface water and ground water resources, including sole source aquifers, or the conservation and productive use of designated natural resource lands.*
- e) *The travel distance between a new Rural Center and existing rural commercial designations is a minimum of 5 miles. This is generally the minimum distance that existing Rural Centers are located from other rural commercial designations.*
- f) *Proponents of new Rural Centers must demonstrate that there is sufficient surrounding population, or market demand to support the need for the Rural Center.*
- g) *New Rural Center designation proposals shall be supported with development plans demonstrating compatibility with surrounding rural uses and character.*
- h) *New Rural Centers shall be designated only after the conduct of a community plan as described in the Plan Implementation and Monitoring Element.*

■ Rural Freeway Service (RFS)

Goal C-3

Serve local rural populations and the traveling public with appropriate commercial goods and services at certain Interstate 5 interchanges already characterized by more intensive rural development.

Policies

- 3C-3.1** Rural Freeway Service areas provide freeway-oriented goods and services at certain Interstate 5 interchanges in Skagit County that meet the GMA definition of “limited areas of more intensive rural development” in RCW 36.70A.070(5)(d)(i). The following portions of the Bow Hill, Conway, Alger, and Cook Road interchanges are designated RFS:
- a) *Conway: the approximately 1.3 acre parcel in the southeast quadrant where there was commercial development as of July 1, 1990.*
 - b) *Bow Hill: the approximately 2.4 acre parcel at the northwest quadrant, and approximately 10 acres in the southwest quadrant that has existing urban sewer service (pre-1990) and water service.*



- c) *Alger: four parcels totaling approximately 5 acres in the southeast quadrant that are served by, or are prepared to be served by, water, sewer and power, and are bounded by elements of the built or natural environment which create logical boundaries to any future commercial sprawl.*
- d) *Cook Road: approximately nine acres at the northeast quadrant, and approximately six acres at the southeast quadrant. Both areas are surrounded by logical boundaries consisting of the built or natural environment, have paid sewer commitments dating back to the late 1970s and are served by public sewer and public water.*

3C-3.2 New development at these locations is subject to development regulations and design guidelines intended to maintain the rural character of the area, and to minimize impacts to rural residential areas, resource lands, critical areas, and other sensitive natural features of the environment. Such development shall not be expanded into designated natural resource lands or create conflicts with natural resource practices.

■ Small-Scale Recreation and Tourism (SRT)

Goal 4

Use the County's abundant recreational opportunities and scenic and natural amenities to diversify the economy of rural Skagit County by allowing small-scale recreational and tourist uses in an environmentally sensitive manner.

Policies

- 3C-4.1** The Small-Scale Recreation and Tourism designation is intended to provide opportunities for businesses that create recreational or tourist-oriented jobs for rural residents. Proponents may apply for a Comprehensive Plan/Zoning map amendment and rezone to the SRT designation and zone demonstrating that the proposed location or use:
- a) *Relies on a particular rural location and setting;*
 - b) *incorporates the scenic and natural features of the land; and*
 - c) *would be inappropriate or infeasible in a Rural Village, Rural Center, or Urban Growth Area.*
- 3C-4.2** Small-Scale Recreation and Tourism areas shall not be created from lands designated Ag-NRL or IF-NRL.



- 3C-4.3** Typical uses within small-scale recreational or tourist areas may include but are not limited to: cabins, cottages, campgrounds, recreational vehicle (RV) parks, and other forms of overnight lodging that are rural in scale; outdoor recreational equipment rental and/or guide services; outdoor recreational facilities; recreational, cultural, or religious retreats; and accessory uses such as restaurants and small retail shops. Owner or caretaker housing is also permitted. Other residential uses are not permitted.
- 3C-4.4** SRT areas and uses are limited in size and scale so as to be rural in nature and compatible with the surrounding rural area as follows:
- a) *Up to 20 acres of developable land may be located within an SRT designation. Additional land used for passive recreation purposes only may be included provided it remains substantially undeveloped*
 - b) *The maximum number of units of overnight lodging permitted within a SRT area is 35. This limit does not apply to the number of camping sites or recreational vehicle hook-ups within a campground or resort.*
- 3C-4.5** Proposed amendments to the Comprehensive Plan for new SRT designations shall include site plans as further specific in the Legislative Actions section of the Unified Development Code.

■ Natural Resource Industrial (NRI)

Goal C-5, NRI Uses

Facilitate the production of agricultural, forestry, and aquatic products by allowing related processing facilities, limited direct resource sales, and limited natural resource support services that support local natural resource activities.

Policies

- 3C-5.1** The NRI designation applies to agricultural, forestry, and aquatic industries and products. Mineral processing activities are generally guided by separate policies found in the Land Use and Resource elements of the Skagit County Comprehensive Plan.
- 3C-5.2** Permitted uses include natural resource processing facilities; wholesaling and storage of products associated with natural resources; limited direct resource sales; and limited natural resource support services.



3C-5.3 New Natural Resource Industrial designations may be located on lands currently in one of the other Rural designations. In certain circumstances designated Natural Resource Lands may be redesignated to NRI, subject to the following provisions and the specific policies for each natural resource land or industry contained below.

- a) *The NRI designation may generally be located on land currently in a Natural Resource Land designation for uses directly involved in the extraction, sorting, and primary processing of natural resources.*
- b) *NRI uses that are not directly involved in the extraction, sorting, and primary processing of natural resources should generally locate on rural lands, including in Rural Villages. These activities include support services, and certain storage and processing uses that serve natural resource industries but are not directly involved in the on-site extraction or primary processing of natural resources.*
- c) *NRI uses may be located in more densely populated rural areas, including Rural Villages, provided their operations do not present an unreasonable threat to the health, safety and welfare of rural residents.*
- d) *Development of the proposed NRI site would have minimal adverse impacts on nearby primary natural resource activities.*

3C-5.4 In considering NRI designation requests, priority consideration will be given to properties that have had prior industrial activity and site improvements, but that may now be vacant or under-utilized, rather than to entirely undeveloped sites.

Policies Specific to Agriculture-NRL

3C-5.5 Skagit County should designate an area (or areas) in which to concentrate agriculture-related industrial uses and agricultural support services in an “agricultural industrial park.” This would allow for these services and their impacts to be concentrated, rather than dispersed throughout the rural area. Designation of an agricultural industrial park is the only instance where Ag-NRL land may be converted to a NRI designation, and only based on a finding that the agricultural sector is better served by having the land in NRI designation to permit an agricultural industrial park.

Policies Specific to Forest-NRL

3C-5.6 Certain forestry-related industrial activities are permitted outright through the Industrial Forest-NRL, Secondary Forest-NRL, and Rural



Resource-NRL zoning districts and do not require a Comprehensive Plan designation to NRI.

- 3C-5.7** Certain forestry-related industrial activities are not permitted, or are only permitted on a temporary basis, in the Industrial Forest-NRL, Secondary Forest-NRL, and Rural Resource-NRL zoning districts. The NRI designation is an appropriate place for these uses to occur on a permanent basis.

Policies Specific to Aquatic Industries

- 3C-5.8** Aquatic and marine uses permitted through the NRI designation shall only be located on non-NRL designated lands.

- 3C-5.9** Additionally, the proposed site should be close to:

- a) *the natural resource or natural resource activities it intends to serve;*
- b) *major transportation facilities associated with the proposed use (highway, rail, water, or air); and*
- c) *non-urban or existing urban services necessary for the proposed resource-related industrial use.*

■ Rural Marine Industrial (RMI)

Goal C-6

Provide a land use designation that recognizes existing industrial facilities that are directly linked to an existing rural marine location and that serve the county's rural marine industrial needs; permits expansion of existing rural marine industrial activities that are water or shoreline dependent; and provides for limited changes of use.

Policies

- 3C-6.1** The Rural Marine Industrial (RMI) designation is intended to recognize existing rural marine industrial facilities and to permit expansion of existing rural marine industrial activities that are water or shoreline dependent, and to provide for limited changes of use. The term “rural marine industrial facilities” includes harbors, marinas, docks, moorages, and other existing or permitted facilities that support and enable marine industry and commerce.



3C-6.2 Areas or facilities are designated RMI based on their history of marine industrial use, or regulatory approval and related site improvements for marine industrial use, prior to July 1, 1990. The RMI-designated properties were reviewed under, and found to comply with, the GMA criteria for limited industrial areas of more intensive rural development, as outlined in policy 3B-1.2. The existing areas or facilities identified as Rural Marine Industrial areas on the Comprehensive Plan/Zoning Map, are:

- a) *Twin Bridge Marine Park, on the east side of the Swinomish Channel north of State Route 20 and Josh Green Lane.*
- b) *The former “Western Lime” property on the Swinomish Channel directly north of the Twin Bridge Marine Park.*
- c) *Property on Turner’s Bay at the north end of Similk Bay, which has served historically as a marine terminal for logs and other natural resource materials, as a log storage site, and for other marine-industrial uses.*
- d) *Rozema Boat Works, located in the Bay View Rural Village, on the eastern shore of Padilla Bay.*

3C-6.3 Permitted uses within the Rural Marine Industrial designation are those that are “water and shoreline dependent or related,” and are rural in nature, as consistent with the County’s Shoreline Master Program.

3C-6.4 It is the intention both to retain the rural character of Skagit County’s shoreline and to allow new areas for rural marine industry on a minimal scale that are in concert with the rural character. Therefore, only lands contiguous to areas with existing RMI zoning may be redesignated/rezoned to RMI.

■ Major Industrial Developments (MID)

Goal C-7

Ensure adequate site opportunities for major industrial developments that have land needs that cannot be met in Urban Growth Areas.

Policies

3C-7.1 A “major industrial development” is a master planned site for a business that requires a parcel of land larger than is available in the urban growth area or is a natural resource-based use requiring a location near agricultural land, forest land, or mineral resource land upon which



it is dependent. The siting of major industrial developments outside of an urban growth area shall comply with the framework agreement between the County and the Cities and the criteria contained in RCW 36.70A.365 and CPP 2.6. The major industrial development designation requires the development of additional Comprehensive Plan policies and development regulations pursuant to those criteria, before any properties may be so designated.

■ Master Planned Resorts (MPR)

Goal C-8

Provide for the siting of Master Planned Resorts, consistent with the requirements of the Growth Management Act, in locations that are appropriate from both an economic and environmental perspective.

Policies

- 3C-8.1** Master planned resorts are self-contained and fully integrated planned unit developments, in settings of significant natural amenities, providing short-term visitor accommodations including a range of indoor or outdoor recreational facilities and visitor services.
- 3C-8.2** Master planned resorts are larger in scale, and involve greater potential impacts on the surrounding area, than uses permitted under the Small-Scale Recreation and Tourism designation. Master planned resorts may constitute urban growth outside of urban growth areas as limited by RCW 36.70A.360 and RCW 36.70A.362.
- 3C-8.3** Designation of Master Planned Resorts requires amending the Comprehensive Plan and Zoning Maps, prior to, or concurrent with an application for master plan review. The comprehensive plan amendment process should evaluate all the probable significant adverse environmental impacts from the entire proposal, even if the proposal is to be developed in phases, and these impacts shall be considered in determining whether any particular location is suitable for a Master Planned Resort. Review and approvals will be conducted using the following criteria:
 - a) *Development Agreements, as authorized by RCW 36.70B.170, may be used to implement these policies.*
 - b) *The development and its impacts should be buffered and mitigated from the adjacent rural areas. Master Planned Resorts should be of sufficient size to*



mitigate the potential impacts from the development on site. Where located in a rural area, the Master Planned Resort should also be of sufficient size to screen the development and its impacts from the adjacent rural areas.

- c) MPRs are not allowed on designated Ag-NRL lands. Location on other Natural Resource Lands requires a County finding that the proposed site is better suited and has more long-term importance for the Master Planned Resort than for the commercial harvesting of timber or production of natural resource products, and will not adversely affect adjacent Natural Resource Land activities.*
- d) The Master Planned Resort must be developed consistent with the County's development regulations established for critical areas and consistent with lawfully established vested rights, and approved development permits.*
- e) The Master Planned Resort shall consist of predominantly short term visitor accommodations, with associated indoor and outdoor recreational facilities, conference facilities and commercial and professional activities that support and are integrated with the resort. In addition, permanent residential uses, including caretakers' or employees' residences and vacation home properties may be included, provided they must be integrated into the resort and consistent with the on-site recreational nature of the resort. Some goods and services for the surrounding permanent residential population may also be included.*
- f) Where supported by historic use of the property and where such historic uses are intended to be integrated into the overall Master Planned Resort concept, commercial or industrial uses not typically associated with resort or recreational activities may be included, such as on-going natural resource industrial activities.*
- g) Master Planned Resorts may be developed using clustering design, setbacks, and lot sizes that vary from those provided in the Rural or Natural Resource Land designations. MPR commercial facilities necessary to serve the resort may be larger than those otherwise permitted in rural commercial areas, but nevertheless limited to primarily serving the needs of the resort.*
- h) Capital facilities and services, including wastewater, water, storm water, security, fire suppression, and emergency medical provided on-site shall be limited to meeting the needs of the resort and may be provided by outside service providers, provided that the resort pays all costs associated with service extension capacity increases, or new services that are directly attributable to the resort, and provided that the nature of the facilities and services provided are adequate to meet the increased needs of the resort.*
- i) Resort traffic mitigation should not require the construction of additional traffic lanes on State routes except in the immediate vicinity of or within the boundaries of the Master Planned Resort where necessary to accommodate increased traffic and turning movements generated at the site.*



- j) *The Master Planned Resort shall contain sufficient portions of the site in undeveloped open space for buffering and recreational amenities to help preserve the natural and rural character of the area.*
- k) *Master Planned Resorts may be sited within or adjacent to existing Urban Growth Areas or within or adjacent to an existing area of more intense rural development, such as an existing Rural Village or an existing Rural Intermediate designation.*



■ Small-Scale Business (SSB)

Goal C-9

Recognize the land use needs of existing and new small-scale businesses that are beyond the size and scale of home-based businesses.

Policies

- 3C-9.1** The Small-Scale Business (SSB) designation is intended to provide for commercial or industrial uses involving the provision of services or the fabrication or production of goods, primarily for clients and markets outside of the rural area. The SSB designation may be applied to existing or new businesses, whereas the Rural Business designation applies only to businesses that were established as of June 1, 1997.
- 3C-9.2** Typical uses within the SSB zone include the small-scale production or manufacture of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services. The business may have customers visit the site, but retail sales are limited to products primarily produced on site.
- The scale of activities within a SSB is typically greater than can be accommodated through a Home Based Business. Nothing in these policies is intended to create a presumption that the property on which a Home Based Business is located should be re-designated to SSB if that business outgrows its home-based status. There is no automatic progression from Home Based Business to Small-Scale Business.
- 3C-9.3** Caretaker residences may be located on site in a SSB.
- 3C-9.4** A Small-Scale Business may have up to 20 full-time equivalent (FTE) employees, meaning an employee that visits the business site more than two times per week, including visits solely for purposes of vehicle transfer.
- 3C-9.5** The SSB designation is consistent with the Growth Management Act's allowance for the "intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents." (RCW 36.70A.070(5)(d)(iii))



- 3C-9.6** Rural policy 3C-2.1 regarding priority consideration to siting of new uses in areas of existing development, shall be applied when considering new Small Scale Business designations. A home-based business shall not be considered as an already developed site for the purposes of this policy.
- 3C-9.7** A Small-Scale Business designation should not be located on designated natural resource lands, nor create the potential for conflicts with the use of agricultural, forest, and mineral resource lands of long-term commercial significance.

■ Home-Based Business (HBB1 & HBB2)

Goal C-10

Provide opportunities for rural entrepreneurs to establish work places within their homes that are compatible with surrounding uses.

Policies

- 3C-10.1** Home-Based Businesses (HBB) are intended to provide increased rural economic opportunities by providing the ability to supplement a family income, start a business, or establish a work place at home.
- 3C-10.2** HBBs are located inside single family homes or a permitted accessory outbuilding and remain clearly incidental and secondary to the primary residential use.
- 3C-10.3** Home-Based Business 1 (HBB1) consists of services or fabrication activities carried on exclusively by residents of the household and which do not involve client or customer visits. On-premises or off-premises signs are not permitted. These businesses are permitted outright.
- 3C-10.4** Home-Based Business 2 (HBB2) consists of commercial or industrial activities involving the provision of services or fabrication or production of goods. Examples include but are not limited to: dressmaking, upholstering, weaving, baking, limited metal working activities, and computer software development. Clients or customers may visit the site. A single small, on-premises sign is permitted. Limits on the number of employees are established in the development regulations.
- 3C-10.5** There shall be no off-premises signs or other indications of a commercial or industrial enterprise visible off-premises, and auto



and truck traffic, noise, and pollutant emissions shall not exceed that normally associated with a residential property.

- 3C-10.6** A Home-Based Business 2 is only allowed on land designated Ag-NRL if it is clearly secondary and incidental to an actively managed agricultural operation.

■ Rural Business (RB)

Goal C-11

The Rural Business designation is intended to accommodate significant commercial and industrial uses that existed as of June 1, 1997 but do not qualify for other rural commercial and industrial Comprehensive Plan designations.

Policies

- 3C-11.1** The County in 1999 – 2000 conducted an extensive review of existing commercial and industrial uses in the rural area and provided a Rural Business designation to many commercial or industrial uses that were in existence as of June 1, 1997, when the County implemented its Comprehensive Plan under the Growth Management Act.
- 3C-11.2** Commercial and industrial uses not designation Rural Business or other rural commercial/industrial designation – for instance those operating under a special use permit – may apply for designation as Rural Business through the annual Comprehensive Plan amendment process.
- 3C-11.3** The designation shall be evaluated based on whether the use is similar in nature and location to other uses designated Rural Business; and whether the granting of the designation would be compatible with the rural character of the area, would conflict with the conduct of natural resource activities of long-term commercial significance; and would be consistent with any adopted Community Plan for the area.

Expansion of Use

- 3C-11.4** All uses designated RB may expand by up to 50 percent of the existing building footprint and/or up to 50 percent of the existing outdoor working area, provided that the total expansion does not exceed a total of 1,500 square feet of gross floor area. The expansion must occur on the same lot upon which the existing use is located. The total square



footage of allowable expansion is determined on a onetime basis, based on the area of use as of June 1, 1997.

- 3C-11.5** Uses that were established as of July 1, 1990 may expand beyond the 1,500 sq. ft. limitation with an approved Hearing Examiner Special Use Permit, subject to criteria contained in the Unified Development Code.

Change of Use

- 3C-11.6** Properties with a Rural Business designation may change uses provided that the new use is rural in nature and does not result in a substantial change to rural character or create substantially greater impacts on surrounding properties, critical areas, natural resource lands, and other factors as further identified in the development regulations. A change to a new use does not create a new expansion opportunity.
- a) *Changes from one use to an identical or “substantially similar” use are subject to Administrative Review only. The Administrative Official will determine if the new use is an identical or substantially similar use based on a definition contained in the development regulations.*
 - b) *A Hearing Examiner special use permit is required to change from one use to another use that is determined not to be identical or substantially similar to the prior use. The Hearing Examiner shall grant a special use permit for change of use only if it is determined that the change of use would not result in significantly adverse impacts or be inconsistent with an adopted community plan.*



Rural Profile

Introduction

This section provides documentation supporting the goals and policies in the Rural Element. It summarizes current conditions, describes the character of Skagit County's rural area, and provides background information on the rural land use designations. The Natural Resource Conservation Element Profile describes the County's designated Natural Resource Lands, while the Land Use Profile discusses Urban Growth Areas, Open Space areas, Public Uses, and other general land use matters.

Rural Character

About 80,000 acres in Skagit County fall under one of the rural area designations. These lands are outside of the Urban Growth Areas and the designated Natural Resource Lands (Agriculture-NRL, Industrial and Secondary Forest-NRL, and Rural Resource-NRL). Table 2-1 on the following page shows the acreage of the various rural land use designations.

Skagit County's rural area is characterized by: large areas of relatively undeveloped land, in which natural features and vegetation predominate over the built environment;



scattered unincorporated rural communities and villages; isolated rural businesses and industries; and regionally important recreation areas. The rural area land use designations provide a variety of living environments at lower than urban densities which are compatible with farming, fishing and timber management. Rural areas preserve historic and cultural structures and landscapes, retain open spaces, protect designated Natural Resource Lands and identified critical areas, and minimize service demands and costs on County government.

Rural Growth and Development

In 2000, the population of the rural area was estimated to be 34,000 (including the small



number of residents living on designated Natural Resource Lands). This was about one-third of the total County population. By 2025, the rural population is expected to be about 43,000, or less than 30 percent of the total. The rate of growth in the rural area should be lower than the urban rate. The Countywide Planning Policies state that over the 20-year planning period, no more than 20 percent of the County's growth should locate in the rural area. During the period 1995-2004, the rural population increased by about 500 persons per year. As the County and cities' Comprehensive Plan policies and development regulations are implemented, this level of rural growth relative to urban growth is expected to decline. In addition, limitations on water rights and measures to protect critical areas and resource lands may tend to further restrict rural residential development.

The Rural area goals, policies, and land use designation criteria are included in the Rural Chapter, the companion document to the Rural Profile. The land use designations for the Rural Area allow for a variety of residential densities and rural- and natural resource-related businesses while protecting rural character. Several of these designations implement the Growth Management Act's allowance of "limited areas of more intensive rural development," or LAMIRDs, based on 1997 amendments to the Act. LAMIRDs allow greater development than is generally allowed in the rural area, provided that certain limitations are maintained to retain rural character and prevent sprawl. One category of LAMIRD recognizes areas that were already for the most part developed in 1990, when the

"Rural areas preserve historic and cultural structures and landscapes, retain open spaces, protect designated Natural Resource Lands and identified critical areas, and minimize service demands and costs on County government."

Growth Management Act was adopted. These existing residential, commercial, or industrial areas primarily allow infill development, and must be contained within logical outer boundaries to prevent sprawl. Two other types of commercial LAMIRDs – small scale recreation and tourism uses, and isolated small scale businesses – may allow new development provided that development is contained and consistent with the surrounding rural character.

The residential land use designations in the Rural Area are:

- *Rural Intermediate (RI);*
- *Rural Village Residential (RV/R);*
- *Rural Reserve (RRv); and*
- *Bayview Ridge Urban Reserve (BR-URv).*

All lands designated Rural Intermediate and Rural Village Residential

are considered to be part of a LAMIRD that was predominantly developed by 1990 and contained by a logical outer boundary consisting of the "built environment." The Rural Village Residential and Rural Intermediate designations reflect areas that were for the most part already developed or platted at land use densities of 1 residence per 2.5 acres, or greater, when the Growth Management Act was implemented. The Comprehensive Plan's Rural Village Residential and Rural Intermediate designation criteria closely follow the GMA LAMIRD provisions because Skagit County was considering its 1997 Comprehensive Plan at the same time that the state legislature was developing the ESB 6094 amendments to the Growth Management Act



that institutionalized the LAMIRD concept. Skagit County carefully considered the existing built environment and logical outer boundaries to its RVR and RI designations when it first mapped these areas through the 1997 Comprehensive Plan.

Table 3.1 – Land Use Designations and Acreage

Land Use Designations	Acreage*
Rural Lands	
Rural Village Residential (RVR)	2,791
Rural Intermediate (RI)	8,035
Rural Reserve (RRv)	70,378
Subtotal	81,204
Rural Commercial/Industrial Lands	
Rural Business (RB)	186
Rural Freeway Service (RFS)	29
Rural Village Commercial (RVC)	20
Natural Resource Industrial (NRI)	239
Small-Scale Recreation & Tourism (SRT)	16
Rural Center (RC)	19
Rural Marine Industrial (RMI)	50
Small Scale Business (SSB)	31
Master Planned Resort (MPR)	113
Subtotal	703
Total	81,907

Source: Skagit County Mapping Services

**Acreage figures are derived based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use.*

Some think of the LAMIRD concept as being limited to specific areas such as Similk Beach, which was designated a LAMIRD in 2002 to address a problem of failing septic systems. Skagit County has clarified through the 2005 GMA Update that many of its rural designations fall into one of the three categories of LAMIRD under GMA.

In contrast to Rural Village Residential and Rural Intermediate, the Rural Reserve

designation covers those portions of the rural area that were not already developed at higher densities in 1990. The Growth Management Hearings Boards have generally said that rural area densities must be one residence per five acres or lower – equating to lot sizes of five acres or larger – unless the area is designated a LAMIRD. Land designated Rural Reserve may be developed at one residence per 10 acres, or two residences per 10 acres through a Conservation and Reserve Development (CaRD), a technique for allowing development while preserving open space that is discussed in greater detail in the Land Use Chapter and Profile.

Plan Key: What's a LAMIRD?

A 1997 amendment to Washington State's GMA made allowances for development at higher intensities than normally allowed in rural areas, but with defined limitations to preserve rural character and prevent sprawl. These "limited areas of more intensive rural development" – often referred to as LAMIRDs – typically encompass existing rural "hamlets" or small clustered service and residential areas.

The Bayview Ridge-Urban Reserve designation is intended to provide expansion opportunities for urban development within the UGA at some future date. Development regulations for the Urban Reserve area require clustering of development so as not to preclude future urban residential development, and provide for a transition from rural to urban infrastructure. The maximum allowed residential gross density is 1 residence per 10 acres in a standard land division, or 1 residence per 5 acres in conservation and reserve development (CaRD) land divisions.

The Comprehensive Plan's land use designations are implemented by regulations specific to each zone as found in the Skagit



County zoning code and other development regulations.

Commercial and Industrial Uses Outside Of UGAs

In developing its rural commercial and industrial designations 1998 – 2000, Skagit County undertook an extensive review of existing commercial and industrial uses and zoning in the rural area. The County combined this information with an analysis of the commercial, industrial, and natural resource industrial uses allowed in the rural area under the Growth Management Act, to develop the following rural commercial and industrial land use designations:

- *Rural Village Commercial (RVC)*
- *Rural Center (RC)*
- *Rural Freeway Service (RFS)*
- *Small Scale Recreation and Tourism (SRT)*
- *Small Scale Business (SSB)*
- *Rural Business (RB)*
- *Natural Resource Industrial (NRI)*
- *Rural Marine Industrial (RMI)*

Virtually all of these rural commercial or industrial designations may be categorized as a type of LAMIRD allowed under GMA. These designations are shown on the Comprehensive Plan/Zoning Map to indicate an existing use in the rural area meeting the appropriate land use designation criteria. In some cases, new rural commercial or industrial uses may be designated on the map following the map amendment process described in the Community Plans and Implementation Element. Comprehensive Plan amendment applications for new rural commercial or industrial designations require the submittal

of a specific business plan consistent with the designation criteria that will be initiated within two years of the property being redesignated. This is to avoid speculation in rural commercial/industrial land and to ensure that the County focuses its review efforts on real development proposals.

Following is a brief description of the various rural commercial and industrial land use designations. Greater detail is provided in the goals, policies, and designation criteria contained in the Rural Chapter. In some cases, detailed information has been removed from the designation policies and added to the Profile as a way to maintain the legislative history behind certain land use decisions.

Rural Village Commercial

Rural Village Commercial districts are intended to serve as the major centers of rural commercial activity in the County unincorporated area. A Rural Village Commercial district is identified for each of the 10 Rural Villages in the County (Alger, Bay View, Big Lake, Clear Lake, Conway, Edison, Lake Cavanaugh, Lake McMurray, Marblemount and Rockport). Rural Village Commercial districts may be expanded through the annual Comprehensive Plan amendment cycle or through a community plan, provided that the district remains within the boundaries of the Rural Village itself. Rural Village Commercial districts are the top priority location under the Comprehensive Plan for new commercial development in the rural area. Rural Village Commercial districts existing within Rural Villages, which are pre-existing LAMIRDs surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv).

Rural Center

Rural Centers are clusters of small-scale commercial uses at selected locations in the unincorporated portion of the County. In some



cases they include public uses such as a fire hall or post office. Typically they are located at crossroads of County roads, state routes, or major arterials. They are smaller in size and intensity than Rural Villages, but like their larger counterparts above, Rural Centers are intended to help meet existing and future commercial needs at existing areas of commercial activity. Rural Centers are pre-existing LAMIRDS surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv).

Rural Freeway Service

Rural Freeway Service (RFS) areas were designated at portions of four Interstate 5 freeway interchanges in the rural area that had existing commercial development (or development commitments) as of 1990. They qualify as pre-existing LAMIRDS surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv). The County conducted extensive research in 1998 – 2001 to establish and verify that the properties currently designated RFS meet the GMA and Comprehensive Plan LAMIRD requirements. Each RFS-designated area underwent close scrutiny by the Western Washington Growth Management Hearings Board following appeals of those designations. Because the RFS

designation recognizes areas that had existing commercial development or development commitments in 1990, Skagit County does not expect that new RFS areas will be designated.

Small Scale Recreation and Tourism

The Small-Scale Recreation and Tourism designation is intended to foster economic development and diversification that is recreational or tourist-related, that relies on a rural location and setting, and that incorporates the scenic and natural features of the land. The SRT designation is consistent with the type of LAMIRD authorized by RCW 36.70A.070(5)(d)(ii).

Natural Resource Industrial

The Natural Resource Industrial (NRI) designation is intended to support the production of agricultural, forest, and aquatic products by allowing processing facilities, limited direct resource sales, and limited natural resource support services. Examples of typical NRI uses include saw mills, agricultural or forest industry equipment maintenance, agricultural processing plants, and seafood processing and on-site sales. Mineral processing activities are generally guided



by separate policies found in the Land Natural Resources Element of the Comprehensive Plan. The NRI designation provides a location for natural resource processing and support services that does not remove designated natural resource lands from production. The NRI designation may qualify as a LAMIRD under RCW 36.70A.070(5)(d)(i), if the site has been in industrial use since 1990, or under RCW 36.70A.070(5)(d)(iii), if the use is new.

Rural Marine Industrial

The Rural Marine Industrial (RMI) designation is intended to recognize existing rural marine industrial facilities, to permit expansion of existing rural marine industrial activities that are water or shoreline dependent, and to provide for limited changes of use. The term “rural marine industrial facilities” includes harbors, marinas, docks, moorages, and other existing or permitted facilities that support and enable marine industry and commerce.

Because Skagit County has significant navigable waters, and a long and continuing history of marine related commerce and industry, a rural marine industrial designation is an essential component of Skagit County’s comprehensive land use plan and its rural and natural resource-based economy.

Despite the abundance of navigable waters in Skagit County, marine access is very limited, particularly outside of Urban Growth Areas. Due to the state’s Shoreline Management Act, the siting of new marine industrial facilities would be difficult. The Rural Marine Industrial designation seeks to utilize to best advantage those existing locations in the rural area with a history of marine industrial activity or regulatory approval, and with continuing use of the property for marine industrial purposes.

The RMI-designated properties were reviewed under, and found to comply with, the GMA criteria for limited industrial areas of more intensive rural development as authorized by RCW 36.70A.070(5)(d)(i).

Small Scale Business

The Small-Scale Business (SSB) designation allows small-scale commercial or industrial activities involving the provision of services or fabrication or production of goods, primarily for clients and markets outside of the immediate rural area. The SSB designation may be applied to existing or new businesses, whereas the Rural Business designation applies only to businesses that were established as of June 1, 1997. The name of the designation was changed during the 2005 GMA Update from Cottage Industry/ Small Scale Business to avoid any confusion with Home Based Business. A SSB may be substantially larger, and requires a designation on the Comprehensive Plan/Zoning map, whereas Home Based Business does not. The SSB designation is a type of LAMIRD authorized by RCW 36.70A.070(5)(d)(iii).

Rural Business

The Rural Business designation is intended to acknowledge certain significant uses in the rural area that were in existence as of June 1, 1997, when the Skagit County Comprehensive Plan was adopted, that do not match any of the other commercial and industrial Comprehensive Plan designations. The Rural Business (RB) designation provides reasonable expansion and change of use opportunities for these pre-existing rural uses. The designation is consistent with the Growth Management Act’s allowance for “the intensification of development on lots containing isolated nonresidential uses” (RCW 36.70A.070(5)(d)(iii)). The Rural Business designation may not be appropriate for all pre-existing commercial uses in the rural area, if





the entire proposal, even if the proposal is to be developed in phases, and these impacts shall be considered in determining whether any particular location is suitable for a Master Planned Resort.

the use is more consistent continuing to operate under a special use permit, or if the granting of a commercial designation might jeopardize the appropriate use of surrounding Natural Resource Lands.

Master Planned Resorts

Master planned resorts are self-contained and fully integrated planned unit developments, in settings of significant natural amenities, providing short-term visitor accommodations including a range of indoor or outdoor recreational facilities and visitor services. Master planned resorts are larger in scale, and involve greater potential impacts on the surrounding area, than uses permitted under the Small-Scale Recreation and Tourism designation. Master planned resorts may constitute urban growth outside of urban growth areas as limited by RCW 36.70A.360 and RCW 36.70A.362. Designation of Master Planned Resorts requires amending the Comprehensive Plan and Zoning Maps, prior to, or concurrent with an application for master plan review. The comprehensive plan amendment process should evaluate all the probable significant adverse environmental impacts from



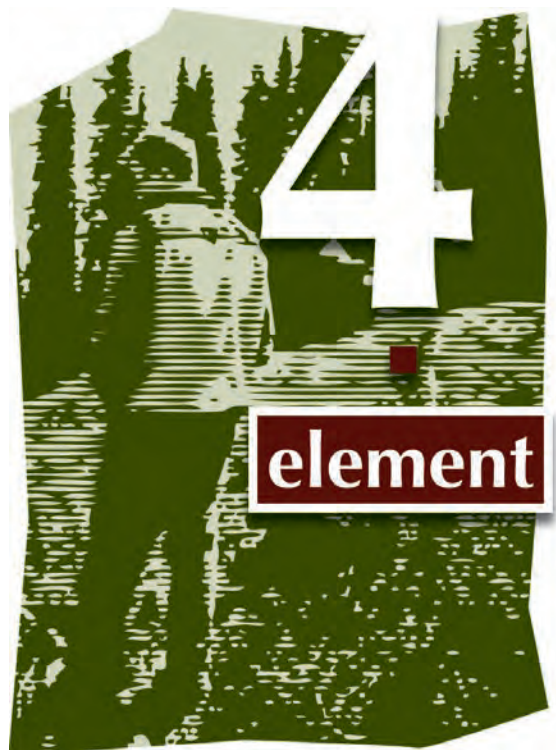
Natural Resource Lands Element

Introduction

Natural Resource Lands are the cornerstone of Skagit County's economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its citizens. The Natural Resource Lands Element establishes the purpose and intent of land use policies for agricultural, forest and mineral natural resource lands. These policies guide long-range planning, programs and regulations to conserve natural resource lands. 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.

GMA Mandate

The Growth Management Act (GMA) clearly establishes the goal to "Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses," (RCW 36.70A.020 (8)).



This Goal, taken in the context of the thirteen GMA Planning Goals, led to the following County-wide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this section:

- *Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4)*
- *The primary land use within designated forest resource lands shall be commercial forestry; residential development shall be strongly discouraged within designated forest resource lands. (CPP 5.9)*
- *Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial*



agricultural operations and production. (CPP 5.10)

- *Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resources lands and aquatic resource areas, where the principle and preferred land uses will be long term commercial resource management. (CPP 5.11)*
- *Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion.*

Table 4.1 – Natural Resource Lands (NRL)

Land Use Designations	
Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRc-NRL)	26,871
Agriculture (Ag-NRL)	89,227
Mineral Resource Overlay (MRO)	[61,492]

Source: Skagit County Mapping Services.

**Acreage figures are derived based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use.*

Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities. (CPP 8.1)

- *Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals. (CPP 8.2)*
- *Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a*

program authorizing transfer or purchase of development rights is established. (CPP 8.3)

- *Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods. (CPP 8.4)*
- *Long term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity. (CPP 8.5)*
- *When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences. (CPP 8.6)*
- *Fishery resources, including the county's river systems inclusive of their tributaries, as well as the area's lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity. (CPP 8.7)*
- *Skagit County shall encourage sustainable use of the natural resources of the county, including but not limited to agriculture, forestry, and aquatic resources. (CPP 8.8)*
- *Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management. (CPP 8.9)*



Chapter Organization

Agricultural Resource Lands

The Agricultural Resource Lands section establishes policies that ensure the long-term stability and productivity of the county's agricultural lands and industries. These policies are intended to provide clear guidelines for land use planning and implementation in agricultural areas. Also included are policies to establish programs and other measures that promote and protect the current and future needs of agriculture within Skagit County.

Forest Resource Lands

The intent of the Forest Resource Lands section is to ensure that forest lands of long-term commercial significance are conserved and managed to provide for sustainable forest yields, job stability, ecological values and the continuation of a viable commercial forest industry in Skagit County. Conservation of forest land will maintain the land base needed to produce the timber for the long-term economy. Conservation of these resources must be assured through measures designed to prevent incompatible development on or adjacent to natural resource lands.

Rural Resource Lands

Rural Resource Lands are a mixture of natural resource lands that include the productive characteristics and uses of agriculture, forest or mineral resource lands and as such, the goals, objectives and policies for each of those designations are applicable to the Rural Resource

Lands designation. Natural resource uses on these lands are generally smaller in scale than on other resource lands. Conservation of these lands is an important component in the long-term economic viability of countywide natural resource lands.

Mineral Resource Overlay

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral lands of long-term commercial significance are to be designated to conserve the mineral resource.

These designations apply to areas within other natural resource lands where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized. Because mineral resources cannot be replaced or relocated,

Skagit County designates all commercially significant mineral resources to ensure that these lands are available for resource production far into the future.

Right To Manage Natural Resource Lands

A variety of natural resource land management activities may not be compatible with non-resource uses and may be inconvenient or cause discomfort to those residing in or near designated natural resource lands. Through mandatory disclosure policies, this section seeks to minimize nuisance complaints regarding normal and necessary natural resource lands operations.

"Natural Resource Lands are the cornerstone of Skagit County's economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its citizens."





Skagit County's Farmland Legacy Program purchases agricultural easements to protect against future development. Easements for approximately 4,000 acres have been purchased to date.

Natural Resource Lands Clearinghouse

Skagit County operates a number of programs for the preservation of natural resource lands and related economic activities. This section provides ways in which these programs and their staffing can be organized and function as a coordinated clearinghouse for the on-going delivery of research, services, and education that are needed to achieve the goals of this chapter.



■ Agricultural Resource Lands

Introduction

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 is committed to preserving and enhancing the agricultural land base and promoting economic activities and marketing support for a strong agricultural industry. The agricultural community faces significant challenges in preserving the agricultural land base and a viable agricultural industry, including: conversion of agricultural lands to development and inappropriate habitat restoration; conflict with neighboring residential uses; drainage impacts; and other disruption of agricultural lands functions and values. The following policies are intended to ensure the stability and productivity of agriculture in Skagit County.

■ Agricultural Resource Designation Criteria

Goal A

Maintain land use designation criteria and densities for agricultural natural resource lands. Designate and map long-term commercially significant agricultural resource land accordingly.

Policies

4A-1.1 Agricultural Resource Lands Designation Criteria

The following criteria shall be considered when designating Agricultural Resource Lands:

- a) *Generally, all lands in unincorporated Skagit County which are parcels 5 acres or greater, and that contain "prime farmland soils" as determined by the USDA Natural Resource Conservation Service, shall be identified (see Agricultural Lands Profile for a description of prime farmland soils).*
- b) *Then those lands meeting the parcel size and soils shall be retained in Agricultural Resource Lands designation, provided that a majority of the area falls within the 100-year floodplain as adopted by the U.S. Federal Emergency Management Agency (FEMA).*



- c) *Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Agricultural Resource Lands based upon the following additional factors:*
 - i) *The land is in a current-use tax assessment program derived from the Open Space Taxation Act, RCW 84.34 as it pertains to agriculture.*
 - ii) *The land is currently in agricultural use or has been in agricultural use within the preceding ten years.*
 - iii) *Existing land uses are primarily agricultural and minimal financial commitment to non-farm uses has been made.*
 - iv) *The area includes special purpose districts (such as diking and drainage districts) that are oriented to enhancing agricultural operations, including drainage improvement and flood control.*
 - v) *Adjacent lands are primarily in agricultural use.*
 - vi) *Land use in the area demonstrates a pattern of landowner capital investment in agricultural operation improvements such as irrigation, drainage, manure storage, barn refurbishing, enhanced livestock feeding techniques, agricultural worker housing, etc.*
- d) *Parcels that may not meet any of the criteria described in (a), (b), and (c) above may nonetheless be included to provide logical boundaries to the Agricultural Resource lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria described in (a), (b), and (c) above may be excluded to provide logical boundaries to the Agricultural Resource lands designation and to avoid conflict with existing land uses.*

4A-1.2 Agriculture Resource Land Density Policy:

Residential gross densities for new land divisions in lands designated as Agriculture Resource shall be one (1) residential dwelling unit per 40 acres or 1/16 of a section.

■ Agricultural Resource Land Policies

General Policy Goals: Agricultural Resource Lands

Protect the agricultural land resource and farming in Skagit County; endeavor to minimize the loss of the resource; mitigate unavoidable losses; and replace lost resources whenever possible. These principles shall guide Skagit County's actions to:



- *Preserve agricultural land for agricultural uses;*
- *Limit new non-agricultural uses and activities on agricultural resource lands;*
- *Provide education and support services that maintain the farming industry and lifestyle;*
- *Promote the economic benefits of farming;*
- *Resolve conflicts between agricultural and environmental objectives; and*
- *Monitor the long-term achievement of the goals and policies.*

Goal A-2, Agricultural Support Programs

Support the Agricultural Advisory Board and other programs such as the Farmland Legacy Program for the purpose of promoting a viable agricultural land base and a healthy agricultural industry.

Policies

4A-2.1 Agricultural Advisory Board

The Agricultural Advisory Board shall represent agricultural producers; reflect the diversity of agriculture; advocate sound agricultural policies and programs for Skagit County and promote economic opportunities for agriculture.

4A-2.2 Conservation Futures Advisory Committee

The Conservation Futures Advisory Committee shall promote the preservation of agricultural land for use as farmland, including through its role in recommending purchases of permanent conservation easements on agricultural land and other lands of strategic significance.

4A-2.3 Farmland Legacy Program

The Farmland Legacy Program shall continue to lead and coordinate agricultural policy efforts and farmland protection. The Farmland Legacy Program shall coordinate both the Agricultural Advisory Board and the Conservation Futures Advisory Committee.

4A-2.4 Agricultural Resource Lands Database

Skagit County shall maintain a database of current information on land uses, farming activities, conversions of agricultural lands for development or habitat, soils, drainage systems, and other quantifiable factors for the purpose of monitoring and conserving agricultural lands.



4A-2.5 Agricultural Lands Status Report

Skagit County, through the Farmland Legacy Program, shall prepare a periodic report on the “state of Skagit County agriculture” using the US Census of Agriculture and other sources. The report shall include case studies and other information describing successes in implementing conservation easements, purchase of development rights (PDR), and other strategies. The report shall make recommendations for actions and steps for improvement based on the viability of the agricultural land base and strength of industry.

4A-2.6 Farmland Preservation Incentives

The Agricultural Advisory Board, Conservation Futures Advisory Committee and Farmland Legacy Program shall work to formulate strategies for improvements to agricultural production, marketing, processing, and farm labor practices and to develop and maintain programs which offer financial and other incentives to farm owners to preserve farmland for agricultural uses and to reduce their reliance on subdivision of land to raise operating capital.

4A-2.7 Agricultural and Critical Area Goals

The County will convene and coordinate a working group of non-profit organizations, industry groups, County agencies and other interested parties to reconcile, where possible, conflicts between the goals of protecting critical areas and habitat with those of preserving farmland for agricultural purposes.

4A-2.8 Natural Resource Lands Information Clearinghouse

Skagit County shall develop a Natural Resource Information Clearinghouse to collect and disseminate information to benefit long-term productive management of natural resource lands, including agricultural resource lands. Functions of the Natural Resource Lands Clearinghouse are described under Goal F of this Chapter.

4A-2.9 Financial and Estate Planning

Encourage appropriate agencies to sponsor a variety of continuing educational and technical assistance programs to help farmers with financial planning. Such programs should emphasize options to protect farmland, business planning, farm transition planning, estate planning and conservation programs, techniques and strategies.

4A-2.10 Sustainable Agricultural Practices

Information will be made available to landowners about sustainable agricultural practices, best management practices, and generally accepted management practices.

4A-2.11 Promote Agricultural Products

Create and facilitate opportunities to promote and market agricultural products grown or processed in Skagit County through local branding.

4A-2.12 Promote Public Awareness

Encourage public awareness of the value of agriculture to the county. Develop printed materials or other media that illustrate the contributions of agriculture to the county, the challenges facing agriculture, and that promote agricultural lifestyle.

4A-2.13 Promote Education

Encourage educational programs for public schools as part of the basic education of the county's youth. Emphasize the contributions of agriculture in the county and the need to protect and preserve this valuable resource base.

Goal A-3, Preserve Agricultural Land Base and Use

Promote preservation of agricultural land for agricultural uses, minimize non-farming uses on agricultural lands; and develop incentive programs to promote farming.

Policies

A-3.1 Long-Term Designation of Agricultural Lands

Designation of Agricultural Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, circumstances beyond the control of the landowner, or an overriding benefit to the agricultural industry.

4A-3.2 Development Rights Program

Maintain and continue to fund the voluntary purchase of development rights through the Farmland Legacy Program to limit potential conversions or development in agricultural lands.

4A-3.3 Conservation Easements



Where legally subdivided land would promote incompatible residential development, encourage the voluntary donation of conservation easements or other development restrictions to Skagit County or to a qualified private nonprofit organization for the purpose of preserving the perpetual agricultural use of the land.

Goal A-4, Allowable Land Uses

Land uses allowed on designated agricultural land shall promote agriculture, agricultural support services, and promote diverse agricultural industries.

Policies

4A-4.1 Agricultural Production

Agricultural production is the highest priority use in designated agricultural resource lands.

4A-4.2 Agricultural Support Services

Facilitate agricultural production by allowing agricultural processing facilities, direct farm sales, and agricultural support services that support long term agricultural use.

4A-4.3 Farm-Based Business

Farm-based businesses shall be allowed as an accessory use in Agricultural Resource Land. Farm-based businesses are an accessory use, secondary to the primary agricultural use of a farm property, and shall not interfere with adjacent farming operations, cause nuisances for nearby residences or generate large amounts of traffic.

A-4.4 Residential Uses

Residential uses shall be allowed only as an accessory use in Agricultural Resource Land per Policy 4A-1.2 Agricultural Resource Land Density Policy.

4A-4.5 Special Events and Activities

Special events and activities on agricultural lands shall be conducted in ways that reduce potential impacts resulting from the activity. Those impacts include but are not limited to traffic, litter, trespass, and sanitation.



4A-4.6 Habitat Restoration Projects

Habitat restoration projects are a permitted use on agricultural lands so long as it is shown through project review that the proposed restoration project does not have an adverse impact on hydrologic functions, drainage infrastructure or the ongoing agricultural use of adjacent properties.

Goal A-5, Minimize Land Use Conflicts

Minimize land use conflicts and promote mitigation of conflicts on the lands adjacent to agricultural resource lands.

Policies**4A-5.1** Right to Manage Agricultural Resource Lands

Goal E, Right to Manage Natural Resource Lands, applies to all lands designated Agricultural Resource Lands to protect agricultural landowner rights to manage their lands for agricultural uses.

4A-5.2 Deed Restrictions

All real estate transactions involving residential development on or within one mile of agricultural resource lands shall contain recorded documentation of the residential owners' acknowledgment of the potential farming activities and receipt of the Right-to-Manage Natural Resource Lands information.

4A-5.3 Cluster Development

Clustered lots within or adjacent to an NRL designation shall be placed to minimize potential impacts to natural resource land production on both the subject property and any adjacent resource lands.

4A-5.4 Residential Setbacks

All residential development adjacent to agricultural resource lands shall be set back from common property lines in order to protect agriculture from the impacts of incompatible development and to mitigate against the effects of agricultural operations on the residential developments.

4A-5.5 Skagit Drainage and Fish Initiative

Within the Drainage Districts, identified in the Skagit Drainage and Fish Initiative, the agreements for maintenance, fish protection, and



habitat restoration outlined in the Memorandum of Understanding (MOU) will predominate over local regulations. The MOU, developed by the Western Washington Agricultural Association (WWAA) and Washington Department of Fish and Wildlife (WDFW) is designed to reduce conflicts between different users in the Skagit and Samish River Deltas. The Skagit River Systems Cooperative (SRSC) participated in meetings and this Initiative represents movement toward overall reduced conflicts. This policy supports this movement.

4A-5.6 Drainage Plans

Minimize and mitigate flooding and drainage impacts on agricultural lands. Skagit County Public Works shall develop criteria to review development proposals for drainage impacts on agricultural lands. Drainage plans for minimizing impacts of development shall be circulated to the affected Drainage District for comment prior to issuance of permits by Public Works.

■ Forest Resource Lands

Introduction

Forest Resource Lands are those lands that due to soils, climate, topography, parcel size, and location have long-term commercial significance for forestry. Skagit County is committed to preserving and enhancing the forest land base and promoting a strong forestry industry. The intent of these goals and policies is to ensure that forest lands of “long-term commercial significance” are conserved and managed to provide for sustainable forest yields, job stability, ecological values and the strengthening of a viable commercial forest industry in Skagit County. Conservation of forest land resources must be achieved through measures designed to preserve the land base, reduce the conversion of forest lands to other uses, prevent incompatible development on or adjacent to resource lands, and provide incentives to managing forest lands of all sizes for forestry.

Goal B-1, Forest Resource Designation and Density

Establish land use designation criteria and densities for forest resource lands.

Policies

4B-1.1 Industrial Forest Land Designation Criteria



The following criteria shall be considered when classifying Industrial Forest lands:

- a) *All lands in unincorporated Skagit County shall be screened for Industrial Forest designation based on an average parcel size of 40 acres or greater, with one or more of the following characteristics:*
 - i) *The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.*
 - ii) *The area includes lands which are primarily devoted to and used for growing and harvesting timber.*
- b) *Lands meeting (a), located in blocks of contiguous parcels approximately 160 acres and larger, shall be designated Industrial Forest.*
- c) *Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Industrial Forest Lands based upon the following additional factors:*
 - i) *The parcel is enrolled in a current-use tax assessment program under the provisions of RCW 84.33 and 84.34 as it pertains to forestry. Such current-use tax assessment status is not, by itself, a sufficient determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered.*
 - ii) *The area has limited public services and facilities (although the area may be located within a public water district).*
- d) *Parcels not meeting any of the criteria above in (a), (b), or (c) may still be included to provide logical boundaries to the Industrial Forest lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria above in (a), (b), or (c) may be excluded to provide logical boundaries to the Industrial Forest lands designation and to avoid conflict with existing land uses. For example, areas with pre-existing conditions such as vested subdivisions and rural development, other than isolated pre-existing single-family homes, where commercial forestry is not being practiced, and islands surrounded by multiple sized parcels with existing residences, shall not be classified as Industrial Forest lands. However, isolated, pre-existing residences shall not preclude the adjacent forest land areas from being classified Industrial Forest.*

4B-1.2 Industrial Forest Resource Land Parcel Density Policy

Residential gross densities for new land divisions in lands designated as Industrial Forest shall be one (1) residential dwelling unit per 80 acres or 1/8 of a section.

4B-1.3 Secondary Forest Resource Land Designation Criteria



The following criteria shall be considered when designating Secondary Forest lands:

- a) *Secondary Forest lands are derived from initially designated Industrial Forest lands, and are located primarily within a ¼ mile band at the perimeter of Industrial Forest lands which contain one or more of the following characteristics:*
 - i) *The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.*
 - ii) *The area includes lands which are primarily devoted to and used for growing and harvesting timber.*
- b) *The above described parcels shall be further evaluated for inclusion or exclusion based on the following additional factors:*
 - i) *The parcel is enrolled in a current-use tax assessment program under the provisions of RCW 84.33 and 84.34 as it pertains to forestry. Such current-use tax assessment status is not by itself a sufficient determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered.*
 - ii) *The area has limited public services and facilities (although the area may be located within a public water district).*
 - iii) *Secondary Forest lands need not be designated adjacent to Agricultural lands.*
- c) *Parcels that do not meet any of the criteria described above in (a) or (b) may still be included or excluded to provide logical boundaries to the Secondary Forest lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Isolated, pre-existing residences shall not preclude the adjacent forest land areas from being classified Secondary Forest.*

4B-1.4 Secondary Forest Parcel Density Policy

Residential gross densities for new land divisions in lands designated as Secondary Forest shall be one (1) residential dwelling unit per 20 acres or 1/32 of a section.

■ General Policy Goals: Forest Resource Lands

Protect the forest resource; promote forestry; minimize the loss of the resource land base; mitigate unavoidable losses; and replace lost resources whenever possible. These principles shall guide Skagit County’s actions to:



- *Limit new non-forestry uses and activities on forest resource lands;*
- *Provide education and support services that strengthen and diversify the forestry industry;*
- *Promote the economic and regulatory stability of the forest industry;*
- *Resolve conflicts between forestry activities and non-forestry activities; and*
- *Carry out adopted policies and programs, and enforce regulations.*

Goal B-2, Forestry Support Programs

Support the Forestry Advisory Board and establish other support programs for the purpose of promoting a viable forest land base and healthy forest products industry.

Policies

4B-2.1 Forestry Advisory Board

A Forest Advisory Board comprised of forest industry representatives, agency representatives, and sustainable forestry advocates shall advise Skagit County in achieving these goals and policies.

4B-2.2 Forestry and Critical Area/Habitat Goals

The Forest Advisory Board (FAB) will develop a County-coordinated working group of non-profit organizations, industry groups and County agencies to reconcile, where possible, conflicts between the goals of protecting critical areas and habitat with those of preserving forest land for commercial forestry purposes.

4B-2.3 Natural Resource Information Clearinghouse

Establish a Natural Resource Lands Information Clearinghouse to provide information and technical assistance to the forest industries and forest landowners to conserve forest lands, promote sustainable management practices, encourage economic and market opportunities.

4B-2.4 Promote Sustainable Forestry Practices

Provide information to landowners about sustainable forestry practices, best management practices, and industry standards to promote sound forestry practices.

4B-2.5 Healthy Forest Initiative



Skagit County supports a county-wide initiative to adopt elements of the “President’s Healthy Forest Restoration Act of 2003,” including fuel-reduction and forest restoration projects in cooperation with the U.S. Department of Agriculture and other federal and state agencies.

4B-2.6 Right to Manage Forest Resource Lands

Goal E, Right to Manage Natural Resource Lands of this Element, applies to all lands designated Forest Resource Lands to protect forest landowner rights to manage their lands for forestry uses.

4B-2.7 Fire Prevention and Protection

Residential development allowed on Industrial Forest Resource Lands shall be limited to those areas located within an existing fire protection district and within 200 feet of a county road or state highway. Skagit County shall require owners of all structures built in the designated forest lands to address forest fire prevention, reduction, and control. The Forest Advisory Board shall review the implementation of this policy annually to ensure its performance.

4B-2.8 Promote Public Education and Awareness

Educate the public on forestry issues, policies and programs regarding forestry in Skagit County. Encourage community awareness of and commitment to an economically and environmentally healthy forest industry, forestry achievements, and challenges faced by the industry in Skagit County.

4B-2.9 Promote Educational Programs

Encourage educational programs for public schools and extended education programs as part of the basic education of the county’s youth. Emphasize the contribution of forestry in the county and the need to protect and preserve this valuable industry.

4B-2.10 Promote Economic Stability and Diversity

Promote and foster new opportunities to achieve a stable and diversified forest products industry in Skagit County. Encourage and support programs to help the forest products and related industries expand into new market niches.

4B-2.11 Wildfire Planning Program

Consider adopting the Department of Natural Resources “Firewise Program”. Skagit County supports further development of a county-



wide wildfire planning program to increase public safety and awareness regarding forest fire dangers, and establish the means of managing, reducing and suppressing catastrophic wildfires.

Goal B-3, Preserve The Forest Land Base

Preserve and enhance the forest land base as an essential component of a healthy forest economy.

Policies

4B-3.1 Conserve Forest Lands

Implement conservation and management measures that retain commercial forestry activities in designated forest resource lands.

4B-3.2 Consolidated Ownership

Forest resource landowners are encouraged to consolidate forest ownership through land trades, or other means, to ensure consistent and effective management within the forest resource land base.

4B-3.3 Long-Term Designation of Forest Lands

Designation of Forest Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, or other circumstances beyond the control of the landowner, or an overriding benefit to the forest industry. Consider the development of mitigation measures and criteria for the loss of productive lands.

Goal B-4, Encourage Commercial Forestry

Encourage active forest management in designated forestlands and other natural resource lands.

Policies

4B-4.1 Develop Forestry Incentive Options Program

The County will work with the Forestry Advisory Board and other entities to develop an incentive program to promote preservation of forest land for forestry. Consideration will be given to:

- *The loss of land base due to the protection of environmentally sensitive areas;*



- *Compensation for development rights;*
- *The promotion of healthy forests; and*
- *The loss of land base to habitat conservation areas.*

The County will make a determination of the state of the forestry economy, the land base, the actual threats and opportunities, types of available, practical and appropriate to the local economy, and the implications to local taxpayers and fiscal health of the County.

4B-4.2 Forestry in Agricultural and Rural Designations

Growing and harvesting of trees shall be supported in designated agricultural and rural land designations.

4B-4.3 Qualification For Current Use Tax Status

Land owners participating in a current-use tax deferral program may be required by the Skagit County Assessor to certify, on an annual basis, that the conditions required for eligibility in the tax program are still being met, and further, that the owner acknowledge the requirement to pay any applicable penalties and back taxes should the owner fail to comply with program requirements.

4B-4.4 Discourage Tax Districts and LIDS

Special purpose taxing districts and local improvement districts that plan to expand into Industrial Forest Lands, allowing as a result new residential or commercial development, shall be required to provide an analysis of impacts and related mitigation of such new, non-resource development on established commercial forestry operations.

Goal B-5, Allowable Land Uses

Allow land uses on designated forest land that conserve forest practices, provide essential forestry support services, and promote diverse forest-based industries.

Policies

4B-5.1 Intended Use of Industrial and Secondary Forest Lands

The principal uses of Industrial Forest and Secondary Forest lands are the practice of commercial forestry, forestry support services, and forest-based businesses. Secondary Forest lands are intended to provide a transitional density between Rural-designated lands and



Industrial Forest lands. Secondary Forest lands also offer the potential for smaller-scale commercial timber operations, supporting natural resource industries, and limited residential uses. Secondary Forest lands may include low-density residential use if consistent with the goals and policies of this chapter. Mining is also allowed in Industrial Forest and Secondary Forest on parcels located within a Mineral Resource Overlay designation.

4B-5.2 Support and Ancillary Structures and Uses

Temporary and permanent support uses that are related to forestry are allowed in forest lands. Festivals, logging shows, and demonstration areas, mining uses where designated, limited residential development, and non-residential structures subordinate to forest management may be allowed if it is demonstrated that there is compatibility with the goals and policies of this chapter.

4B-5.3 Residential Development

Residential development on all Forest Resource Land shall have limited impact on forest resource management operations and minimize conflicts. Conservation and Reserve Development (CaRD) land divisions are encouraged in all forest lands with the residences sited as far as possible from adjacent Industrial Forest lands.

4B-5.4 Recreational and Park Uses

Recreational opportunities on Forest Resource land shall be permitted uses where they will not conflict with forest practice activities on these lands or when such impacts can be fully mitigated. Proposed acquisitions of forest land for public recreational, scenic and park purposes shall be evaluated to determine the potential impacts on the economic viability and sustainability of forestry. Lands removed from forestry production for recreation and park uses shall be included in the Converted Natural Resource Lands Database (Policy 4F-1.4).

4B-5.5 Natural Resource Conservation Areas and Natural Area Preserves

Natural Resource Conservation Areas (NRCA) and Natural Area Preserves (NAP), as defined by RCW 79.71, shall be considered compatible with Industrial Forest. However, Skagit County strongly encourages that these lands be maintained in forest production. If NRCA or NAP lands are taken out of forestry production, they shall be included in the Converted Natural Resource Lands Database (Policy 4F-1.4).



4B-5.6 Special Events and Activities

Special events and activities on Forest Resource lands shall be conducted in ways that reduce potential impacts resulting from the activity. Those impacts include but are not limited to traffic, litter, trespass, and sanitation.

Goal B-6, Minimize Land Use Conflicts

Minimize land use conflicts and promote mitigation of conflicts on the lands adjacent to Forest Lands.

Policies**4B-6.1** Deed Restrictions

All real estate transactions involving development on or within one-quarter (1/4) mile of Forest Resource lands shall contain recorded documentation of the owners' acknowledgment of the potential forestry activities and receipt of the Right-to-Manage Natural Resource Land information.

4B-6.2 Land Use Buffers

Land use buffers or setbacks intended to mitigate for critical areas or potential conflicts between residential and forestry uses shall be located on the area proposed for residential, or other non-resource use or development.

4B-6.3 Law Enforcement Support

Skagit County shall provide an officer from the Sheriff's Department to protect against damage to private property, materials, and equipment, and to improve investigation and prosecuting efforts on behalf of protecting forest natural resource lands, land owners, and their contractors.

Goal B-7, Effective Regulatory Environment

Establish, in all aspects of forest management regulations, support for the forest product industry and its ability to keep and economically manage forest lands.



Policies

4B-7.1 Local Regulations

Maintain efficient, effective local forest policies, ordinances, and programs.

4B-7.2 Coordinated Review with Department of Natural Resources

Skagit County will work with the Washington State Department of Natural Resources (DNR) to formally establish a coordinated review process designed to transfer the processing of Forest Practice Act (FPA) conversion applications from the DNR to the County as required by Chapter 76.09 RCW and Title 222 WAC. A Memorandum of Agreement with the Department of Natural Resources (DNR) shall address:

- a) *A coordinated and efficient review process for all forest practices applications where Skagit County has jurisdiction;*
- b) *Conditions of approval by Skagit County for such forest practice applications consistent with Chapter 76.09 RCW and Title 222 WAC;*
- c) *A facilitation process for landowners wishing to utilize the conversion option harvest plan as outlined under WAC 222-20-050; and*
- d) *Criteria for permitting only those recreational activities that are compatible with resource management. The proposed recreational uses shall not adversely affect the intent of these forest resource policies.*

4B-7.3 Building and Land Use Moratorium

A six-year moratorium on all building permits and land use approvals shall be mandatory for all forest practice activities involving those portions of land harvested under the provisions of a Forest Practice application, where the landowner has not indicated that the land will be converted. If applicable, measures will be taken to exclude cedar salvage and work to carry out a Road Maintenance and Abandonment Plan (RMAP); and

4B-7.4 Alternative Conversion Option Harvest Plan Process

Skagit County will work with forest land owners to establish an alternative Conversion Option Harvest Plan (COHP) process for the purpose of expediting and minimizing the cost of certain non-conversion forest practice activities as follows:



- a) *Salvage operations as defined in WAC 222-16-010.*
- b) *Forest Practices on partially converted or vacant property (over 2 acres) which was platted after January 1, 1960, where the landowner does not have immediate intent to convert the timbered portion thereof.*

■ Rural Resource Lands

Introduction

Rural Resource lands are, generally, areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands, and have the potential for multiple use or smaller scale resource management. Rural Resource lands generally are not managed for industrial-scale farming or forestry but nevertheless contribute to the natural resource land base. Where the Mineral Resource Overlay designation is also applied, industrial-scale mining can occur.

Goal C-1, Rural Resource Designation Criteria

Establish land use designation criteria and residential densities for Rural Resource lands.

Policies

4C-1.1 Rural Resource Land Designation Criteria

All lands in rural unincorporated Skagit County not designated as Agriculture, Industrial Forest or Secondary Forest are subject to Rural Resource lands designation according to the following criteria:

- a) *All parcels approximately 40 acres or greater that contain one or both of “Prime upland farmland soils” as determined by USDA Soil Conservation Service (see Natural Resource Lands Profile), or Washington State Department of Revenue – private forest land grades (PFLG) 1 – 3.*
- b) *Lands meeting (a) above that comprise contiguous areas of approximately 160 acres and larger; provided that any parcel 40 acres or larger that is located contiguous to any land designated Agriculture, Industrial Forest or Secondary Forest generally may be designated Rural Resource regardless of whether it is contained within such a large area.*
- c) *Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Rural Resource Lands based upon the following additional factors:*



- i) *Participation in a current-use tax assessment program. Such current-use tax assessment status is not, by itself, a determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered;*
- ii) *Whether the area is currently in small-scale agriculture or forestry use or has been in agricultural or forestry use within the preceding ten years, and minimal improvements or financial expenditures have been made to non-resource related uses in the area as a whole. Construction of a single-family residence on any parcel of land shall not be deemed a sufficient non-resource related expenditure for purposes of this subsection; and*
- iii) *Whether the area has limited availability of public services and facilities (although the area may be located within a public water district).*
- d) *Parcels that do not meet any of the criteria described above in (a), (b), or (c) may be designated as Rural Resource to provide logical boundaries to the Rural Resource lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria described above in (a), (b), or (c) may be excluded to provide logical boundaries to the Rural Resource lands designation and to avoid conflict with existing land uses.*

4C-1.2 Rural Resource Land Density Policy

The standard maximum residential density in Rural Resource Land for new land divisions shall be one dwelling unit per 40 acres, or 1/16 of a section. One dwelling unit per 10 acres may be allowed if a condition, covenant, restriction or a conservation easement is executed that is designed to encourage long-term forest and agricultural land conservation consistent with the Conservation and Reserve Development (CaRD) land division regulations.

■ General Policy Goals: Rural Resource Lands

Allow a range of natural resource related uses on Rural Resource land and provide for reasonable uses of the land that will be compatible with the long-term production of agricultural and forest products. These principles shall guide Skagit County's actions to:

- *Preserve Rural Resource lands primarily for agricultural and forestry uses;*
- *Promote the rural qualities that characterize Skagit County; and*
- *Resolve conflicts between natural resource related activities and non-resource activities.*



Goal C-2, Resource Lands Support Programs

Establish programs to provide information and technical assistance to Rural Resource Lands managers and planners.

Policies

4C-2.1 Natural Resource Information Clearinghouse

Establish a Natural Resource Lands Information Clearinghouse to provide information and technical assistance to owners of Rural Resource lands to conserve natural resource lands, promote sustainable management practices, encourage economic and market opportunities, and provide other vital information.

4C-2.2 Rural Resource Lands Database

Develop a Rural Resource lands database including information on soil types, land use, productivity and ownership to promote appropriate future land use planning on these lands.

Goal C-3, Allowable Land Uses

Allow uses in Rural Resource Lands that further the use of the lands for the production of agricultural, forest and mining products and uses.

Policies

4C-3.1 Principal Uses

Principal uses of Rural Resource Lands include natural resource production and businesses that support or are compatible with agriculture, forestry and mining activities.

4C-3.2 Accessory Uses

Allowed accessory uses of Rural Resource Lands include agricultural and forest-based businesses and small businesses that support or are compatible with natural resource production.

4C-3.3 Residential Uses

Residential uses are allowed on Rural Resource Lands consistent with the density policies of this chapter.



Goal C-4, Minimize Land Use Conflicts

Minimize land use conflicts and promote mitigation for potential conflicts on the non-Rural Resource property.

Policies

4C-4.1 Right to Manage Rural Resource Lands

Goal E, Right to Manage Natural Resource Lands, applies to all lands designated Rural Resource to protect landowner rights to manage their lands for natural resource production.

4C-4.2 Deed Restrictions

All real estate transactions involving development on or within one-quarter (1/4) mile of Rural Resource lands shall contain recorded documentation of the residential owners' acknowledgment of the potential natural resource management activities and receipt of the Right-to-Manage Natural Resource Lands information.

4C-4.3 Special Events and Activities

Special events such as festivals and fairs proposed for Rural Resource lands shall only be permitted when impacts such as traffic, litter, trespass, and sanitation are mitigated.

■ Mineral Resource Overlay (MRO)

Introduction

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral resource lands where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized are to be identified and designated as a Mineral Resource Overlay (MRO) to conserve mineral resource lands of long-term commercial significance. Because mineral extraction sites can take 20 to 40 years or longer to excavate, identifying and protecting opportunities for mineral extraction operations requires a long-term planning horizon.

Extraction and processing of construction material such as sand and gravel make up most of the mining activity in Skagit County, although there is



significant hard-rock mining and processing of such resources as olivine, various other “green rock,” and limestone. Protection of these mineral resources from competing land uses ensures the availability of basic building materials, and helps to reduce costs, as producers would otherwise be forced to transport low value, high volume commodities over long distances.

The potential for mining without adverse impacts is greatest in relatively undeveloped areas. Valuable and non-replaceable resources in these areas are preserved, to the extent possible, by indicating that mining will be the preferred land use for these areas, and by establishing guidelines for adjacent land uses that will help reduce potential conflicts with mining. Extractive industries can conflict with residential uses in several ways, including potential noise, dust and hazards from blasting, rock crushing and heavy truck traffic. Therefore, it is important to establish firm policies and regulations to protect public health and safety, while also preserving a valuable part of Skagit County’s economy, now and into the future.

Concerns and issues related to mining activities in riverine areas are addressed in the Skagit County Shoreline Management Master Program. Concerns and issues related to metal mining are addressed at the state level. The Washington Department of Natural Resources and the Department of Ecology have previously codified the Washington State metal mining law. This element proposes not to allow chemical leach mining in Skagit County until state laws are enacted to allow such activities.

Goal D-1, Mineral Resource Designation Criteria

Designate and map long-term commercially significant mineral resource lands as an overlay to the Comprehensive Plan Map.

Policies

4D-1.1 Mineral Resource Designation Criteria

Designate Mineral Resource Overlay based on geologic, environmental and economic factors, existing land uses, surrounding parcel sizes, and additional criteria specified in this element. Designating mineral resources of long-term commercial significance is not limited by a projection of need. Like agricultural and forest lands, mineral resources are protected for the long-term. The following first tier of criteria relies primarily on geologic information to identify commercially significant



mineral resource lands and shall be considered when designating Mineral Resource Overlay areas.

- a) *Marketability. Lands containing minerals that are minable, recoverable, and are historically, and therefore anticipated to be, commercially traded are considered marketable.*
- b) *Minimum Threshold Volume. Construction materials (sand and gravel) and quarry rock are considered for mining when the estimated volume is such that establishing, maintaining and reclaiming the mine would be practical. For the minerals below, minimum threshold volumes are relatively constant compared to market values and are used in the mining industry as predictors of commercial significance. The application of these criteria is approximate using the estimated area and depth of the identified resource.*
 - i) *Construction materials: A minimum threshold volume of 1,000,000 cubic yards shall be used to identify commercially significant deposits of sand, gravel, and pit run rock, capable of being used in construction, that normally requiring minimal processing (commonly washing and grading).*
 - ii) *Quarry rock: A Minimum Threshold Volume of 1,000,000 cubic yards shall be used to identify commercially significant deposits of quarry rock products, such as shot rock meeting all strength and durability specifications of the Washington State Department of Transportation's 2004 Standard Specifications for Road, Bridge and Municipal Construction (or later editions).*
- c) *Minimum Threshold Value. All other mineral resources shall use a minimum threshold value to identify commercially significant mineral resource deposits. The values in 2000 equivalent dollars shall be met or exceeded. Threshold value is the projected value (gross selling price) of the first marketable product from an individual mineral deposit, upon completion of the extraction and any required mineral separation and processing. The threshold values are intended to indicate in a general way the approximate minimum size of a mineral deposit that will be considered significant for designation. The values are not intended, nor in practice could they be, for use as precise threshold values.*
 - i) *Industrial and Chemical Mineral Materials: Minimum Value \$1,000,000. Non-metallic mineral materials, such as building and dimension stone, limestone, or specialty sands, which normally receive extensive processing.*
 - ii) *Metallic and Rare Minerals: Minimum Value \$500,000. Metallic elements and minerals, gemstones, and minerals that possess special properties valuable to science or industry, including dunite and other olivine-rich rock.*



- iii) *Non-fluid Mineral Fuels: Minimum Value \$1,000,000. Non-hydrothermal mineral fuels occurring in sedimentary rocks such as coal bed methane, bituminous coal, lignite, peat, organic shale, tar sand, uranium and thorium.*

4D-1.2 Standards for Geologic Information

Adequate information for the purpose of designating areas within the Mineral Resource Overlay shall consist of, but not be limited to, site-specific information prepared by a licensed geologist, U.S. geological survey maps, and/or information on file with the Washington Department of Natural Resources.

4D-1.3 Mineral Resource Designation Considerations

All lands meeting the criteria in Policy 4D-1.1 shall be further reviewed considering the following additional criteria. Certain limited pre-existing designated MRO lands that may not meet the criteria below may retain their MRO status to address unique economic circumstances or access-to-market.

- a) *General land use patterns in the area;*
 - i) *Designate MRO only on lands designated as Industrial Forest, Secondary Forest, or Rural Resource.*
 - ii) *Designate MRO lands outside National Park Service lands, National Forest Service lands, Wild and Scenic corridors, Agricultural Resource lands, and Open Space of Regional/Statewide Importance.*
 - iii) *Residential gross densities for land designated as MRO shall be no greater than 1 residential dwelling unit per 10 acres.*
 - iv) *The preferred land uses adjacent to designated mining sites are open space, forestry, or industrial uses.*
- b) *Surrounding parcel sizes and surrounding land uses. Designate MRO lands in areas with surrounding land uses that have a maximum designated density of 1 residence per 10 acres. Appropriate surrounding land use zoning for MRO lands include: Industrial Forest, Secondary Forest, Rural Resource, Rural Reserve, Natural Resource Industrial and other industrial uses;*
- c) *Availability of public roads and other public services. Although mining within one to two miles of public roads is preferred, designation of mineral resources beyond this range may be necessary to preserve resources for future use;*
- d) *Division or zoning for urban or small lots. Designate MRO areas ¼ mile away from Rural Villages, Rural Intermediate, and Urban Growth Areas, except in*



limited cases where pre-existing MRO areas may be retained to address unique economic circumstances or proximity-to-market. Conservation and Reserve Developments are acceptable on and within ¼ mile of MROs, provided that the allowed density (with or without a density bonus) does not exceed 1 dwelling unit per 10 acres.

- e) Accessibility and/or distance from point of use. Although mining is preferred within two hours driving distance from incorporated cities or other points of use, designation of mineral resources beyond this range may be necessary to preserve resources for future use;*
- f) Physical and topographic characteristics of the site or area do not preclude mining;*
- g) Depth of the resource or its overburden does not preclude mining;*
- h) Physical properties (such as strength or durability) and quality of resource (such as the percentage of fines in the resource) is sufficient to be marketable;*
- k) Life of the resource is sufficient to be marketable;*
- l) Resource availability in the region. All mineral resources of long-term commercial significance are designated. This helps to ensure that resources are available, and local industry can be responsive to future demand; and*
- m) Policies and regulations are in place to mitigate the potential effects of sediments and pollutants on public drinking water.*

4D-1.4 Mineral Resource Overlay Density Policies

Residential gross densities on or within ¼ mile of a Mineral Resource Overlay shall be no greater than 1 residential dwelling unit per 10 acres. New subdivisions with densities greater than 1 unit per 10 acres may be permitted only if the additional development rights can be transferred to and clustered on that portion of the same property lying outside of ¼ mile from the MRO, consistent with the Conservation and Reserve Development (CaRD) land division regulations.

■ General Policy Goals: Mineral Resource Overlay

Maintain and enhance conservation of long-term commercially significant mineral resource lands so that use of, and access to these lands is not precluded by conflicting land uses through the designation of a Mineral Resource Overlay. These principles shall guide Skagit County's actions to:



- *Maintain and enhance conservation of long-term commercially significant mineral resource lands.*
- *Maximize compatibility between mineral extraction operations and other land uses.*
- *Reduce conflicts between mining operations and adjacent land uses so that access to mineral lands is not precluded by conflicting land uses; and*
- *Promote the economic and regulatory stability of the mining industry.*

Goal D-2, Conserve Mineral Resource Lands

Protect and conserve mineral resource lands of long-term commercial significance.

Policies

4D-2.1 Designate Mineral Resource Overlay

Areas meeting the criteria for mineral lands of long-term commercial significance shall be identified as Mineral Resource Overlay on the Comprehensive Plan Land Use and Zoning Map.

4D-2.2 Allowable Mineral Extraction Activities

Activities associated with mineral extraction operations are those activities that further develop the base product of the mineral being extracted. Examples of these activities include washing, crushing, asphalt plants, and concrete batch plants. Associated activities shall be allowed as a hearing examiner special use within the Mineral Resource Overlay or in areas designated Natural Resource Industrial – NRI. Those associated activities must meet the requirements of the Special Use Permit specific to those areas and must be listed as permitted uses in those Districts. Temporary activities associated with construction projects may be permitted as part of the related construction permit review and may be conditioned as necessary to address applicable mining regulations.

4D-2.3 Natural Resource Lands Information Clearinghouse

Establish a Natural Resource Information Clearinghouse to collect and disseminate information to benefit long-term productive management of natural resource lands, including mineral resource areas. Functions of the Natural Resource Lands Clearinghouse are described under Goal F of this Chapter, but shall include at a minimum: information on mining



practices, reclamation, promotion of mining products, and public awareness, and education regarding mining activities.

Goal D-3, Reduce Land Use Conflicts

Discourage incompatibility and reduce conflicts between mineral extraction operations and other land uses.

Policies

4D-3.1 Exclusive Mineral Resource Overlay

The Mineral Resource Overlay adds additional uses and related requirements to the Industrial Forest, Secondary Forest, Rural Resource, and Natural Resource Industrial districts of the Comprehensive Plan/Zoning Map. New mining is limited to the MRO, subject to applicable permits. However, pre-existing, permitted mining operations outside the Mineral Resource Overlay may operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original permit but within the existing parcel provided that they receive a mining special-use permit.

4D-3.2 Right to Manage Mineral Resource Lands

The provisions of Right-to-Manage Natural Resource Lands shall apply to all lands designated Mineral Resource Overlay (MRO) to protect mineral resource landowner rights to manage their lands for mining uses.

4D-3.3 Deed Restrictions

All real estate transactions involving residential development on or within one-quarter (1/4) mile of mineral resource lands shall contain recorded documentation of the residential owners' acknowledgment of the mineral extraction activities and receipt of the Right-to-Manage Natural Resource Lands information.

4D-3.4 Development Regulations

Development regulations for the Mineral Resource Overlay shall identify permitted uses in MRO lands.

4D-3.5 Siting Adjacent Residential Development



New residential development adjacent to a designated Mineral Resource Overlay should be sited to help minimize potential conflicts between residences and mining operations.

4D-3.6 Mining Site Buffer Standards

Mining buffer standards shall maintain the purpose and functions of mineral resource lands. These standards shall require equivalent buffers on mining sites and on adjacent properties with the exception of mines adjacent to mines. Excavation shall not occur within the buffer of any mine except during reclamation and on mines adjacent to mines. Storage of topsoil and excavation associated with reclamation area may be allowed in buffers.

4D-3.7 Mining Activities Buffer Standards

Buffers and setbacks should be provided for all activities associated with mineral extraction operations in addition to those required for mineral resource areas.

Goal D-4, Effective Regulatory Environment

Coordinate and implement administrative procedures that encourage consistency among permitting jurisdictions and simplify permitting procedures for the applicants and Skagit County.

Policies

4D-4.1 Coordinate State and Local Regulations

Development regulations for mineral resource lands in the county shall be consistent with applicable Washington State mining regulations and Department of Natural Resources rules. Overlap in the regulatory authority between Skagit County and the DNR may occur to ensure public health and safety in matters not under the DNR's jurisdiction.

4D-4.2 Improve Local Permit Process

Consider a process to allow certain mining operations by administrative special-use permit, if certain defined criteria are met. Such a process should include a requirement to upgrade the level of review to a hearing examiner special-use permit, if information relating to potential adverse environmental impacts or other factors warrant additional public review. Also establish criteria for appeal and public notification requirements.



Goal D-5, Safe Operations

Ensure safety and minimize off site disturbances associated with operating equipment, noise, dust, glare, vibrations and truck traffic.

Policies

4D-5.1 Noise Impacts

Sound levels, as measured on properties adjacent to the mining site, shall conform to the provisions of WAC Section 173-60-040, Maximum Permissible Environmental Noise Levels.

4D-5.2 Traffic Impacts

Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process.

4D-5.3 Roads and Bridges

New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

4D-5.4 Operation Hours

Standards for hours of operations, appropriate for the underlying land-use designation, shall be established for mineral extraction operations. In determining appropriate hours of operation, consider traffic impacts and requirements, nearby uses, and noise impacts. Project-specific circumstances that demand non-standard or 'off-peak' hours may also be considered.

4D-5.5 Blasting Timing

Vibrations from blasting operations and underground blasts causing noticeable vibrations shall be limited to daylight hours when adjacent to residential areas. Blasts should be scheduled for regular and predictable times except in the case of emergencies. Blasting shall be conducted in accordance with the state permit.

4D-5.6 Noise and Blasting Mitigation



Site-specific studies shall be conducted to determine appropriate mitigation or noise and blasting for new operations and expansion areas of existing operations. Standards shall be maintained to implement existing and accepted methods by which vibrations and noise shall be measured and appropriate mitigation established to alleviate incompatibilities.

4D-5.7 Pre-Existing Mining Operations

Pre-existing, legally operating commercial mining operations outside the Mineral Resource Overlay may continue to operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original approval and within the existing parcel boundary provided that they receive a mining special-use permit.

4D-5.8 Chemical Leach Mining

Chemical leach mining shall not be allowed until State laws are enacted which address their impacts.

Goal D-6, Water Quality

Ensure that water quality protection standards associated with mining operations comply with best management practices.

Policies

4D-6.1 Reclamation Plan

Support the Washington Department of Natural Resources (DNR) requirement that reclamation plans specify how overburden and spoil material is to be handled and placed in a manner which will control erosion, dust, sedimentation or leaching of material and hazardous substances into surface or ground waters.

4D-6.2 Storage Ponds

Storage pond systems for holding mineral processing waters should be designed to preclude untreated discharge as required by federal and state laws.

4D-6.3 Erosion Prevention

The flow of natural or process runoff from mineral extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented. Natural runoff includes: Any water that runs on disturbed



ground, including stormwater and ‘process water’ that flows through operation.

4D-6.4 Aquifer Barriers

Surface mining shall be vertically limited to only one aquifer unless specifically approved by the Washington State Department of Ecology. Hydrological barriers separating aquifers shall not otherwise be destroyed.

4D-6.5 Aquifer Reclamation

Reclamation of disturbed aquifers shall be in accordance with federal, state and local law. Disturbed aquifers should be reclaimed as ponds or lakes. On-site material is preferred where an aquifer has been breached.

4D-6.6 Aquifer Protection

Activities related to mineral extraction and processing operations in the vicinity of open aquifers must provide safeguards including containment, to prevent contamination to the open aquifer.

4D-6.7 Grading Adjacent to Water Bodies

Post-mining slopes in an aquifer shall be reclaimed at a grade that allows for easy access in and out of ponds and lakes.

4D-6.8 Groundwater Study

Before a new sand and gravel mine is permitted, the area ground water shall be characterized by a licensed geologist, hydrogeologist or engineer.

4D-6.9 Aquifer Monitoring

Where a proposed mine will breach an aquifer, monitoring shall be established to measure the impact of the mining activity on water quality and supply to wells relying on the aquifer to be breached.

Goal D-7, Public Lands

Recognize and identify scientific resource sites as educational and recreational opportunities.

Policies

4D-7.1 Preserve Scientific Resource Sites



On public lands, scientific resource sites shall be protected and preserved for educational and scientific use when possible. Examples of such sites may include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance.

4D-7.2 Recreational Interests

When feasible, access to local recreational activities, such as fishing, boating, hiking, and camping shall be preserved.

■ Right To Manage Natural Resource Lands

Natural resource management operations are frequently the subjects of nuisance complaints and on occasion have been forced to cease or curtail operations. Such nuisance complaints discourage investments in natural resource land improvements to the detriment of adjacent natural resource land uses and the economic viability of the county's natural resource land industry as a whole.

Right-to-Manage Natural Resource Lands policies are intended to promote mutual understanding and good neighbor relationships between natural resource lands and non-natural resource land property owners. This starts by advising purchasers and users of property adjacent to or near natural resource land management operations of the inherent potential difficulties associated with living on or near natural resource lands. These may include, but are not limited to, hours of operation, the use and spraying of chemicals, pruning, harvesting, and mining activities, which occasionally generate traffic, dust, smoke, noise, odor. Through mandatory disclosures purchasers and users will be better prepared to understand and accept the consequences of living near natural resource lands and operations.

General Policy Goals: Right to Manage Natural Resource Lands Policies

Assure that the uses of lands adjacent to natural resource lands do not interfere with the continued use, in the accustomed manner, for farming, forestry, mining, and related uses.

Provide to Skagit County residents notification of the County's recognition and support of the right to manage natural resource lands.



Reduce the loss to Skagit County of its natural resource lands by limiting and defining the circumstances under which natural resource lands management operations may be considered a nuisance.

Goal E-1, Right to Manage Natural Resource Lands Notification

Provide notice, through a disclosure statement, of the potential incompatibilities, inconveniences and discomforts, which may arise from natural resource land management activities.

Policies

4E-1.1 Right to Manage Natural Resource Lands Regulations

Right-to-Manage Natural Resource lands regulations shall be adopted that limit and define the circumstances under which natural resource lands management operations may be considered a nuisance. Such regulations shall not limit the right to manage natural resource lands operations when such operations are conducted or maintained for commercial purposes, and in a manner consistent with current best management practices.

4E-1.2 Right to Manage Natural Resource Lands Disclosure Statements

Right-to-manage natural resource lands regulations shall set forth a disclosure statement, and under what circumstances and to whom such a disclosure statement shall be disseminated. The disclosure statement shall inform land owners of the potential incompatibilities, inconveniences, and discomforts which may arise from natural resource land management activities.

4E-1.3 Recording with Property Deed

A standard disclosure form shall be recorded with deeds for all real estate transactions involving development on or within one-quarter (1/4) mile of Natural Resource Lands. The disclosure form shall include recorded documentation of the residential owners' acknowledgment of the potential natural resource management activities and receipt of the Right-to-Manage Natural Resource Lands information.



■ Natural Resource Lands Information Clearinghouse

Skagit County operates a number of programs for the preservation of natural resource lands and related economic activities. The following goals and policies articulate ways in which these programs can be organized into a clearinghouse function to provide information relating to research, services, and education that are needed to achieve natural resource lands management goals and objectives.

Goal F-1, Natural Resource Clearinghouse

Develop a Natural Resource Lands Information Clearinghouse to collect and disseminate information to benefit conservation and management of natural resource lands.

Policies

4F-1.1 Clearinghouse Team

The Natural Resource Lands Information Clearinghouse work program shall involve the Farmland Legacy Program, Agricultural Advisory Board, Forestry Advisory Board, representatives from Mineral Resource Overlay and Rural Resource land owners, and other interested contributors.

4F-1.2 Clearinghouse Work Program

The Clearinghouse work program shall include: conducting coordinated research, monitoring, training, marketing, education and funding activities related to:

- a) *Agricultural land conservation and sustainable agricultural practices, and promoting and marketing Skagit County farm products.*
- b) *Forest land conservation, sustainable forest practices, developing and promoting diverse forestry products.*
- c) *Rural Resource land profile, defining natural resource activities on Rural Resource lands, and assessing economic viability of natural resource production on Rural Resource lands.*
- d) *Mineral resource development, safe mining practices, reclamation planning and execution, diversification and promotion of mineral resource products.*



- e) *Implementing the Right-to Manage Natural Resource Lands goals and policies and ordinances.*
- f) *Promoting public awareness of natural resource land values and challenges.*
- g) *Promoting educational programs in public schools that emphasize the contributions of natural resource lands to the county, and the need to protect these valuable lands.*

4F-1.3 Natural Resource Lands Database

Maintain a database management system to provide current information on natural resource land uses and activities, soils, conversions, and other quantifiable factors for the purpose of monitoring and conserving natural resource lands.

4F-1.4 Converted Natural Resource Lands Database

The Natural Resource Lands database should identify and map, where known, those parcels of land that, although designated as a Natural Resource Land, are not available for productive resource use because of some easement, covenant, or other restriction that converts the primary use of such land to the preservation of habitat, open space, or some other non-resource-land use. This information should contribute to a more accurate assessment of the natural resource land base available for agriculture, forestry or mining uses.



Natural Resource Lands Profile

Introduction

The goals and policies set forth in the Natural Resource Lands Element represent a commitment to a viable natural resource economy in Skagit County, including natural resource lands industries and healthy natural resource systems. This section supports the goals and policies in the Natural Resource Lands Element by summarizing current conditions and describing the desired management of natural resource lands that the County will be addressing throughout the 20-year planning period.

The Element supports long-term commercial uses on natural resource lands and allows for support services and businesses that are compatible with these uses. Other uses such as residential and recreational uses on Natural Resource Lands, if allowed, are to be compatible with the long-term commercial use of these lands.

Natural Resource Land Designations

The natural resource lands designation indicates areas where Skagit County land-use



plans, regulations, and incentives are intended to promote long-term, commercially significant resource use. These natural resources provide valuable products and raw materials that support jobs, create tax revenues, and are an important component in regional and local economies and markets. Farmlands and forests also provide aesthetic, recreational, and environmental benefits to the public, while contributing to a diverse community lifestyle and character. The land use zoning designations for natural resource lands are:

- *Agricultural – Natural Resource Lands (Ag-NRL)*
- *Industrial Forest – Natural Resource Lands (IF-NRL)*
- *Secondary Forest – Natural Resource Lands (SF-NRL)*



- *Rural Resource – Natural Resource Lands (RRc-NRL)*
- *Mineral Resource Overlay (MRO)*

Agricultural Natural 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 designates agricultural lands primarily based on the presence of prime agricultural soils. These lands are concentrated in the fertile floodplain of the Skagit River as it flows into the Puget Sound. There are also agricultural lands designated along the upper Skagit Valley in areas of rich alluvial soils. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 89,169 acres of land as Agricultural lands, although significantly fewer acres are in full agricultural production in any given year. Designating valuable agricultural soils protects the resource for future use, regardless of current farming conditions. Designating also ensures a cohesive and distinct agricultural area within Skagit County, and limits the extent to which non-agricultural uses can conflict and interfere with farming.

Primary crops and agricultural products in Skagit County include apples, berries, floriculture and sod, potatoes, peas and other vegetables, vegetable seeds, dairy, and ornamental nursery stock. Skagit County's annual Tulip Festival brings in over \$60 million in economic activity, adding to the over \$300 million in gross farm income annually – making agriculture a major contributor to the health of both the regional and Skagit County economies.

Despite the current strength of the agricultural industry in Skagit County, there are some significant challenges facing agriculture,

primarily in maintaining the land base and ensuring long-term viability. Pressures to convert agricultural lands to residential, wildlife habitat, and other uses, conflicts with neighboring non-resource uses, regulatory limitations on farming, and fluctuating economic conditions all add to the industry's challenges.

The Natural Resource Lands Element promotes preservation of the agricultural land base, reduction of land use conflicts, and support for a diverse and economically strong agricultural industry. Conservation strategies are critical for preserving and strengthening the agricultural land base. These include a strong Purchase of Development Rights (PDR) program, and the development of a GIS database for natural resource lands. Right-to-Manage Natural Resource Lands goals, policies and ordinances promote a clear mandate for agricultural production as a priority on agricultural lands. The strength of the agricultural industry is promoted in the Natural Resource Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse, promoting the agricultural industry and supporting services and businesses that sponsor the development and diversification of agricultural products.

Industrial and Secondary Forest Resource Lands

Forest Resource Lands are those lands with soils, parcel size, and location characteristics that have long-term commercial significance for forestry. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 314,576 acres of land as Industrial Forest Natural Resource Land (IF-NRL) and 38,750 acres as Secondary Forest Natural Resource Land (SF-NRL). Industrial Forest lands form the bulk and core of the commercially significant forest resource, with a surrounding Secondary Forest



Plan Key: Natural Resource Land Designations

Skagit County's natural resource lands provide valuable products and raw materials that support jobs, create tax revenues, and drive economies. These areas also provide aesthetic, recreational, and environmental benefits to the public.

Here's a **summary** of Skagit County's natural resource land designations:

Ag-NRL These are lands with soils, climate, topography, parcel size, and location characteristics that have long-term commercial significance for **farming**. The County has designated approximately 89,000 acres of Agricultural Natural Resource Lands (Ag-NRL).

IF-NRL These are lands with soils, parcel size, and location characteristics that have long-term commercial significance for **forestry**. Approximately 315,000 acres have been designated Industrial Forest Lands (IF-NRL).

SF-NRL Like Industrial Forest Lands, Secondary Forest Lands provide harvest opportunities but also provide buffers between IF-NRL areas and rural ones. Approximately 39,000 acres have been designated SF-NRL.

RRc-NRL These are areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands, and have the potential for multiple use or smaller-scale resource management. Approximately 26,000 acres in Skagit County have been designated Rural Resource Lands (RR-NRL).

MRO The Mineral Resource Overlay applies to Forest and Rural Resource lands where geologic deposits and land use characteristics have long-term commercial significance for **mineral extraction**. Skagit County has designated an estimated 60,000 acres of Mineral Resource Overlay (MRO).

For more, including designation criteria, see Chapter 4, Natural Resource Lands.

designation which provides a transitional density between that of Rural areas and Industrial Forest. Secondary Forest also offers the potential for smaller-scale commercial timber operations, supporting natural resource industries, and limited residential uses. These lands are concentrated in the slopes and foothills of the Cascade Mountains in the eastern and northern portions of the county.

Primary forest products in Skagit County include: raw logs, primarily for the domestic market, with some exports; lumber, both green and kiln dried; wood chips; and hog fuel (a mix of bark, sawdust, and planer shavings). Production of the later is expected to increase due to the increased development of cogeneration plants as energy sources for industry. Value-added products and industries include local cabinet making shops, engineered wood products, such as beams, and small fine wood product shops producing anything from custom wood furniture to musical instruments.

Aside from wood products, forestry is a significant contributor to the economy, environment and lifestyle in Skagit County. Support industries include logging, trucking, and equipment sales & service, small trucks, fuel, supplies and repair services. Spin-off services, such as retail grocery, clothing, restaurants, and other services also rely heavily on a healthy natural resource lands industry. An often overlooked benefit of good forest management is the industry's contribution to and protection of clean air, water, fish & wildlife habitat, and recreational activities.

Currently, there are significant challenges facing the industry, primarily in maintaining the land base and promoting a viable, long-term forest industry. The industry, and the County have seen a decline in the strength and role of forestry in the Skagit County economy over the past 20 years – much of this due to declining harvests on



Federal and State lands. Other challenges result from pressures to convert forest lands to other uses; regulatory requirements, economics and market factors.

The Natural Resource Lands Element promotes preservation of the forest land base, reduction of land use conflicts, and support for a diverse and economically strong forest industry. Conservation strategies are critical for preserving and strengthening the forest land base and include incentives to conserve, and disincentives to convert, forest land to other uses. Right-to-Manage Natural Resource Lands goals, policies and ordinances promote a clear mandate for forest management as a priority on forest lands. Strength of the forest industry is promoted in the Natural Resource Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse to promote the diversification of forest products and encourage development of value-added products.

Rural Resource Lands

Rural Resource lands are, generally, areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands, and have the potential for multiple use or smaller scale resource management. Because of this mixture, the goals, objectives and policies applicable to both Agricultural and Forest Resource lands are applicable to the Rural Resource lands. Rural Resource lands generally are not managed for industrial-scale farming or

forestry but nevertheless contribute to the natural resource land base. Where the Mineral Resource Overlay designation is also applied, industrial-scale mining can occur, however. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 25,658 acres of land as Rural Resource Natural Resource Land (RRc-NRI).

The challenges facing owners of Rural Resource land generally relate to the economic viability of managing small parcels of resource lands, and

pressures to develop other uses, such as residential. This is particularly true where Rural Resource lands are located between larger natural resource land parcels and Rural designated areas.

The Natural Resource Lands Element promotes flexibility of uses on Rural Resource lands, while providing for incentives and support for small agricultural, forest and mining uses. Rural Resource lands allow for a range of uses that are complementary to natural

resource land preservation. The Natural Resource Clearinghouse will provide further direction and guidance for owners of Rural Resource lands.

Mineral Resource Overlay

The Mineral Resource Overlay is an overlay to Forest and Rural Resource lands, where geologic deposits and land use characteristics have long-term commercial significance for mineral extraction. Based on the designation criteria presented in Chapter 4, Natural

“Currently, there are significant challenges facing (forestry) ... primarily in maintaining the land base and promoting a viable, long-term forest industry. The industry, and the County have seen a decline in the strength and role of forestry in the Skagit County economy over the past 20 years – much of this due to declining harvests on Federal and State lands.”



Resource Lands, Skagit County has designated an estimated 60,134 acres of Mineral Resource Overlay. The predominant resources mapped in the Mineral Resource Overlay are sand and gravel construction materials. These resources are typically associated with alluvial and glacial deposits. Quarry rock and valuable minerals such as olivine-rich dunite and limestone have also been designated.

The challenges facing the mineral resource industry primarily relate to conflicting use concerns with neighboring residential uses. With increasing demands for construction materials in developing urban areas, especially in the Puget Sound region, it becomes increasingly important to identify and preserve access to the mineral resources of Skagit County. However, access to much of the county's minable resources has already been precluded by residential development. Skagit County's approach to designating mineral lands is to protect what is remaining, now and for the future. Doing so requires that mineral lands of long-term commercial significance be designated in areas where the impacts from mining, when it occurs, can be reduced to the greatest extent possible.

During the recent update of the Mineral Resource Overlay, Skagit County conducted an in-depth review of geologic formations and potential mineral resource deposits. This mapping update confirmed many known mineral resources and identified new mineral resources. A very few currently conforming mining operations

did not meet the criteria for mineral resource land overlay designation as applied during this mapping review. Due to the economic conditions of these operations and their beneficial access to markets, Skagit County will consider these existing operations as conforming uses within the provisions of the Mineral Resource Overlay.

It is important to ensure that mining policies and regulations, in addition to protecting the resource and its related activities, also protect public health, safety and the environment. These policies and their implementing regulations work

in concert with other federal and State laws to ensure that mining operators and surrounding land owners remain good neighbors.

The Natural Resource Lands Element also establishes Right-to-Manage Natural Resource Lands goals and policies to promote a clear mandate for mineral extraction activities as a priority on lands designated as Mineral Resource Overlay. The vitality of the mineral industry is also promoted in the Natural Resource

Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse and allowing support services and businesses to encourage development of 'value-added' products.

"The challenges facing the mineral resource industry primarily relate to conflicting use concerns with neighboring residential uses. With increasing demands for construction materials in developing urban areas, especially in the Puget Sound region, it becomes increasingly important to identify and preserve access to the mineral resources of Skagit County."



Natural Resource Land Support Mechanisms

Right to Manage Natural Resource Lands

Where non-natural resource land uses (primarily residential uses) extend into natural resource areas or exist side-by-side, natural resource management operations are frequently subject to nuisance complaints. When complaints relate to the undesired effects of properly regulated and conducted natural resource lands activities, natural resource land managers are required to set aside time and financial resources in order to respond.

Right-to-Manage Natural Resource Lands policies are intended to promote a good neighbor policy between natural resource lands and non-natural resource land property owners by advising purchasers and users of property adjacent to or near natural resource land management operations of the inherent potential difficulties associated with such purchase or residence. It is essential that neighbors and residents of natural resource lands better understand and be prepared to accept attendant conditions and the natural result of living in or near natural resource lands and rural areas. The Right to Manage Natural Resource Land goals and policies establish mandatory disclosures for purchasers and users and provides authority to the Skagit County Assessor's Office to track these disclosures for the long-term protection of productive use of Skagit County's valuable resource lands.

Natural Resource Lands Information Clearinghouse

The Natural Resource Lands Element introduces the concept of a Natural Resource Lands Clearinghouse to integrate the support and information services for natural resource

landowners and industries. The goal of the Clearinghouse is to efficiently provide the following information and support: Information on resource land conservation, including loans and grants, and conservation easements;

- Information and support for alternatives to land conversion;
- Information on sustainable management approaches;
- Promote sustainable management practices;
- Encourage economic and market opportunities;
- Promote Skagit County products and branding; and
- Educate and inform public on Natural Resource Land values.

Soils Used in Designating Agricultural and Forest Resource Lands

The Natural Resource Conservation Element uses soil classifications from the USDA Soil Conservation Service (SCS) and the Washington State Department of Revenue's Private Forest Land Grading (PFLG) system in designating Agricultural Resource, Forest Resource and Rural Resource Lands, abbreviated as follows:

Agricultural Lands Soils

Designation of Agricultural Lands relies, in part, on the presence of various "Prime Alluvial" soil types indicated in Table 4.1. Descriptions of these soil types can be found, by SCS map unit number, in the Soil Survey of Skagit County Area, Washington, USDA Soil Conservation Service, 1998.



Table 4.1 – Prime Alluvial Soils

SCS Map Unit #	Soil Description
21	Briscot fine sandy loam
87	Larush fine sandy loam
88	Larush silt loam
89	Larush variant silt loam
92	Minkler silt loam
123	Skagit silt loam
96	Mt. Vernon very fine sandy loam
130	Snohomish silt loam
136	Sumas silt loam
157	Wickersham silt loam, 0-8% slopes

Prime Alluvial Soils (if artificially drained)

SCS Map Unit #	Soil Description
10	Bellingham silt loam
11	Bellingham mucky silt loam
34	Cokedale silt loam
97	Mukilteo muck
101	Nookachamps silt loam
102	Norma silt loam
114	Samish silt loam
141	Tacoma silt loam
142	Tacoma silt loam, drained

Prime Alluvial Soils (if protected from flooding)

SCS Map Unit #	Soil Description
56	Field silt loam
57	Field silt loam, protected
98	Mukilteo Variant muck
118	Sedro-Woolley silt loam

Forest Resource Land Soils

The soil criteria for designating Industrial Forest and Secondary Forest lands in Skagit County is derived from the Private Forest Land Grading system (PFLG). PFLG was a five year mapping program completed in 1980 for the purpose of forest land taxation. It was funded by the Washington State Department of Revenue in cooperation with the Department of Natural Resources, Soil Conservation Service (SCS), USDA Forest Service and Washington State

Table 4.2 – Prime Upland Soils

SCS Map Unit #	Soil Description
59	Giles silt loam
60	Giles Variant silt loam
61	Gilligan silt loam
100	Nargar loam, 0-8% slopes
116	Sauk silt loam
119	Sehome loam, 0-8% slopes
146	Tokul gravelly loam, 0-8% slopes

University. State and private lands which had the potential of supporting commercial forest stands were surveyed. The Site Index Range is a measurement of the anticipated height of commercial timber species within a particular time span. For Skagit County, located in Western Washington the site-class codes are based on a 50-Year site index. The site-classes for Skagit County as derived from the PFLG soil survey are as follows:

Site-Class	Site Index Range
PFLG I	137 feet +height
PFLG II	119-136 feet
PFLG III	97-118 feet
PFLG IV	76-96 feet
PFLG V	1-75 feet

Rural Resource Land Soils

Designation of Rural Resource lands is determined, in part, by the application of both systems, using PFLG classes 1 – 3, and the SCS units listed in Table 4.2.

Mineral Resource Overlay

Skagit County designates, as Mineral Resource Overlay, the following geologic formations, subject to consistency with other land-use designation criteria. Exclusionary criteria may result in some, otherwise qualified mineral resources undesignated. Refer to U.S. Geological Survey and Washington State Department of Natural Resources survey maps for explanations



of the classifications used below. These maps are available for viewing at Skagit County Planning & Development Services.

Sand and Gravel Deposits

Qa	Quaternary Alluvium
Qa(s)	Holocene Alluvium – Sand
Qaf	Holocene Alluvial Fan Deposits
Qga	Advance Glacial Outwash
Qgas	Advance Glacial Outwash – Sand
Qgdm(e)	Everson Glaciomarine Drift
Qgo	Glacial Outwash
Qgo(e)	Everson Interstade – Glacial Outwash
Qgo(es)	Everson or Sumas – Glacial Outwash
Qgo(i)	Ice-Contact – Recessional Outwash
Qgo(s)	Glacial Outwash – Sumas Stade
Qgoc	Glacial Outwash, silt and clay – Vashon Stade
Qgom(s)	Glacial Outwash, marine – Sumas Stade
Qoa	Older Alluvium
Qoa(s)	Older Alluvium – Sand Facies
Bedrock Formations	
JTRu(ts)	Dunite
JMV(u)	Greenstone
JI(f)	Greenstone
PMPms(c)	Limestone

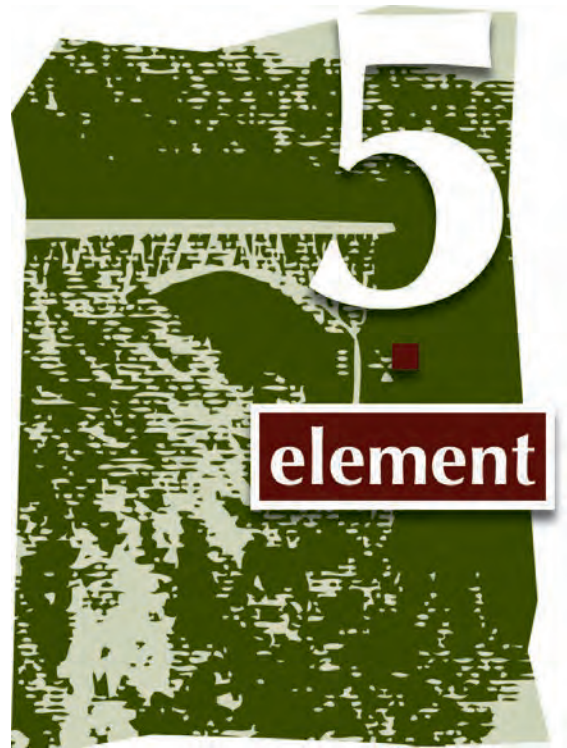


Environment

Introduction

The Environment Element provides the policy basis for the protection and regulation of critical areas as required by the GMA. Growth management, natural resource land conservation, and critical areas protection are interwoven in the framework intended to eliminate or minimize sprawl and the loss of environmental resources as well as to protect persons and property from unsafe conditions and sustain the quality of life. It is more costly to remedy the loss of critical areas than to conserve and protect them from loss or degradation. The inherent economic, social, and cultural values of critical areas should be considered in the development of strategies designed to conserve and protect lands.

In recognition of these common concerns, classification, and designation of critical areas is intended to preclude land uses and developments that are incompatible with critical areas. There are qualitative differences between and among critical areas. Not all areas and ecosystems are critical for the same reasons. Some are critical because of the hazard they present to public health and safety, some because of the values they represent to the public welfare. In some cases, the risk posed to the public by use or development



of a critical area can be mitigated or reduced by engineering or design; in other cases that risk cannot be effectively reduced except by avoidance of the critical area. Hence, classification and designation of critical areas is intended to recognize the differences between these areas, and to provide appropriate regulatory and non regulatory actions.

Preparing development regulations that preclude uses and development incompatible with critical areas does not mean a prohibition of all uses or development. Rather, it means governing changes in land uses, new activities, or development that could adversely affect critical areas. For each type of critical area, the classification system and associated development regulations should prohibit inappropriate uses and provide a basis for the review and approval of other uses and activities in keeping with these goals and policies..



Critical areas designations overlay other land use designations. That is, if two or more land use designations apply to a given parcel or a portion of a parcel, both or all designations shall be made. Best management practices should be utilized where critical areas are designated. Future operations or expansion of existing operations should be done in consideration of protecting critical areas or reducing risks to public health, safety, and welfare.

There is a clear, positive association between strong environmental policies and a strong economy. It is the County's intent to enforce environmental policies that will conserve the natural environment and support appropriate growth and economic development.

Growth Management Mandate

"There is a clear, positive association between strong environmental policies and a strong economy. It is the County's intent to enforce environmental policies that will conserve the natural environment and support appropriate growth and economic development."

The following GMA Planning Goal is specific to the environment:

- *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

This Goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following CPPs that provide specific guidance to the analysis and policies developed in this chapter:

- *Land uses and developments which are incompatible with critical areas shall be prohibited except when impacts from such uses*

and developments can be mitigated. (CPP 10.1)

- *Land use decisions shall take into account the immediate and long range cumulative effects of proposed uses on the environment, both on and off-site. (CPP 10.2)*

- *The County shall reduce the loss of critical aquatic and terrestrial habitat by minimizing habitat fragmentation. (CPP 10.3)*

- *Wetlands, woodlands, watersheds and aquifers are essential components of the hydrologic system and shall be managed to protect surface and groundwater quality. (CPP 10.4)*

- *Skagit County shall recognize the river systems within the County as pivotal freshwater resources and shall manage development within the greater watershed in a manner consistent with planning practices that enhance the integrity of the aquatic resource, fish and wildlife habitat, and recreational and aesthetic*

qualities. (CPP 10.5)

- *Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact. (CPP 10.6)*

- *Development shall be directed away from designated natural resource lands, aquatic resource areas, and critical areas. (CPP 10.7)*

- *The conversion of tidelands to uplands by means of diking, drainage and filling shall be prohibited, except when carried out by a public body to implement a Comprehensive Plan for flood plain management or to respond*



to a natural disaster threatening life and property. (CPP 10.8)

- *Septic systems, disposal of dredge spoils and land excavation, filling and clearing activities shall not have an adverse significant effect on Skagit County waters with respect to public health, fisheries, aquifers, water quality, wetlands, wildlife habitat, natural marine ecology and aquatic based resources. (CPP 10.9)*

- *When evaluating and conditioning commercial, industrial or residential development, Skagit County shall consider threatened or endangered wildlife. (CPP 10.11)*

- *Skagit County shall enter into inter-agency agreements with appropriate state and local agencies and Native American Tribes for compliance with watershed protection, including but not limited to, the cumulative effects of construction, logging and non-point pollution in watersheds. (CPP 10.12)*

- *Skagit County and Cities and Towns, in cooperation with appropriate local, state and Federal agencies, shall develop and implement flood hazard reduction programs, consistent with and supportive of the Corps Feasibility Study. (CPP 10.13)*

- *The Skagit River Floodway and the Skagit River Floodplain shall be regulated to protect human life, property and the public health and safety of the citizens of Skagit County; minimize the expenditure of public money; and maintain flood insurance eligibility while avoiding regulations which are unnecessarily*

restrictive or difficult to administer. (CPP 10.14)

- *Skagit County and Cities and Towns shall work together to provide ongoing public education about flooding in a coordinated and consistent program, and shall adopt a flood hazard reduction plan, that works together with the natural and beneficial functions of floodplains. (CPP 10.15)*

Critical Areas

The GMA requires local governments to designate and protect critical areas including

wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. Further, GMA requires counties and cities to develop policies and regulations that are based on “best available science.”

“Critical areas designations overlay other land use designations. That is, if two or more land use designations apply to a given parcel or a portion of a parcel, both or all designations shall be made.”

Wetlands

Wetlands are fragile ecosystems that serve a number of important beneficial functions. Wetlands assist in the reduction of erosion, siltation, flooding, ground and surface water pollution, and provide wildlife, plant, and fisheries habitats. Wetlands destruction or impairment may result in increased public and private costs or property losses.

Aquifer Recharge Areas

Potable water is an essential life-sustaining element. Skagit County’s potable water comes from groundwater and surface water. Once



the source of potable water is contaminated, it is difficult, costly, and sometimes impossible to clean up. Preventing contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm to people.

Frequently Flooded Areas

Flood hazard areas and other areas subject to flooding perform hydrologic functions and may present a risk to persons or property.

Geologically Hazardous Areas

Geologically hazardous areas include areas susceptible to the effects of erosion, sliding, earthquake, or other geologic events. They pose a threat to the health and safety of citizens when incompatible residential, commercial, industrial, or infrastructure development is sited in areas of a hazard.



■ Fish and Wildlife Habitat Conservation Areas

Fish and wildlife habitat conservation means maintaining species in suitable habitats within their natural geographic distribution through cooperative and coordinated land use planning beyond political boundaries.

Goal A

Preserve and protect wetlands to prevent their continual loss and degradation.

Encourage the voluntary restoration and enhancement of lost or degraded wetlands.

Protect aquifer recharge areas, and well-head areas, ground and surface water quality and quantity for supplying all needs within Skagit County, including potable water for human use.

Protect hydrologic functions and reduce the potential for physical injury and property damage associated with flooding.

Minimize risk to life, property, infrastructure, and resources caused by disrupting geologically hazardous areas or by locating development in areas subject to naturally hazardous geologic processes.

Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats.

■ Classification and Designation Of Critical Areas

Classification and designation of critical areas establishes the general distribution, location, extent, and quality of critical areas. In the circumstances where critical areas (e.g., aquifer recharge areas, wetlands, significant wildlife habitat, etc.) cannot be readily identified, these areas should be designated by performance standards or definitions, so they can be specifically identified during the processing of a permit or development authorization. Classifying, inventorying, and designating lands or areas does



not imply a change in a landowner's right to use his or her land under current law.

Goal A-1

In cooperation with local, state, federal, and tribal agencies and jurisdictions, Skagit County shall identify, classify, designate, and map critical areas to protect and conserve them.

Policies

5A-1.1 Critical areas shall be identified based on the best available science.

- a) *The National Wetland Inventory Maps, U.S.D.A. Soil Conservation Service Soil Survey, Washington Department of Fish and Wildlife Priority Habitats and Species Database and aerial photo overlays are examples of the information that shall be utilized in determining the approximate distribution and extent of wetlands in Skagit County.*
- b) *Soil logs and surveys, geological information, well logs, and geological reports shall be utilized in identifying aquifers and aquifer recharge areas.*
- c) *Hydrologic information such as Washington Department of Natural Resources water type maps, United States Geological Services streamflow data, and Federal Emergency Management Agency maps should be utilized in identifying frequently flooded areas.*
- d) *Soil, geologic, topographic, seismic, volcanic, and hydrologic data shall be utilized in identifying geological hazardous areas.*
- e) *Fish and Wildlife Habitat Conservation Areas shall be identified in accordance with Washington State Fish and Wildlife Priority Habitats and Species program, WA State Department of Natural Resource Aquatic Lands and Resources and Nearshore Habitat programs, and other extant programs.*

5A-1.2 Critical areas shall be designated by definition and site assessment for conservation and protection.

- a) *Critical areas shall be designated and mapped from general sources of critical area information based on best available science.*
- b) *Critical areas shall be designated by performance standards or definitions.*
- c) *Critical areas shall be designated upon completion of a site assessment done by a qualified professional during the process of a permit or development application.*

5A-1.3 Critical areas shall be classified for conservation, protection, and risk.



- a) *The Washington State Rating System for Western Washington (Second Edition) shall be utilized to classify wetlands according to the function, value and uniqueness of wetlands in Skagit County.*
- b) *Aquifer recharge areas shall be classified based on their vulnerability, susceptibility to contamination, and potable water quality and quantity.*
- c) *Frequently flooded areas should be classified utilizing the 100-year floodplain designations as adopted by the Federal Emergency Management Agency and the National Flood Insurance Program.*
- d) *Geologically hazardous areas (areas subject to erosion, sliding, earthquakes, or other geologic events) shall be classified based on the degree of risk to health, life, property and resources.*
- e) *“Fish and Wildlife Habitat Conservation Areas” (HCAs) shall be classified according to the type of conservation area which include:*
 - i) *Areas with which endangered, threatened, and sensitive species have a primary association;*
 - ii) *Habitats and species of local importance that have been designated by the County at the time of application;*
 - iii) *All public and private tidelands suitable for shellfish harvest;*
 - iv) *Kelp and eelgrass beds, and herring and smelt spawning areas;*
 - v) *Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;*
 - vi) *Waters of the state as defined by WAC 222-16;*
 - vii) *Lakes, ponds, streams, and rivers planted with game fish by a government or Tribal entity;*
 - viii) *Areas with which anadromous fish species have a primary association and;*
 - ix) *State Natural Area Preserves and Natural Resource Conservation Areas.*

■ Education

Goal A-2

Provide educational opportunities and the involvement of a well-informed citizenry in developing programs and regulations for the conservation and protection of critical areas.



Policies

- 5A-2.1** Educational opportunities should be encouraged that increase public and governmental understanding of the economic, social, cultural, and environmental values of critical areas.
- a) *Public access to publicly owned critical areas for scientific, educational and limited recreational use should be encouraged.*
 - b) *Educational programs should improve the understanding of storm water management, groundwater recharge, and groundwater and surface water quality and quantity issues, and encourage citizens to be water resource stewards.*
 - c) *Educational opportunities should increase public understanding of stream hydrology and the potential for major flooding in the Skagit River Basin.*
- 5A-2.2** Readily available information should be assembled and distributed to educate and inform the public about: risks of known frequently flooded areas and geologic hazards; development practices that increase the risks to lives, property, infrastructure, resources and measures to minimize these risks.

■ Incentives

Goal A-3

Utilize economic incentives, such as: density credit transfers, transfer of development rights, tax incentives, cluster housing, conservation easements, and public benefit rating systems, as appropriate, to encourage citizens to conserve, protect and restore critical areas.

Policies

- 5A-3.1** Areas of native vegetation and riparian corridors that connect wetland systems should be conserved and protected whenever feasible through incentive programs.
- 5A-3.2** Public and private programs should be encouraged and utilized to support the ability of wetlands to function naturally and provide landscape diversity.
- 5A-3.3** Public and private acquisition of critical areas should be encouraged for permanent conservation.



- a) *Critical areas of local and regional uniqueness and significance should be prioritized for acquisition.*

5A-3.4 Economic incentive programs shall be implemented to encourage private participation in protecting and enhancing aquifer recharge and surface and ground water quality.

- a) *Reuse of water shall be encouraged and incentives provided for use of best management practices.*
- b) *Incentives shall be developed that encourage industries, businesses and homes to use water conservation technologies and practices.*
- c) *Incentive programs shall be established to maintain and restore conveyance capacity and natural water storage areas.*

5A-3.5 Incentives shall be developed to protect critical areas in agriculture and forestry land.

5A-3.6 The protection of Habitat Conservation Areas shall be encouraged through acquisition, incentives, and other techniques.

5A-3.7 Native plant communities and fish and wildlife habitat enhancement shall be promoted through voluntary incentive programs.

■ Intergovernmental Coordination / Cooperation

Goal A-4

Improve communication and seek cooperation and coordination among county, city, state, tribal, federal agencies, and the public to avoid duplication and achieve efficiency and effectiveness in development of standards, policies, regulations, programs, projects, planning and funding efforts that conserve and protect critical areas.

Policies

5A-4.1 The use of inter-agency agreements among county, city, state, federal and tribal agencies shall be encouraged for conservation and protection of critical areas when developing regulations, incentives, and monitoring/enforcement strategies.

- a) *Local, state, federal and tribal governments shall be consulted in the development of land use plans and development review to identify and protect habitat networks on an inter-jurisdictional basis.*



- b) *Local, state, federal agencies, tribes and private interests shall be encouraged to plan and implement methods to protect and enhance water quality at commercial, recreational, and subsistence shellfish beds, including controlling potential new pollution sources, reducing pollution from existing sources, and establishing shellfish protection districts. Three watershed specific, nonpoint action plans currently exist and are incorporated as a part of this chapter:*
 - i) *Nookachamps Watershed Nonpoint Action Plan, May 18, 1995*
 - ii) *Bayview/Padilla Bay Watershed Nonpoint Action Plan, May 30, 1995*
 - iii) *Samish Watershed Nonpoint Action Plan, December, 1995*
- c) *In coordination with the Washington Department of Ecology, and based in part, on information obtained through aquifer recharge investigations, Skagit County shall recommend areas where exemptions for ground water withdrawal be eliminated.*
- d) *Coordination with state and tribal programs to protect plant species and communities listed in the Natural Heritage Program, the Priority Habitats and Species (PHS) Program and plant species of cultural (tribal) significance should be maintained.*

- 5A-4.2 Wetland inspections/delineation training requirements should be coordinated with other Federal and State agencies.
- 5A-4.3 Critical area conservation and protection strategies shall be coordinated with watershed planning efforts and watershed implementation plans.
- 5A-4.4 All existing county land use regulations shall be reviewed and, where appropriate, modified to eliminate redundancies or conflicts with other county, state or federal requirements for conserving and protecting critical areas and the public to promote a consistent and more efficient regulatory framework.
- 5A-4.5 Annual evaluations and prioritized recommendations for non-point source pollution control (such as from Watershed Action Plans and Water Quality Management Plans) shall be implemented where found to be feasible and most cost-effective.
- 5A-4.6 Skagit County shall continue to work cooperatively with the cities, towns, state and federal agencies and tribes as needed in flood hazard mitigation planning and projects to minimize potential for flood damage throughout Skagit County.
- 5A-4.7 The County shall encourage the restoration of appropriate degraded critical areas through coordinated cooperative public and private efforts.



■ Protection and Conservation Measures

Goal A-5

Skagit County shall protect and conserve critical areas in cooperation with federal, state, local, and tribal jurisdictions.

Policies

- 5A-5.1** Critical Areas shall be designated and protected to prevent their continued loss and degradation. Furthermore, priority shall be given to the avoidance of impacts to Critical Areas, followed by the minimization of impacts and full mitigation respectively.

Wetlands

- a) *The greatest level of protection should be provided to wetlands of exceptional resource value, based on the Washington State Wetland Rating System for Western Washington (August 2004).*
- b) *Measures shall be taken to protect the natural ability of wetlands to improve the quality of surface water runoff, hold and gradually release storm water, function as primary producers of plant matter, provide habitat for fish and wildlife, provide recreational opportunities, and provide historical and cultural values.*
- c) *Mitigation projects shall, whenever feasible, contribute to an existing wetland system or restore an area that was historically a wetland.*
- d) *A wetland buffer zone of adequate width should be maintained between a wetland and any adjacent development to protect the functions and integrity of the wetland. Where buffers are required, adequate buffer widths and protective mechanisms, using best management practices to sustain the buffer functions, shall be established.*
- e) *Wetland buffer zones should be retained in their natural condition to the greatest extent possible. Re-vegetation may be required to restore the functional value of the buffer zone.*
- f) *Regulated wetlands and their associated buffer zones shall be protected from adverse wetland impacts to their overall functions. No wetland or buffer zone alteration should be authorized unless it can be shown that the impact is unavoidable and that the adverse impacts are offset by deliberate restoration, creation or enhancement of wetlands and buffer zones.*



Aquifer Recharge Areas

- g) Water resources shall be protected using natural systems and non structural methods wherever possible.*
- h) Ground Water Management Areas (according to WAC 173-100), Wellhead Protection Areas and Significant Use Zones shall be established to further protect the quality and quantity of ground and surface water.*
- i) The Skagit County Department of Health will review and update its Saltwater Intrusion Policy for the islands and those coastal areas of the mainland where seawater intrusion has been documented. The update will require data gathering and staff time to complete.*
- j) The Skagit County Health Department will update the Health Code to address instream flow, mandated sewage code changes and water code changes. Aquifer recharge areas will be evaluated and protected under the revisions to the Critical Areas Ordinance.*

Frequently Flooded Areas

- k) Undisturbed natural rivers, streams, lakes, wetlands, and floodplains shall be protected to avoid increases in flood elevations, to reduce flood damage, and to allow proper conveyance of flood flows.*

Fish and Wildlife Habitat Conservation Areas

- l) Stream and wetland buffers shall be set so as to protect habitats associated with riparian dependent species.*
- m) Habitat fragmentation shall be minimized to enhance wildlife diversity by protecting important wildlife areas, open space, and interconnecting corridors that form a continuous habitat network.*
- n) Protective measures will be required in all areas that have the potential to introduce sediments into fish bearing streams, unless the applicant can adequately demonstrate that other mitigating measures will avoid impacts to instream resources.*
- o) Habitats or species that have been identified as priority species or priority habitats by the state, federal or tribal governments should not be reduced and should be preserved through regulation, acquisition, incentives and other techniques. The County should determine which habitats are of local importance.*



- p) The level of protection for HCAs shall be commensurate with the resource population status and management objectives as determined by appropriate resource managers.*
- q) Native vegetation shall be preferred and retained over exotic species in Fish and Wildlife Conservation Areas.*
- r) Native plant communities should be integrated with land uses wherever possible.*

5A-5.2 Land uses that are incompatible with critical areas shall be discouraged.

Frequently Flooded Areas

- a) Low intensity land use activities such as agricultural, forestry, and recreational land uses should be encouraged in floodplain areas and other land uses in these areas should be discouraged.*
- b) Land uses, densities, and development activities in the floodplain and coastal high hazard areas should be limited to protect public health, safety, and welfare, to minimize expenditure of public money and costly flood control projects, and to maintain hydrologic systems.*

Geologically Hazardous Areas

- c) Low land use densities and intensities or open space shall be preferred in geologically hazardous areas where this practice can provide site specific mitigation.*
- d) Land use regulations and practices for geologically hazardous areas shall be established so that development does not cause or exacerbate natural processes that endanger lives, property, infrastructure, and resources on or off site.*

Fish and Wildlife Habitat Conservation Areas

- e) Fish and Wildlife Habitat Conservation Areas shall be protected against habitat degradation to the fullest extent possible while allowing reasonable use of property.*
- f) Urban density development in the County and adjacent to Habitat Conservation Areas shall be sited such that HCA functions and values are protected.*

5A-5.3 Development allowed in critical areas shall be conducted without risk to lives, and with minimum risk to property, infrastructure, and resources.



Wetlands

- a) *Development adjacent to wetlands should be sited such that wetland and buffer functions are protected and an adequate buffer around the wetland is left undisturbed.*
- b) *Alterations to wetlands that are allowed in order to maintain or enhance specific wetland functions and values, shall consider all quantitative and qualitative functions of the wetlands and required buffers.*

Aquifer Recharge Areas

- c) *Consistent with state and federal laws and regulations, the County shall develop in unincorporated areas and facilitate on a county wide basis performance standards and regulate uses for activities which can adversely impact water quality or quantity in aquifers, watersheds, and surface waters.*
- d) *Performance standards shall be established to maintain aquifer recharge and protection and require that new developments meet these performance standards and that existing facilities be retrofitted, where feasible, to meet the standards.*

Frequently Flooded Areas

- e) *Development regulations shall be adopted that prohibit intensive uses such as urban subdivisions, multi family dwellings, commercial buildings, and industrial parks in the floodplain.*
- f) *The construction of critical facilities (i.e. schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited within the 100 year floodplain.*
- g) *Development shall protect water quality and minimize run off by limiting impervious surfaces, grading and filling, as well as maximizing vegetative cover and other best management practices.*
- h) *Flood-proofing of substantial improvements and new structures in frequently flooded areas shall be required.*
- i) *Where the effects of hazards can be mitigated, appropriate design standards shall be required for site development and livestock sanctuary areas within the 100-year floodplain.*
- j) *Best management practices shall be required for maintaining the river channel configurations during dredging and gravel removal.*



- k) *Compensatory storage and a “no net loss” land use approach to maintaining flood water storage capacity and conveyance shall be required in frequently flooded areas.*

Geologically Hazardous Areas

- l) *Critical facilities (i.e., schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited in geologically hazardous areas.*
- m) *Development proposals in designated geologically hazardous areas, where applicable, shall include a geotechnical report and a mitigation plan for development activities, with the amount of information required based on the severity of the geologic hazard and the susceptibility of the development on or off site.*
- n) *Independent third party review of geotechnical reports for development in designated geologically hazardous areas may be required by the planning director when the report is found to be deficient with the review to be paid for by the applicant as a way of expediting development permits.*
- o) *Any development should be carried out in a way that will not cause or exacerbate hazardous geological conditions.*
- p) *Public or private utility service or extensions (sewer, water, natural gas, and electric) should be discouraged in geologically hazardous areas and carefully sited to avoid potential damage to the utility or properties.*
- q) *When residential development is proposed in areas subject to geologic hazards it should be clustered and the development designed to minimize risk to human life, property, and the natural environment.*

Fish and Wildlife Habitat Conservation Areas

- r) *New development within or adjacent to HCAs should incorporate design elements that protect wildlife habitat values.*
- s) *All development that may significantly adversely impact HCAs shall require a mitigation plan, prior to any permit approval. A threshold shall be established on a case by case basis by a qualified professional.*
- t) *Storm water runoff, flow rates, flow volumes and pollution caused by site development shall be managed so that detrimental impacts to water resources and property are maintained at pre development levels.*



- u) Clearing and grading ordinances shall be developed to avoid impacts of erosion on critical areas.*
- v) Impacts to fish and wildlife resources associated with instream flows shall be considered in the Comprehensive Plan and development regulations.*

5A-5.4 Impacts to critical areas should be monitored to ensure the long term success of mitigation measures.

- a) Performance standards shall be adopted through appropriate codes and administrative procedures for development in critical areas; including, but not limited to:

 - i) Critical area report information and analysis;*
 - ii) Site inspections and development review of construction within critical areas;*
 - iii) The use of critical area designations to prohibit, restrict, or otherwise control land uses within short subdivisions, subdivisions, and residential cluster developments;*
 - iv) The use of protective covenants or conservation easements to protect critical areas in non land division developments.**
- b) Land used for critical area mitigation should be preserved in perpetuity. Monitoring and maintenance of critical area mitigation sites shall be provided until the success of the site is established.*
- c) Monitoring of the mitigation site should take appropriate measures utilizing one or more of the following:

 - i) Applicants should develop comprehensive mitigation plans in order to ensure long term success of the mitigation project. Such plans should provide for sufficient monitoring, maintenance, and contingencies to ensure mitigation persistence.*
 - ii) Applicants should demonstrate sufficient scientific expertise, supervisory capability and financial resources to complete and monitor mitigation projects and address cumulative impacts to the surrounding area.*
 - iii) Applicants should restore critical areas that are temporarily impacted by development upon project completion.*
 - iv) During development review, applicants should identify potential erosion and sedimentation impacts and submit appropriate mitigation plans that shall be monitored during construction and assessed periodically thereafter.**
- d) Critical area mitigation proposals should improve overall critical area functions, recognizing that it may be inappropriate to impact certain critical areas. All critical area functions shall be considered.*



5A-5.5 Critical areas should be avoided, maintained, restored, acquired, replaced or enhanced.

- a) *Mitigation for proposed alterations to critical areas or associated buffers should be sufficient to maintain the function and values of the critical area or to prevent risk from a critical area hazard. Proposed mitigation should follow the mitigation sequence of:*
 - i) *Avoid the impact altogether.*
 - ii) *Minimize the impact utilizing appropriate technology and design.*
 - iii) *Rectify the impact by restoring, repairing or rehabilitating the affected environment to the conditions existing at the time of initiation of the project or activity.*
 - iv) *Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the project.*
 - v) *Compensate for the impact by replacing, enhancing or providing substitute resources or environments.*
- b) *On site replacement of critical area impact is preferred. Where on site replacement is not feasible or practical due to characteristics of the existing critical area location, replacement should occur within the same watershed and proximity.*
- c) *Critical area restoration, creation, and enhancement projects should be completed prior to alteration, where possible. In all other cases, replacement should be completed prior to use or occupancy of the development.*
- d) *The County shall place a high priority on the proper placement or other correction of all identified county road culverts causing blockage of fish passage.*
- e) *Acquiring additional natural water storage areas, drainage systems and conveyance capacity should be accomplished through public means.*
- f) *Protection of aquifer recharge areas and potable water resources is preferred, and restoration should be supported where warranted by cost benefit analysis or limited water supply.*

5A-5.6 Develop enforcement procedures to ensure compliance with applicable Skagit County ordinances.

- a) *Enforcement action shall be taken whenever a person has violated the provisions of any applicable Skagit County ordinance used for critical area protection.*
- b) *The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or the public resources.*



- 5A-5.7** With the exception of activities that are exempt under the Critical Areas Ordinance (CAO), any proposed alteration that adversely affects a critical area or its standard buffers' functions shall comply with the substantive and procedural requirements of the CAO regardless of whether such alteration requires a County development permit or approval.
- 5A-5.8** All activities that are exempt under the Critical Areas Ordinance (CAO), shall be carried out in ways that cause the least impact on critical areas and their buffers.
- a) If any damage is caused to a critical area or buffer, in connection with an exempt activity, the critical area and its buffer shall be restored to the extent feasible.*

■ Air Quality

Although not identified as a critical area under the Growth Management Act, air quality is a crucial component of a healthy environment. The livability of Skagit County is dependent upon good air quality, which is affected by the interrelationship of land use and the activities of people, industries, and natural resource enterprises.

Skagit County seeks to maintain a high level of air quality by working cooperatively with the Northwest Clean Air Agency to minimize individual and industrial impacts on air quality. The County will work with the Northwest Clean Air Agency to minimize public exposure to airborne pollutants and nuisance odors by assuring regulatory accountability. Skagit County will accomplish this by supporting transportation policies that reduce air pollution; encouraging alternatives to outdoor burning; promoting environmentally sound heating methods; and assuring that industrial growth utilizes environmentally sound business processes.

The Transportation Element and the Transportation Systems Plan address air quality.



Environment Profile

Introduction

This profile describes the context for the goals and policies included in the Environment Element. The basis for the goals and policies is a complicated and overlapping web of federal and state laws. The GMA mandate (in the Element) is the umbrella through which this regulatory web is applied to the County. The GMA requires that local plans and regulations use best available science in establishing how they manage growth and development while protecting people, facilities, and natural environmental features from harm. An analysis of the applicable science meeting the GMA mandate is currently being prepared in order to support the Comprehensive Plan policies and the associated development regulations for wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, geologically hazardous areas, and frequently flooded areas.

Skagit County's agriculture, forestry, fisheries, tourism, and outdoor recreation assets are unparalleled in providing a holistic set of opportunities for sustaining the quality of life. Environmental protection and a strong economy have many direct linkages. It is the County's intent to maintain environmental policies that will conserve natural resources and responsibly support population growth



and economic development while at the same time protecting the environment and keeping people from harm's way.

Since these objectives are so interwoven, the Comprehensive Plan includes references to environmental protection in many of the elements. For example, drainage of surface water in agricultural areas is critical to farming operations, but also affects habitat conditions and flood controls. And, the location and sizing of UGAs is complicated by the historic locations of cities and towns which were first sited in flood prone areas. Consequently, the goals and policies for critical areas in the Environment Element relate closely to many other adopted plans, policies and regulations. These adopted plans, policies and regulations were examined in 2008 as part of a GMA Critical Areas Ordinance update. The



following is intended to highlight some of these important relationships:

Shoreline Master Program (SMP)

By 2012, Skagit County is required to update the SMP in compliance with recent changes to the rules and guidelines for the state Shoreline Management Act. In the meantime, the adopted goals and policies of the SMP are included in the Comprehensive Plan and the shoreline development regulations are included in the Unified Development Code. The updated GMA Critical Areas Ordinance (CAO) will have an effect on the regulation of development within the County's shoreline jurisdiction. As the County proceeds with the SMP update the GMA policies and regulations will be comparatively reviewed in conjunction with the shoreline policies and regulations.

Natural Hazards Mitigation Plan

In 2003, Skagit County, the cities and towns, the Upper Skagit and Swinomish tribes, and Dike District #12 adopted a county wide plan for addressing natural hazards such as avalanches, droughts, earthquakes, fires, floods, tsunamis, severe storms, and volcanic events. More than 50 separate jurisdictions within Skagit County participated in the development of this plan and are included within the plan's vulnerability assessments and mitigation strategies. The basis for this planning is federal legislation in the Disaster Mitigation Act of 2000 that establishes the means for states and local governments to anticipate and reduce the impacts of disasters caused by natural hazards. This plan includes vulnerability assessments of the jurisdictions' exposure to the hazards

Plan Key: Critical Areas and "Best Available Science" (BAS)



As required by Washington State's Growth Management Act (GMA), each city and county has the responsibility to perform the complex task of identifying,

designating, and protecting "critical areas" found in their local environment.

Here are the **five types** of critical areas identified by the GMA:

- 1) Wetlands
- 2) Areas with a critical recharging effect on aquifers used for potable water
- 3) Frequently flooded areas
- 4) Geologically hazardous areas
- 5) Fish and wildlife habitat conservation areas

In identifying critical areas, a 1995 section of the GMA requires cities and counties to "include the **best available science** in developing policies and development regulations to protect the functions and values of critical areas."

Local agencies are allowed to define BAS for themselves – but determinations must be defensible. From the 2003 *Critical Areas Assistance Handbook* published by the Department of Community, Trade and Economic Development (CTED):

"Local governments must identify, collect, and assess available scientific information relating to the protection of critical areas, and then determine which of that science constitutes BAS. Local governments may accept or solicit scientific information from state and federal agencies, universities, tribes, subject matter experts, and others, but the burden ultimately is on the local government to determine whether the scientific information assembled in fact constitutes the best available science."

For more on the topic of BAS, see the CTED website (www.cted.wa.gov) or research the State's BAS rules at WAC 365-195-900 through 925.



and their capacities and proposed strategies for mitigation. The Skagit County Natural Hazards Mitigation Plan provides the jurisdictions with opportunities for future federal funding to implement the strategies and reduce the exposure to hazards. It must be evaluated each year and updated every five years.

The adopted Natural Hazards Mitigation Plan includes goals and policies from the Comprehensive Plan (2000) and building code references. It proposes strategies for earthquake, fire and flooding hazard mitigation including facility improvements that could be incorporated into the Capital Facilities Element, and others that relate to policies. For example the Natural Hazard Mitigation Plan suggests implementing the “Fire Wise” public education program, a policy reflected in the Natural Resource Element and elsewhere in the Comprehensive Plan. The most recent update of the Comprehensive Plan has identified additional fire prevention planning as a priority for the rural portions of the County as well. Another strategy suggests enacting additional regulations to restrict future residential and non-agricultural construction in the 100-year floodplain. The County’s recently updated Flood Damage Prevention Ordinance (2006)

has taken important steps in this direction, and additional flood prevention planning has been identified by the Planning Commission as a priority “trailing issue.” The County’s Critical Areas Ordinance update, ongoing in 2007, will implement new regulations based on “best available science” for wetlands, aquifer recharge areas, geologically hazardous areas, and frequently flooded areas. Skagit County’s Emergency Management Department has initiated planning efforts to better prepare Skagit County in the event of a tsunami.

Regional Water Resource Plans

Other programs that produce plans, policies and strategies related to the environment include Watershed Planning based on Water Resource Inventory Areas (WRIAs). This planning effort is sponsored by the state Department of Ecology and involves inter-jurisdictional watershed planning to address water quantity, with the option to address habitat and water quality. In addition, in-stream flows are regulated by the Department of Ecology and may affect the amount of



The Natural Hazards Mitigation Plan helps Skagit County prepare for issues like floods – including those that face Fir Island residents, shown here.



groundwater available for future domestic, municipal, commercial/industrial, and agricultural uses. Water and sewage rules are regulated by the Skagit County and State Departments of Health. Aquifer recharge areas are addressed through the goals and policies in the Comprehensive Plan and subsequent development regulations found in the Unified Development Code. Flood control and flood plain management is a responsibility of the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, and the Department of Ecology as well as local jurisdictions. A coalition of jurisdictions under the name Skagit River Impact Partnership is working to evaluate coordinated floodplain management and review the proposed hydraulic calculations and mapping changes being proposed by the Federal Emergency Management Agency.

As these and other issues and considerations are studied and resolved, the policies in the Environment Element and other Comprehensive Plan elements will have to be revisited. This will become an on-going part of future updates.

Although not identified as a critical area under the Growth Management Act, air quality is a crucial component of a healthy environment. The livability of Skagit County is dependent upon good air quality, which is affected by the interrelationship of land use and the activities of people, industries, and natural resource enterprises.

Skagit County seeks to maintain a high level of air quality by working cooperatively with the Northwest Clean Air Agency to minimize individual and industrial impacts on air quality. The County will work with Northwest Clean Air Agency to minimize public exposure to airborne pollutants and nuisance odors by assuring regulatory accountability. Skagit County will accomplish this by supporting transportation policies that reduce air

pollution; encouraging alternatives to outdoor burning; promoting environmentally sound heating methods; and assuring that industrial growth utilizes environmentally sound business processes.

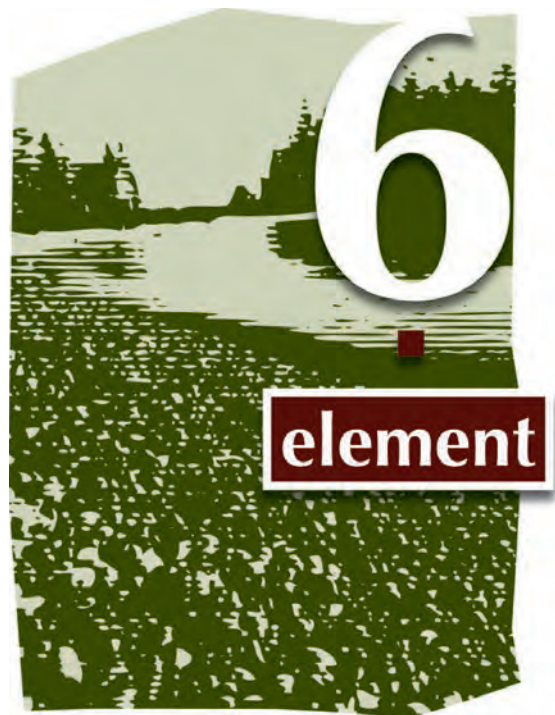


Shoreline Master Program Element

Introduction

The shorelines of the state are among the most valuable and fragile of our natural resources and there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition, ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in their management and development. Furthermore, much of the shorelines and uplands adjacent thereto are in private ownership; unrestricted construction on the privately owned or publicly owned shorelines is not in the best public interest; and, therefore, coordinated planning is necessary in order to protect the public interest associated with the shorelines while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational and concerted effort, jointly performed by local, state, and federal governments, to prevent the inherent harm in uncoordinated and piecemeal development of shorelines.

By ratifying Initiative 43B in the 1972 General Election, the people of the state approved the Shoreline Management Act of 1971 (RCW 90.58). This law vests counties and cities with



the primary responsibility for comprehensively planning and reasonably regulating shoreline development and use. The goals, shoreline area designations, policies, regulations, and procedures set forth in the shoreline management master program are essential to the protection of the public health, safety and general welfare of the people of Skagit County.

The Growth Management Act requires counties with an adopted shoreline master program to include the goals and policies of such program in the county's comprehensive plan. The shoreline master program goals and policies are to be considered an element of the comprehensive plan and the regulations are to be considered a part of the county's development regulations (RCW 36.70A.480). Therefore, the Skagit County Shoreline Master Program goals and policies, which were adopted pursuant to RCW 90.58, are included in the comprehensive plan as required.



Future amendments to this chapter of the comprehensive plan must also follow the amendment procedures of RCW 90.58.

Purpose

The purposes of the Master Program are:

- *To promote the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines.*
- *To implement this program in a positive, effective, and equitable manner.*
- *To further assume and carry out the responsibilities established by the act for Skagit County, and to foster by adoption the policy contained in RCW 90.58.020 for shorelines of the state: It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto. The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The Department of Ecology, while adopting guidelines for shorelines of statewide significance, and local government, while developing master programs for shorelines of statewide significance, shall give preference to uses, in the following order which:*



- a) *recognize and protect the statewide interest over local interest;*
- b) *preserve the natural character of the shoreline;*
- c) *result in long-term over short term benefit;*
- d) *protect the resources and ecology of the shoreline;*
- e) *increase public access to publicly owned areas of the shorelines;*
- f) *increase recreational opportunities for the public in the shoreline;*
- g) *provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.*

In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best



interest of the state and the people generally. To this end, uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment or are unique to or dependent upon use of the state's shoreline. Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single family residences, ports, and shoreline recreational uses. These recreational uses include, but are not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the state, industrial and commercial developments which are particularly dependent on their location on or their use of the shorelines of the state, and other developments that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state. Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.



■ Goals

In addition to the purpose stated above, the development of the Master Program was guided by the following nine goal statements pursuant to the program elements specified in RCW 90.58.100(2). These goals were devised, reviewed, and adopted by the Skagit County Citizens Advisory Committee in order to provide an overall, comprehensive foundation and sense of direction upon which the policies, regulations, shoreline area designations, and administrative procedures would be based. These goals will provide overall guidance for the management of the shorelines of Skagit County.

Goal A

- *Shoreline use – To allow for compatible uses of the shorelines in relationship to the limitations of their physical and environmental characteristics. Such uses should enhance rather than detract from, or adversely impact, the existing shoreline environment.*
- *Conservation – To preserve, protect, and restore the natural resources of Skagit County's shorelines in the public interest and for future generations. These natural resources include but are not necessarily limited to fish, wildlife, vegetation, and natural features found in shoreline regions. Only renewable resources should be extracted and in a manner that will not adversely affect the shoreline environment.*
- *Public access – To provide safe, convenient, properly administered and diversified public access to publicly owned shorelines of Skagit County without infringing upon the personal or property rights of adjacent residents. Such access should not have an adverse impact upon the environment.*
- *Circulation – To permit safe, adequate, and diversified transportation systems that are compatible with the shorelines, resulting in minimum disruptions to the shoreline environment.*
- *Economic development – To promote and encourage the optimum use of existing industrial and economic areas for users who are shoreline dependent and shoreline related and can harmoniously coexist with the natural and human environments; and, subsequently, to create similar areas as need arises with minimum disruption of the shorelines.*
- *Recreation – To encourage the provision and improvement of private and public recreation along the shorelines of Skagit County only to the extent that the environment is not impaired or degraded.*
- *Historical/Cultural/Educational – To identify, protect, and restore those shoreline areas and facilities that are of historical, cultural or educational value. Public or*



private organizations should be encouraged to provide public access and protection of such areas and facilities.

- *Restoration and enhancement – To restore and enhance those shoreline areas and facilities that are presently unsuitable for public or private access and use.*
- *Implementation Process – Provide an efficient system for shoreline permit applications which would eliminate unnecessary duplication of effort or jurisdictional conflicts, yet assure complete coordination and review. Provide a process to periodically update the inventory, goals, policies, and regulations to achieve responsiveness to changing attitudes and conditions.*

■ Shorelines of Statewide Significance

The Washington State legislature designated certain shorelines as shorelines of statewide significance from which all of the people of the state derive benefit and that these shorelines should, therefore, be managed with the interest of all of the people in mind. The Act requires that the Master Program give preference to uses and developments that are consistent with the principle of statewide over local interest. The legislature determined that in order to fulfill the goal of statewide public interest in shorelines of statewide significance, local Master Programs shall give preference to uses that are consistent with the policies applied in the following order, pursuant to RCW 90.58.020:

- a) *The statewide interest should be recognized and protected over the local interest.*
- b) *The natural character of shorelines of statewide significance should be preserved.*
- c) *Uses of shorelines of statewide significance should result in long term benefits to the people of the state.*
- d) *The natural resources and ecological systems of shorelines of statewide significance should be protected.*
- e) *Public access to publicly owned areas in shorelines of statewide significance should be increased.*
- f) *Recreational opportunities for the public should be increased on shorelines of statewide significance.*

Shoreline Area Designations

The purpose of the Shoreline Area Designations is to establish a systematic, rational, and equitable basis upon which to guide and regulate development within shoreline areas that are distinctively different in terms



of natural features and resources, levels of development, and potential for degree of future development compatible with the character of the area.

Urban Shoreline Areas

The Urban Shoreline Area is intended to ensure optimum utilization of shorelines within urbanized or potentially urbanized areas, to identify areas suitable for intensive uses, both public and private, and to manage development and maintain urban shorelines for a variety of uses.

Objective 1

Establish Urban Shoreline Area designation criteria and define Urban Shoreline Areas.

Definition

The Urban Shoreline Area is a shoreline area of intensive development including, but not limited to residential, commercial, and industrial uses. Areas suitable are those presently subjected to intensive use as well as those planned to accommodate urban expansion.

Designation Criteria

- 6A-1.1** Areas of high intensity land use including recreation, residential, public facility, commercial, industrial development, and port activities.
- 6A-1.2** Areas officially designated for expansion of urban uses that are in conformance with the Act and this Master Program.
- 6A-1.3** Areas possessing few or no natural limitations for urban intensive areas.
- 6A-1.4** Areas that can provide adequate public services, utilities, and access consistent with this program.
- 6A-1.5** Areas currently zoned to permit compatible uses under applicable Skagit County ordinances.

Management Policies

- 6A-1.6** Because shorelines suitable for urban uses are a limited resource and may conflict with other shoreline uses, new development should locate in already developed, but underutilized areas.



- 6A-1.7** Water and shoreline dependent and water-oriented uses should be preferred over non-water and shoreline dependent or oriented uses.
- 6A-1.8** Priority should be given to urban developments that provide for public visual and/or physical access to shorelines. Developments should be designed to enhance such access opportunities.
- 6A-1.9** Those urban shorelines that are presently unsuitable for public or private access and use should meet performance standards in order to minimize adverse effects to the shoreline environment and adjacent land and water uses.
- 6A-1.10** All forms of urban shoreline uses should meet performance standards in order to minimize adverse effects to the shoreline environment and adjacent land and water uses.

■ Rural Residential Shoreline Areas

The Rural Residential Shoreline Area is intended to provide for a transition area between the more intensive Urban Shoreline Area uses and those low intensity uses of the rural Shoreline Area. It also intends to identify those shoreline areas that presently exhibit the low to medium level of uses and have the environmental capabilities to support such uses for future development.

Objective 2

Establish Rural Residential Shoreline Area designation criteria and define Rural Residential Shoreline Areas.

Definition

The Rural Residential Shoreline Area is a shoreline area characterized by low to medium intensity land uses that exhibit small-scale alterations to the natural shoreline environment. These land uses are generally of a residential, commercial, recreational, and agricultural nature with utilities and services provided on an individual or community basis.

Designation Criteria

- 6A-2.1** Areas presently developed or platted for residential uses.



- 6A-2.2** Areas zoned for residential development with lot sizes ranging from one-fourth (1/4) acre (with public sewer and water) to five (5) acres. Also included are existing extensive small, single lot shoreline developments.
- 6A-2.3** Areas that could support and serve the needs of planned unit developments (PUD).
- 6A-2.4** Areas that could serve as transition zones between urban and rural, conservancy, or natural shoreline areas.
- 6A-2.5** Areas having the physical ability to support low to medium density residential uses and associated commercial, recreational, and public service facilities.
- 6A-2.6** Areas that are appropriate for low to medium intensity recreational uses compatible with residential and/or light agricultural activities (grazing, small-scale crop, or gardens).
- 6A-2.7** Areas that are capable of supporting small-scale agricultural activities such as livestock grazing, small scale crops, gardens, or woodlots.
- 6A-2.8** Areas that can provide and have the capabilities to support the necessary infrastructure of public services, utilities, and access to accommodate low to medium density development. Sewage disposal and water supply facilities are provided on an individual or community basis or could possibly be provided via future regional networks of these facilities.
- 6A-2.9** Areas officially designated on county comprehensive plans for future-expansion of residential use in the Rural Open Space or Residential classifications.

Management Policies

- 6A-2.10** Residential, recreational, and agricultural activities of low to medium intensity are preferred over other more land and resource consumptive or developmental uses.
- 6A-2.11** Residential and other developments in the Rural Residential Shoreline Area should be located, sited, assigned, and maintained to protect and enhance the shoreline environment.
- 6A-2.12** Appropriate developments, if allowed, should occur in those areas of the Rural Residential Shoreline Area that are environmentally capable of



supporting the use or uses while protecting and enhancing the shoreline environment.

- 6A-2.13** Public access opportunities to publicly owned shorelines and/or water bodies should be encouraged in the Rural Residential Shoreline Area.
- 6A-2.14** Residential and recreational developments should utilize shoreline areas for community or public open space.
- 6A-2.15** Commercial developments in the Rural Residential Shoreline Area should be limited to those uses that serve the surrounding residential, recreational, or agricultural activities and should not conflict with these activities.
- 6A-2.16** Access, utilities, and public services for Rural Residential developments should be economically and physically available and adequate to serve existing and planned needs.

■ Rural Shoreline Areas

The Rural Shoreline Area designation is intended to protect agricultural land from urban density expansion, regulate intensive development along undeveloped shorelines, function as a buffer area between Urban and Conservancy Shoreline Areas, and maintain open spaces and opportunities for recreational activities and a variety of uses compatible with agriculture and the shoreline environment.

Objective 3

Establish Rural Shoreline Area designation criteria and definition.

Definition

The Rural Shoreline Area is a shoreline area typified by low overall structural density and low to moderate intensity of uses. Primary uses include activities related to agriculture, residential development, outdoor recreation, and forestry operations.

Designation Criteria

- 6A-3.1** Areas characterized or having the capability to support active agricultural practices and/or a variety of recreational development.



- 6A-3.2** Areas where residential, utility, and transportation development is at a low density and of limited extent and, at this level, is compatible with the primary uses of agriculture and recreation.
- 6A-3.3** Areas that provide a buffer between other shoreline areas of greater or lesser density of uses.
- 6A-3.4** Areas modified from their natural vegetative cover and, in some cases, surface drainage patterns.
- 6A-3.5** Areas designated in officially adopted park and recreation plans for recreational use.
- 6A-3.6** Areas having valuable sand, gravel, and mineral deposits.
- 6A-3.7** Areas zoned to permit compatible uses under applicable Skagit County ordinances.

Management Policies

- 6A-3.8** Existing and potential prime agricultural lands should be protected from incompatible and preemptive patterns of development and should be maintained for present and future needs and uses.
- 6A-3.9** Undeveloped Rural Shoreline Areas should allow only low intensity land uses and developments.
- 6A-3.10** Public and private recreation facilities, structures, and opportunities in agricultural areas should be compatible with agricultural activities.
- 6A-3.11** New development, primarily recreation and residential, should reflect the character of the surrounding area, provide permanent shoreline open space, and be sited and designed to be compatible with the intent of the Rural Shoreline Area.
- 6A-3.12** Sand, gravel, and mineral extraction should be allowed in suitable areas not designated as prime agricultural land.
- 6A-3.13** Developments of an industrial or commercial nature (except farm related sales and commercial forestry) and extensive residential development should be prohibited.
- 6A-3.14** Rural Shoreline Areas should be managed in such a manner so as not to preclude future agricultural uses.



- 6A-3.15** The Rural designation may be converted to a Rural Residential Shoreline Area when supporting community facilities, such as public sewer, water, and power, become available and are developed in conformance with other local land use requirements and standards.

■ Conservancy Shoreline Areas

The Conservancy Shoreline Area is intended to ensure long term wise use, enhancement, and protection of natural resources and processes and valuable historic and cultural areas. Activities in this shoreline area should be conducted in a manner to ensure recreational benefits to the public and/or achieve sustained resource utilization without significant adverse impacts.

Objective 4

Establish Conservancy Shoreline Area designation criteria and define Conservancy Shoreline Area.

Definition

The Conservancy Shoreline Area is a shoreline area containing natural resources which can be used/managed on a multiple use basis without extensive alteration of topography or banks, including but not limited to forest, agricultural and mineral lands, outdoor recreation sites, fish and wildlife habitat, watersheds for public supplies, and areas of outstanding scenic quality; and/or a shoreline area containing hazardous natural conditions or sensitive natural or cultural features which require more than normal restrictions on development and use; including but not limited to: eroding shores, geologically unstable areas, floodways, natural accretion beaches, and valuable natural wetlands or historic sites.

Designation Criteria

- 6A-4.1** Areas which may provide for present and future recreation needs for the county and region and where inappropriate modification or use would adversely affect such qualities.
- 6A-4.2** Areas that contain resources manageable on a sustained yield, multiple-use basis and are more valuable to the region on that basis than through any form of more intensive or single purpose development.
- 6A-4.3** Areas possessing the following biophysical limitations to development, modification or unrestricted use:



- a) *Steep slopes and slide hazard areas.*
- b) *Floodways, marine tidal surge or storm areas.*
- c) *Rivers and streams subject to frequent changes in alignment or direction.*
- d) *Unstable, erosive stream banks, bluffs, and other landforms.*
- e) *Recognized accretion shoreforms.*

6A-4.4 Areas of critical natural and cultural features requiring a low overall density of people, structures and livestock with minimal changes in topography. Such areas may include forests, pastures, outdoor recreation areas, fish and wildlife habitats, historical and archaeological sites, and shorelines prone to limitations listed above.

6A-4.5 Areas free of extensive development and whose existing character and features provide optimal, long term use and enjoyment by the public.

6A-4.6 Areas zoned to permit compatible uses under applicable Skagit County ordinances.

Management Policies

6A-4.7 Preference should be given to those uses that do not permanently deplete or adversely impact the physical and biological resources and the existing character of the Conservancy Shoreline Area.

6A-4.8 Commercial and industrial uses other than commercial forestry, extraction of renewable sand, gravel and mineral resources, and hydropower should be prohibited.

6A-4.9 Development which may cause the following should be prohibited:

- a) *Conditions hazardous to public health and safety.*
- b) *Landslides, erosion, and sedimentation problems.*
- c) *Adverse effects upon wildlife, fisheries, and other aquatic life.*
- d) *Significant interference with natural physical process and shoreforms.*

6A-4.10 Construction of structural shoreline stabilization and flood control works should be minimized. New developments should be designed to preclude the need for such works and should be compatible with characteristics and limitations of the shoreline area.



■ Natural Shoreline Areas

The Natural Shoreline Area designation is intended to preserve those dynamic natural features and systems in a manner relatively free of human influence and to encourage or permit those activities that best preserve the natural characteristics which make these shoreline areas unique and valuable. The designation seeks to ensure long-term preservation of these resources that yield optimum, unquantifiable benefits to the region in their natural condition.

Objective 5

Establish Natural Shoreline Area designation criteria and define Natural Shoreline Areas.

Definition

The Natural Shoreline Area is a shoreline area that has experienced little or no material encroachment and has not been materially affected by human use. Areas recognized as unique and reasonably capable of being restored to a natural condition may also qualify as well as those areas where former encroachment has been restored by natural processes.

Designation criteria

6A-5.1 General

- a) *Areas where human influence and development are minimal.*
- b) *Areas recognized as unique and reasonably capable of being restored to a natural condition or that have been restored by a natural process.*
- c) *Areas having a high scenic value and a high value for low-intensity recreational use.*
- d) *Unique areas not compatible for or with development, modification, extraction, or unrestricted use such as but not limited to: floodways, marshes, swamps, steeply sloping shores, erosion and accretion shores, and major seasonal havens or migratory routes for wildlife.*

6A-5.2 Wildlife Habitats

- a) *An area utilized by rare, diminishing, or endangered species for food, water, cover, or protection.*



b) A major seasonal haven or migratory route for fisheries and wildlife.

c) Original or unique wildlife habitats with developed areas.

6A-5.3 Scientific and Educational Value

a) Area considered to represent basic ecosystems and geologic types or derivations thereof that are of particular scientific and educational interest.

b) Unique areas as described in this section which are close to population centers and/or educational facilities close to population centers and/or educational facilities.

c) Established natural science research areas or areas having a history of such use.

6A-5.4 Areas may fall within any land use zones where a Natural designation would be of benefit to the community, citizens, and shoreline environment. Areas should be under public ownership or management or should be capable of such an arrangement in order to fulfill the intent of a Natural designation.

Management Policies

6A-5.5 Natural Shoreline Areas should remain free from development, which would adversely affect the natural values and character.

6A-5.6 Allow only changes that would not be detrimental to the forces which created and now maintain the existing environment.

6A-5.7 Apply restrictions to the intensity and type of uses allowed in order to maintain the natural systems and resources.

6A-5.8 Allow limited access of a compatible nature to those areas in the Natural Shoreline Area which have significant recreational value as long as it does not adversely affect the environment.

6A-5.9 Permit limited access to natural areas for scientific, historical or educational purposes as long as there is no substantial alteration of the environment.

6A-5.10 Prohibit uses or activities requiring permanent installations which would permanently deplete or consume the physical and biological resources found in the Natural Shoreline Area.



■ Aquatic Shoreline Areas

The Aquatic Shoreline Area designation is intended to encourage and protect appropriate multiple uses of the water or, in some cases, single purpose, dominant uses in limited areas; to manage and protect the limited water surfaces and foreshores from inappropriate activities or encroachment; and, to preserve and wisely use the area's natural features and resources which are substantially different and diverse in character from those of the adjoining uplands and backshores.

Objective 6

Establish Aquatic Shoreline Area designation criteria and define Aquatic Shoreline Areas.

Definition

The Aquatic Shoreline Area is all water bodies, including marine waters, lakes, and all rivers of the state together with their underlying lands and their water column, including but not limited to bays, straits, harbor areas, waterways, coves, estuaries, lakes, streamways, tidelands, bedlands, and shorelands.

Designation Criteria

- 6A-6.1** All marine water areas seaward of the ordinary high water mark including estuarine channels, sloughs, and associated wetlands.
- 6A-6.2** All lakes subject to this program below the ordinary high water mark.
- 6A-6.3** All streamways of rivers designated shorelines of the State.
- 6A-6.4** All natural swamps, marshes, and wetlands adjoining the above three categories of water bodies and all those that are not designated a Natural Shoreline Area.

Management Policies

- 6A-6.5** Aquatic Shoreline Areas should allow for compatible, appropriate uses that do not conflict with natural processes, historic and archaeological resources, and features of the water body and associated wetlands. Such uses should be shoreline and water dependent.



- 6A-6.6** Port and water related industrial and commercial developments and any other development proposals of a consumptive land and resource nature should locate in appropriate, existing use areas and/or in officially designated areas.
- 6A-6.7** During proposal review, the protection, enhancement, and/or proper sustained yield utilization of the natural resources of the Aquatic Shoreline Area should be of primary consideration.
- 6A-6.8** Private development proposals that appropriate publicly owned shorelines and water bodies should be prohibited.
- 6A-6.9** Diverse public access opportunities to public water bodies should be encouraged and developed and should be compatible with the existing shorelines and water body uses and environment.
- 6A-6.10** Deep draft uses, if allowed, should occur in areas not requiring extensive initial and maintenance dredging.
- 6A-6.11** Priority should be given to those activities that create the least environmental impact to this shoreline area.
- 6A-6.12** With exceptions for boat launching areas, motorized vehicular travel should be prohibited on all tideland areas.
- 6A-6.13** Abandoned and neglected structures in the Aquatic Shoreline Area which cause adverse visual impacts and are a hazard to public safety and welfare should be removed or restored to a usable condition.
- 6A-6.14** Material from the bedlands and bottoms of the Aquatic Shoreline Area should not be used for landfill or to backfill shore defense works except that hydropower facility construction spoils and bedload materials trapped by hydropower impoundment structures that cannot be passed downstream may be used as fill at hydropower facility impoundment sites.

■ Use Policies: Agricultural Practices

Objective 7

Establish policies for agricultural practices to implement the goals, objectives and shoreline area designations.



Policies

6A-7.1 General

- a) *Those lands that have agricultural capabilities should be identified and protected for continued agricultural use.*
- b) *The creation of new agricultural lands by diking, or filling of those tidelands, tidal marshes, and associated wetlands which are potentially more productive in their long term natural state should be discouraged.*
- c) *The diversion of water for agricultural purposes should be done in accordance with water right procedures and the guidelines and regulations of the appropriate agencies.*
- d) *Farm management techniques, operations, and control methods should be utilized in accordance with the guidelines and standards of the Soil Conservation Service.*

6A-7.2 Water Quality

- a) *Appropriate farm management techniques should be utilized to prevent contamination of nearby water bodies by fertilizer and pesticide use and application.*
- b) *Animal feeding operations, retention and storage ponds, feed lot waste storage, and manure storage should be located to prevent contamination of water bodies and degradation of the shoreline environment.*

6A-7.3 Buffer Areas

- a) *Buffer zones of perennial vegetation should be maintained between cultivated bodies of water to protect the shoreline and aquatic environments from bank failure, erosion, siltation and surface runoff.*

6A-7.4 Drainage

- a) *New, existing, and natural drainage systems and outlets should be utilized, maintained, and protected to allow for continued agricultural production.*
- b) *The burning of weed and grass growth along drainage ditches should be allowed and should be conducted in accordance with the guidelines and regulations of appropriate agencies (i.e. Northwest Air Pollution Authority).*



■ Aquaculture

Objective 8

Establish policies for aquacultural practices to implement the goals, objectives, and shoreline area designations.

Policies

6A-8.1 General

- a) *Aquaculture practices along the shorelines of Skagit County shall be conducted in accordance with the applicable local, state and federal regulations.*

6A-8.2 Water Quality

- a) *Aquaculture practices should ensure that water quality is maintained at established standards and the shoreline environment is protected. Baseline water quality data should be established before the siting of facilities and water quality monitored at intervals throughout the operational life of the facilities.*
- b) *All waters that influence aquaculture areas should be protected from sources of pollution, which degrade water quality.*

6A-8.3 Estuaries. Estuarine habitats should be protected to sustain and foster their natural productivity.

6A-8.4 Fisheries

- a) *New aquaculture proposals should not adversely impact existing fish and shellfish resources.*
- b) *In recognition of the importance of the Skagit and Samish Rivers to native and hatchery fish resources, commercial fish net pens should not be located within Skagit, Padilla and Samish Bays.*

6A-8.5 Location

- a) *Areas with high intertidal aquaculture resource potential, including but not limited to areas within Samish, Padilla and Skagit Bays, may be identified and encouraged for aquaculture use and protected from degradation by other types of land and water use.*
- b) *Aquaculture projects proposed for Shorelines of Statewide Significance should comply with the policies of Part 5 of this Master Program and RCW 90.58.020.*



- c) *Aquaculture should not be allowed in the following areas:*
 - i) *Areas that have water quality problems that make them unsuitable for the type(s) of aquaculture under consideration.*
 - ii) *Areas devoted to established, traditional and historic uses of the aquatic environment with which the proposed aquaculture method(s) would substantially and materially conflict. Such uses would include but are not limited to navigation, moorage, sport or commercial fishing, recreational boating, log towing, rafting and storage, underwater utilities, and active scientific research. Previous unrestricted recreational use of surface waters should not be grounds for denial of aquaculture proposals.*
 - iii) *Areas where the proposed aquaculture development may adversely impact existing fish, shellfish resources and other aquatic resource areas.*
 - iv) *Areas where an aquaculture proposal may result in any significant adverse environmental impacts that cannot be eliminated or adequately mitigated through enforceable conditions of approval.*
 - v) *Areas contiguous or adjacent to wildlife refuges, critical habitats or environmentally sensitive areas (as defined by Federal, State or County regulations) where the proposed activity may significantly and adversely affect the refuge, habitat or area use or value.*
 - vi) *Areas where the placement of aquaculture facilities produce hazards to safety.*
- d) *Public trust principles associated with navigation, recreation and public resources should be recognized by aquaculture applicants prior to siting facilities.*

6A-8.6 Impacts

- a) *Consideration should be given to both potential benefits to the local economy and impacts aquaculture development may have on the physical environment, existing or approved land and water uses, including navigation, public access and the aesthetic qualities of the project area.*
- b) *Preference should be given to those forms of aquaculture that involve less significant environmental and visual impacts. Generally:*
 - i) *Projects that require no structures, submerged structures, or intertidal structures should be given preference over those that involve substantial floating structures.*
 - ii) *Projects that require few land-based facilities should be given preference over those that require substantial facilities.*
 - iii) *Projects that involve little or no substrate modification should be given preference over those that involve substantial modification.*



- iv) *Projects that involve little or no artificial feeding or use of chemical treatment should be given preference over those that use substantial artificial feeding or chemical treatment.*
- c) *The countywide density of net pen, raft, and other culture operations should be limited as necessary to minimize cumulative environmental impacts.*
- d) *Experimental aquaculture projects should be limited in scale and should be approved for a limited period of time.*
- e) *New shoreline proposals in the vicinity of an experimental aquaculture project should be restricted or denied if they could compromise the monitoring and data collection of the experimental project.*
- f) *All permitted aquaculture projects should be protected from new developments that could damage or destroy them.*

■ Commercial Development

Objective 9

Establish policies for commercial development to implement the goals, objectives and shoreline area designations.

Policies

6A-9.1 General

- a) *Commercial developments along the shorelines of Skagit County should adhere to the guidelines, policies, and regulations of this Master Program and the appropriate agencies at the county, state, and federal levels.*
- b) *If a component of a commercial development falls within the Shoreline Management jurisdiction, the entire development proposal should, therefore, be considered and reviewed as a single project relating to shoreline use.*

6A-9.2 Space. Because of the space requirements of some commercial developments and the limited quantity of shoreline available to the public, commercial enterprises should be encouraged to locate inland from shoreline areas unless shoreline dependent.

6A-9.3 Location

- a) *If proposed commercial developments can show that they are specifically dependent on a shoreline location and/or use of the shoreline and if it can be*

shown that the development will have minimal adverse impact upon the shoreline environment, then such developments should be allowed.

- b) Commercial developments not requiring shoreline locations should locate inland from the shoreline area.*
- c) Commercial developments, if allowed on shorelines, should locate along other than braided or meandering river channels and away from estuaries and tidelands.*

6A-9.4 Access

- a) Commercial developments should be encouraged to utilize existing transportation corridors to minimize points and areas of access. Such access should minimize conflict with and impact upon regular corridor traffic.*
- b) If allowed on shorelines, recreation oriented commercial development should provide water access to customers/paying users/members and should not rely on or overburden nearby public facilities.*

6A-9.5 Design

- a) Sewage Disposal:*
 - i) Solid and liquid wastes and effluent of commercial developments should not be allowed to enter any bodies of water or to be discharged onto the land.*
 - ii) All current and future policies and regulations of appropriate regulatory agencies regarding solid and sewage waste disposal should be adhered to. Policies and regulations with higher standards should take precedence.*
- b) Auxiliary use facilities, such as restrooms, access roads, and parking areas should be located inland from shoreline areas.*
- c) Surface runoff:*
 - i) Commercial developments should minimize the quantity and impact of surface water runoff from the affected site.*
 - ii) Where possible and feasible, roads and parking areas should be constructed of permeable materials to allow the infiltration of rain and other surface runoff waters.*
- d) The design of commercial developments should be compatible with the existing shoreline uses and environment.*
- e) Outdoor advertising and signs – See “Outdoor Advertising and Signs” (Objective 15).*
- f) Roads – See “Transportation Facilities” (Objective 23).*



6A-9.6 Conflicts and Impacts

- a) *Proposed shoreline commercial developments should be compatible with adjacent and surrounding land and water uses and should minimize environmental impacts to the shoreline environment.*
- b) *In design review of proposed commercial enterprises, consideration should be given to the development's potential impact on scenic views significant to the area and to other shoreline users.*

■ Dredging

Objective 10

Establish policies for dredging to implement the goals, objectives, and shoreline area designations.

Policies

6A-10.1 General

- a) *Coordination – All proposals for dredging operations should be coordinated and consistent with plans, policies, guidelines and regulations of federal, state, and/or local agencies.*
- b) *All dredging and spoil disposal operations should not:*
 - i) *adversely alter natural drainage patterns, currents, river and tidal flows.*
 - ii) *interfere with or adversely affect water flows and capacities.*
 - iii) *create conditions that would endanger public health and safety.*
- c) *Fill material – The dredging of bottom materials for the single purpose of obtaining landfill material should be prohibited.*
- d) *Construction material – The dredging of sand and gravel for the purpose of construction materials should be prohibited except for emergency shoreline stabilization and flood protection measures.*
- e) *Review of proposals for dredging and spoil disposal should assess:*
 - i) *The value of the dredge and disposal site in their present state versus the proposed shoreline use to be created by dredging and/or disposal, expressed in short and long range economic, social, and environmental terms.*



- ii) *The value of the present site for other future potential public or private shoreline uses including but not necessarily limited to aquaculture, fish, shellfish, and wildlife research and resource preservation, commercial fishing, and recreation opportunities.*
- f) *Water quality – All dredging and spoil disposal operations should comply with the water quality standards, guidelines, and regulations of federal, state, and local agencies.*
- g) *Quality of spoils – Proposals for dredging and spoil disposal projects should include a thorough analysis by qualified personnel of the quality and characteristics of the material to be dredged.*
- h) *Public uses – Proposals for dredging and spoil disposal projects should demonstrate that the operation will not be detrimental to the public interest and uses of the shoreline and water body.*
- i) *Maintenance and emergency dredging – Although maintenance and/or emergency dredging of navigational channels and of materials for existing dike and levee repairs are not considered substantial developments and thus exempt from the shoreline permit procedure, the county, for the benefit of public interest and water body and shoreline users, should review DOE/Corps of Engineers notices of such activities to determine if:*
 - i) *The proposal is or is not exempt from permit procedures.*
 - ii) *The project is suitably planned and that all potential impacts have been recognized and mitigated.*
 - iii) *The project is consistent with the intent, policies and regulations of the Act and this program.*

6A-10.2 Dredging

- a) *Location. Dredging should not occur in the following, except for beneficially public purposes consistent with this program:*
 - i) *in estuaries, natural wetlands, and marshes.*
 - ii) *long net positive drift sectors and where geohydraulic processes are active and accretion shoreforms would be damaged or irretrievably lost.*
 - iii) *in shoreline areas and bottom soils that are prone to sluffing, refilling, and continual maintenance dredging.*
 - iv) *in officially designated fish, shellfish, and wildlife spawning, nesting, harvesting, and concentration areas as defined by the Washington Marine Atlas (DNR) as amended, and other recognized official documents.*
 - v) *where water quality would be irretrievably degraded below standards.*



- vi) *where current and tidal activity are significant, requiring extensive maintenance dredging.*
- b) *Technique*
 - i) *Dredging operations should utilize techniques that cause the least dispersal and the site is in an area protected from significant storms, tidal and broadcast of materials.*
 - ii) *In order to identify the controlling geohydraulic processes that are responsible for the dredging purposes, hydraulic monitoring studies should precede dredging activity.*
- c) *Scheduling – Dredging operations should be scheduled so as not to interfere with the migratory movements of anadromous fish.*

6A-10.3 Spoils Disposal

- a) *Location*
 - i) *Deposition of dredge spoils in water should be discouraged, except when alternatives of depositing material on land are more detrimental to shoreline resources and uses than depositing in water areas.*
 - ii) *Land spoils disposal should not be located upon, adversely affect, or diminish:*
 - 1) *Estuaries, natural wetlands, and marshes.*
 - 2) *Prime agricultural land.*
 - 3) *Natural resources including but not necessarily limited to sand and gravel deposits, timber, or natural recreational beaches and waters.*
 - 4) *Designated wildlife habitat and concentration areas.*
 - 5) *Water quality, quantity, and drainage characteristics.*
 - 6) *Public access to publicly owned shorelines and water bodies.*
 - iii) *Polluted and soft spoils should be deposited in safe upland areas with measures taken to contain runoff and potential discharge to groundwaters and shoreline and water bodies.*
 - iv) *Upland disposal of non polluted dredge spoils should be made available to other users and beneficial purposes such as for recreational beaches, shore rehabilitation and enhancement, beach feeding, or construction materials.*
 - v) *If alternatives for land disposal are not available or are infeasible, water disposal sites should be identified and meet the following criteria:*



- 1) *submarine currents, stratification, and turbulence that would cause shifting and dispersal of the spoils.*
- 2) *the area is proven to be biologically, chemically, and physically degraded by past spoil depositing and other aquatically degrading activities; water quality will not be degraded further.*
- 3) *disposal will not interfere with geohydraulic processes.*
- 4) *the dredge spoils have been analyzed by qualified personnel and found to be minimal or nonpolluting.*
- 5) *spoil disposal will not impede water and tidal current flows or adversely affect floodwater flows and capacities.*
- 6) *aquatic and aquatic related life will not be adversely affected.*
- 7) *the site and method of disposal meet all requirements and qualifications of applicable regulatory agencies and are designated with their cooperation.*

b) *Technique*

- i) *Spoil disposal, if allowed in water, should utilize techniques that cause the least dispersal and broadcast of materials.*
- ii) *Sidecast disposal and agitation dredging should be prohibited.*

6A-10.4 Navigation Channels, Canals, and Basins

- a) *Navigation channels and moorage and turning basins should be located and designed to minimize the need for initial and continual dredging and maintenance.*
- b) *Moorage and turning basins should also meet the policies and regulations of "Marinas," Section 14.28.707 and other applicable parts of this program.*

6A-10.5 Impacts

- a) *Review of proposed dredging and spoil disposal operations should adhere to applicable local, state, or federal environmental impact statement (EIS) procedures and guidelines.*
- b) *Recognizing the diverse and variable impacts of dredging and spoil disposal on the aquatic and shoreline environment, then such operations should minimize and take measures to mitigate all impacts.*



■ Forest Management Practices

Objective 11

Establish policies for forest management practices to implement the goals, objectives, and shoreline area designations.

Policies

6A-11.1 General

- a) *Encourage those forest management practices, including road construction, timber harvesting and debris disposal, which meet or exceed the provisions, standards, rules and regulations established and included under the Forest Practices Act of 1974, State Water Quality Standards for non-point discharges, Hydraulics Project Act and other, applicable laws, rules and regulations.*
- b) *Those lands that have or could have forest production capabilities should be identified and protected for continued forest production and forest related uses.*

6A-11.2 Shorelines of Statewide Significance

- a) *Timber harvesting on shorelines of statewide significance should adhere to the limitation established in RCW 90.58.150 (1971).*
- b) *In addition to the exceptions provided under the Act, allow harvesting of timber within shorelines of statewide significance when an act of nature has caused, or will cause, destruction of the timber in the immediate future.*

6A-11.3 Water Quality. Forest management practices should ensure that high water quality standards are maintained. Such practices should eliminate or alleviate potential water quality problems associated with forestry operations (i.e. chemical and thermal pollution, sedimentation and turbidity).

6A-11.4 Facilities. Logging road and bridge design, location, construction, and maintenance should incorporate appropriate measures to eliminate or alleviate damage or adverse impact to the shoreline and associated aquatic environment.

6A-11.5 Slash and Debris

- a) *The accumulation of slash and other debris in and along the aquatic shoreline area and floodway as a result of forest operations should be removed concurrently with forest operations.*



b) *The burning of slash and debris should be done inland from Forest Practice Act Streamside Management Zones.*

6A-11.6 Fertilizers and Pesticides. Recognizing the potential damage and adverse impact to shoreline vegetation and wildlife, water quality, and aquatic life by improper use of fertilizers and pesticides, the rules and regulations of applicable regulatory agencies regarding the handling and application of fertilizers and pesticides should be strictly adhered to. In all cases of conflicting or variable regulations, the stricter will apply.

6A-11.7 Erosion Control. For all aspects and phases of forest operations, appropriate measures should be taken to prevent and control runoff and erosion from all areas of operation.

6A-11.8 Revegetation and Reforestation

a) *To prevent or retard soil erosion and runoff and various forms of mass movement from critical slope areas disturbed by forest operations, proper techniques of seeding, mulching, matting, and/or replanting should be utilized. The replanted vegetation should be perennial, compatible, and in concentration to accomplish proper soil and slope stabilization objectives. Also, see "Streamside Management Zones" (policy 11.9) this section.*

b) *Forest harvest operations should be followed up by reforestation to maintain a sustained yield resource base.*

6A-11.9 Streamside Management Zones. Streamside Management Zones, where needed and required, should be maintained to protect the shoreline and aquatic resource as prescribed by applicable Forest Practice Act regulations.

6A-11.10 Scenic Resources. Forest operations and harvest practices should minimize adverse impacts on scenic views and viewpoints of, to, and from Skagit County shorelines. Those areas providing a diversity of views, unique landscape contrasts and panoramas, and recreational resources within forest operation areas should be identified and maintained.

■ Landfills

Objective 12

Establish policies for landfills to implement the goals, objectives and shoreline area designations.



Policies

6A-12.1 General

- a) *Purpose*
 - i) *Landfills, if allowed on shorelines, should be for the purpose of facilitating water and shoreline dependent and related uses.*
 - ii) *Landfill proposals should demonstrate a reasonable need and consistency with the Shoreline Management Act and this program.*
- b) *All landfills should not:*
 - i) *adversely alter natural drainage patterns, currents, river and tidal flows.*
 - ii) *interfere with or adversely affect floodwater flows and capacities.*
 - iii) *create conditions that would endanger public health and safety.*
- c) *Review of proposals for landfills should assess the overall value of the landfill site in its present state versus the proposed shoreline use to be created and other future potential public or private shoreline uses, expressed in short and long range economic, social and environmental terms. Such potential uses include but are not necessarily limited to agriculture, aquaculture, fish, shellfish, and wildlife research and resource preservation, commercial fishing, and recreation opportunities.*
- d) *Public uses. Proposals for landfills should demonstrate that the operation will not be detrimental to the public interest and uses of the shoreline and water body.*
- e) *Public Access. Landfills and their uses, if allowed on shorelines, should enhance public access to the shoreline and water body.*
- f) *Water Quality. All landfill projects should comply with the water quality standards, guidelines, and regulations of applicable regulatory agencies.*
- g) *Landfill material*
 - i) *All materials used for landfill projects should not cause present or future degradation of ground and surface water quality and shoreline areas.*
 - ii) *Dredge spoils that have been determined to be polluted and sanitary landfill materials should be prohibited as a source of landfill material.*
- h) *Natural Resources, Processes, and Other Uses. Landfills, if allowed on shorelines, should not significantly damage, diminish, or adversely affect:*
 - i) *Prime agricultural land.*



- ii) Natural resources such as sand and gravel deposits, timber, or recreational beaches.*
- iii) Fish, shellfish, and wildlife migratory routes, spawning, nesting, harvesting, and habitat areas.*
- iv) Geohydraulic processes and shoreforms.*
- v) Public access to publicly owned shorelines and water bodies.*

6A-12.2 Location

- a) Landfills should not locate:*
 - i) in prime agricultural land.*
 - ii) in estuaries, natural wetlands, and marshes.*
 - iii) along net positive drift sectors, where geohydraulic processes are active, and where accretion shoreforms would be damaged or irretrievably lost.*
 - iv) where extensive shore defense or stabilization works would be necessary.*
 - v) below the ordinary high water mark.*
 - vi) where they would fill marine and river indentation features such as eddies, pools, and aeration drops that provide proven biologically productive aquatic habitats.*

6A-12.3 Design and Construction

- a) Landfills should be designed no larger than necessary for the proposed use.*
- b) Landfills should be designed, constructed, and maintained to prevent, minimize, and control all material movement, erosion, and sedimentation from the affected area.*
- c) Drainage and floodwaters. All landfills, if allowed on shorelines, should be designed so as not to adversely affect or interfere with the flow of surface, subsurface, and floodwaters. Landfill proposals should take mitigating measures to minimize effects to drainage and floodwaters.*
- d) Maintenance. All shoreline areas disturbed by landfill construction and associated activities should be replanted and stabilized with compatible, self-sustaining vegetation.*

6A-12.4 Impacts

- a) Review of proposed landfills should be accomplished concurrently with review of the intended land use and, at that time, the findings of significance of environmental impact should be determined.*



- b) *Landfills and their associated uses and activities should minimize and mitigate adverse impacts to the shoreline and aquatic environment and to adjacent and nearby land and water uses.*

■ Marinas And Launch Ramps

Objective 13

Establish policies for marinas and launch ramps to implement the goals, objectives, and shoreline area designations.

Policies

6A-13.1 General

- a) *Geohydraulics. Recognizing that erosion, littoral drift, and accretion are primary and inseparable components of the dynamic geohydraulic process that has created much of the unique and scenic shorelines of this county and Puget Sound, and that marinas and launch ramps may interfere with this process, then such facilities should be located, designed, and maintained to protect the integrity of these natural shore resources.*
- b) *Siting Requirements*
 - i) *Existing facilities. Expansion of existing marinas should be encouraged over the addition of new marina sites.*
 - ii) *Potential, ideal sites for marinas and launch ramps should be identified, evaluated, and reserved to avert development by other uses having less critical shoreline locational requirements.*
 - iii) *Multiple Use. Proposed marinas should provide for as many compatible shoreline dependent recreational uses as possible according to the size and extent of the facilities.*
- c) *Public Access*
 - i) *Privately funded marinas should be encouraged to make available public access opportunities, for a nominal fee if necessary, providing such access will not endanger public health and safety or impose an economic or physical liability to the owner.*
 - ii) *Marina facilities, funded in any way by public monies, should make available ample public access opportunities.*
- d) *Accessory Uses. Accessory uses at marinas should be limited to those uses that are shoreline dependent and of necessity to marina operation, and those that*



provide public access for free or at nominal cost. Such uses should be consistent with county comprehensive plans and zoning regulations.

- e) Conflicting Uses. Marinas and launch ramps, their operations, and associated activities should take appropriate measures to mitigate conflicts with existing shoreline and water uses.*
- f) Preferred Use. Marinas and launch ramps are preferred over the development of individual docking facilities for private, noncommercial pleasure craft.*
- g) Transportation Access. During marina proposal review, consideration should be given to land and water transportation ingress and egress characteristics.*
- h) Marinas and launch ramps should be located, designed, constructed, and maintained in accordance with the guidelines, policies, and regulations of applicable local, state, and federal agencies.*

6A-13.2 Location – General

- a) Marinas and launch ramps should be located to minimize the need for continual dredging, spoil disposal, filling, beach feeding, and other river, lake, harbor, and channel maintenance activities.*
- b) Hazardous Areas. Marinas and launch ramps and their equipment, structures, and craft, should be located, designed, and maintained to avoid, or if necessary, withstand 100 year frequency flooding, storm tides or surges, and winds without becoming hazards and without the placement of massive structural defense works.*
- c) Resources and other Uses. Marinas and launch ramps should not be located where they would adversely affect or diminish:*
 - i) Prime agricultural land.*
 - ii) Natural resources such as sand and gravel deposits, timber, or recreational beaches.*
 - iii) Shellfish and aquacultural resource areas.*
 - iv) Fish and wildlife habitats and migratory routes.*
 - v) Commercial fishing and navigational areas.*
- d) Mixing and Flushing Waters. Marinas and launch ramps should be located in areas where there is adequate mixing and flushing of waters and should be designed so as not to retard or negatively influence flushing characteristics.*

6A-13.3 Location

- a) Marine Shores*



- i) *In order to minimize interference with and disruption of shoreline resources that are the result of active and continual geohydraulic processes and of scarce, valuable biologically productive shoreline areas, marinas and launch ramps should not locate at or along:*
 - 1) *Net positive littoral drift sectors, including resource material areas, such as feeder bluffs, and accretion beaches, points, spits, and hooks.*
 - 2) *Natural wetlands, tidelands, lagoons and backshore marshes.*
 - 3) *Estuaries.*
 - 4) *Fish and shellfish spawning and rearing areas.*
 - 5) *Poorly flushing lagoons and backwaters.*
- ii) *Marinas and launch ramps should locate in areas that are relatively protected from wind, wave, and storm activity and should minimize the need for shore defense works.*
- iii) *Foreshore marshes and launch ramps may be located on or along low energy drift sectors (net negative drift) if the proposal is otherwise consistent with this program. Also, see “a” above.*
- iv) *Backshore marinas and launch ramps may be located behind closed accretion beaches, points or low-energy driftways if the proposal is otherwise consistent with this program. Also see “a” above. Connecting channels and their jetties should be located outside of littoral driftways.*
- b) *Lake Shores*
 - i) *Marinas and launch ramps should be located to minimize or eliminate the need for dredging and shore or bottom maintenance. For marinas, deep-water areas are preferred and for launch ramps, stable, low gradient shores.*
 - ii) *Recognizing the value and limited number of lake beaches for public or quasi-public swimming and recreation, then marinas and launch ramps should not locate on these resources.*
- c) *River Shores*
 - i) *Marinas should not locate along braided or meandering river channels, where the channel is subject to change in direction or alignment, where extensive dredging is required, or on point bars and other accretion beaches.*
 - ii) *Foreshore marinas should locate along relatively straight, deep, or stable river reaches where shoreline stabilization works will not be necessary.*



- iii) *In review of backshore river marinas, serious consideration should be given to natural resource displacement or disruption. Backshore marinas should not require extensive shoreline stabilization work.*
- iv) *Launch ramps should be located on or along stable, non-eroding banks and where current deflectors and stabilization structures will not be needed.*
- v) *River marinas and launch ramps should be located so as not to adversely affect flood channel capacity.*

6A-13.4 Design

- a) *The type or form of marina design preferred, i.e. backshore versus foreshore, will be determined upon submission of an initial site proposal. During review of the proposal, the following factors should be utilized to determine the appropriate design:*
 - i) *Existing natural shoreline and backshore features and uses.*
 - ii) *Geohydraulic processes and flushing characteristics.*
 - iii) *Biological resources – and habitats for the backshore, foreshore, and aquatic environments.*
 - iv) *Area of surface waters appropriated.*
 - v) *Site orientation; exposure to wind, waves, flooding, or tidal/storm surges; type and extent of shore defense works or shoreline stabilization and flood protection necessary.*
 - vi) *Impact upon existing shoreline and water uses including public access and uses.*
- b) *Marina design should minimize visual and aesthetic impacts and conflicts with existing shoreline features and uses.*
- c) *Launch ramps*
 - i) *In order that launch ramps do not interrupt geohydraulic processes, they should be constructed flush with the foreshore slope.*
 - ii) *Ramps built on changing beach forms should be constructed in a flexible manner.*

6A-13.5 Transportation and Utilities for Marinas

- a) *Land transportation and utilities associated with marinas and launch ramps should follow the policies and regulations provided under “Utilities,” (Objective 24) and “Transportation Facilities,” (Objective 23), unless otherwise noted in this chapter.*



- b) *Marinas and launch ramps should, where possible, utilize existing transportation and utility corridors.*
- c) *Parking and shuttle areas should be sized and designed to adequately meet the marine or launch ramp activity rate and the site carrying capacity.*
- d) *Parking, dry moorage, and other storage areas should be located away from beaches and backshores that have a higher value for a less land consumptive activity or developmental use.*
- e) *Marinas should provide ample parking spaces, which should be located in inland areas.*

6A-13.6 Water Quality. Marina construction, operation, and practices should protect the quality of all surface and ground waters and should adhere to the guidelines, policies, standards, and regulations of water quality management programs and appropriate regulatory agencies.

6A-13.7 Impacts

- a) *Review of proposed marinas should adhere to applicable local, state, or federal environmental impact statement (EIS) procedures and guidelines.*
- b) *Marinas and their accessory uses should minimize impacts to the shoreline and aquatic environment and to adjacent and nearby land and water uses and should be aesthetically compatible with and enhance the affected area.*

■ Mining

Objective 14

Establish policies for mining to implement the goals, objectives and shoreline area designations.

Policies

6A-14.1 General

- a) *Recognizing that minerals, especially sand, gravel, and quarry rocks are in demand yet relatively limited in quantity and quality and that shorelines are also a valuable and limited resource where mining has irreversible impacts, mining activities, therefore, should be encouraged primarily in other than shoreline areas.*
- b) *Mineral extraction activities along shorelines that would disrupt or permanently alter or remove prime agricultural lands and associated activities should be prohibited.*

- c) *Mining activities should not substantially interfere or disrupt normal geohydraulic processes, channel form and alignment, and meandering patterns of adjacent and nearby water bodies and associated marshes and wetlands.*
- d) *Mining activities should take all appropriate measures to neither interfere with nor disrupt the anadromous fisheries resources of Skagit County waters.*
- e) *Placer or hydraulic mining operations should be prohibited in all areas of Shoreline Management Act jurisdiction.*

6A-14.2 Accessory Uses. Accessory equipment and materials essential to mining operations in shoreline areas should be, if at all feasible, stored or sited far landward from the ordinary high water mark.

6A-14.3 Marine and Lake Shorelines. Recognizing the limited quantity and quality of natural marine and lake shores, especially accretion beach forms, and recognizing the increasing demand for other uses of these shorelines and the existence of alternative mineral sources, then mining of these shores should not be permitted.

6A-14.4 Rivers and Streams

- a) *Surface mining of river and stream point bars for sand and gravel should be permitted providing there is annual accretion and replacement of the mineral material.*
- b) *Surface mining of river and stream point bars should be permitted providing the operation will not substantially impact normal geohydraulic processes, channel form and alignment, rivers meandering patterns, fish resources, water quality, and the shoreline environment.*

6A-14.5 Water Quality

- a) *Mining operations and practices should adhere to the water quality guidelines, policies, standards, and regulations of water management programs and appropriate regulatory agencies.*
- b) *Mining operations and practices in shoreline areas should protect all water bodies from all sources of existing and potential sources of pollution. These sources include but are not necessarily limited to erosion and subsequent sedimentation and siltation, chemical and petrochemical use and spillage, and storage or disposal of mine wastes and spoils.*

6A-14.6 Hazardous and Sensitive Areas

- a) *The sensitivity of flood prone and floodplain areas should be carefully considered during review of proposed mining operations.*



- b) *All equipment, works and structures of mining operations should be able to withstand flooding without becoming hazards in themselves and without the placement of structural defense works.*
- c) *Mining operations, if allowed on shorelines, should occur in areas other than those of high environmental, cultural, recreational, or historical value.*

6A-14.7 Shoreline Setback and Buffer. Mining operations, other than extraction of river point-bar material, should be set back a sufficient distance from water bodies and associated wetlands to utilize natural vegetation and topography, if adequate, for retarding or preventing erosion, protecting water quality from all possible sources of pollution, and preserving the natural values and aesthetics of the shoreline environment.

6A-14.8 Overburden and Spoil Material. Overburden and spoil material should be handled and placed in a manner which will not destroy their potential reusable value and the value of the disposal site and will also prevent erosion, sedimentation, or leaching of material and hazardous substances into surface or ground waters

6A-14.9 Reclamation

- a) *Mining operations on shorelines should provide plans for and restore all disturbed areas to a biologically productive or useful condition to meet, at a minimum, the standards of the 1971 Surface Mining Act, RCW 78.44, administered by the Department of Natural Resources, and of appropriate regulatory agencies.*
- b) *Reclamation plans should ensure compatibility between the proposed site reclamation and existing land, shoreline, and water uses.*

6A-14.10 Use Conflicts and Impacts

- a) *Mining operations should take appropriate measures or controls, i.e. setbacks, buffers, to avoid or minimize hazardous conditions, use conflicts, and impacts to other shoreline and water users.*
- b) *Mining activities, their siting, operations, and reclamation, should avoid or minimize visual and aesthetic impacts to the adjacent and nearby shoreline and water environment.*



■ Outdoor Advertising and Signs

Objective 15

Establish policies for outdoor advertising and signs to implement the goals, objectives, and shoreline area designations.

Policies

- 6A-15.1** Off-Premise Signs. Off-premise advertising signs should be prohibited in all shoreline areas. Exceptions: Official signs, if placed for the general welfare, safety, and benefit of the public and located and designed in such a manner as to not adversely impact the shoreline and water environment, should be allowed in lower intensity land use areas.
- 6A-15.2** Location
- a) *Outdoor advertising should not be permitted to create visual impacts and obstructions of views to and from shoreline areas and water bodies.*
 - b) *In order to minimize visual impacts and obstructions of and to shoreline areas and water bodies, outdoor advertising should be located on premises and/or on existing buildings.*
- 6A-15.3** Design
- a) *Where outdoor advertising is permitted in shoreline areas, this program should establish standards for size, height, density, illumination, and other factors to ensure compatibility with the existing shoreline and water environment and adjacent and surrounding land and water uses.*
 - b) *Where outdoor advertising is permitted in shoreline areas, this program encourages the use of single, multipurpose directional and informational signboards as an alternative to scattered off-premise advertising.*
- 6A-15.4** Abandoned Outdoor Advertising. Any person or persons who owns or leases outdoor advertising located in shoreline areas, whose function or business has ceased in Skagit County, should remove such advertising.
- 6A-15.5** Nonconforming Use. Any outdoor advertising within shoreline areas that does not meet the policies and regulations of this Master Program should be removed within a reasonable period of time.



■ Piers and Docks

Objective 16

Establish policies for piers and docks to implement the goals, objectives, and shoreline area designations.

Policies

6A-16.1 General

- a) *Feasibility. Proposals for piers or wharves should exhibit the need or feasibility for such structures.*
- b) *Uses. Piers and docks should be allowed only for use by watercraft, water dependent and related economic activities, water related public recreation, and emergency vessels.*
- c) *Existing Facilities. Multiple use and expansion of existing piers, wharves, and docks should be encouraged over the addition and/or proliferation of new facilities.*
- d) *Community or Joint Use. All new or existing shoreline developments that propose new or additions to piers, docks, and swim or recreation floats should provide such facilities for common, joint use by appropriate development organizations, community residents, or users. New developments include industrial, port, commercial, residential, or recreational activities.*
- e) *Public Access/Use. Encourage pier and dock projects to provide for public access, docking, launching, and use.*
- f) *Water Quality, Fish, Shellfish, and Wildlife. Piers and docks and their associated activities should conserve and enhance water quality, fish, shellfish, and wildlife resources and habitats.*
- g) *Mooring Buoys. Mooring buoys for individual mooring of craft in areas where there are no or insufficient docking facilities are preferred over the construction of individual shoreline docks.*
- h) *Restoration. Local programs and coordinated efforts among private and/or public agencies should be initiated to remove or repair failing, hazardous, or nonfunctioning piers and docks and restore such facilities and/or shore resources to a safe, usable state for commercial and public recreation activities.*

6A-16.2 Geohydraulics and Design/Location

- a) *Marine and lake shores:*



- i) *Where geohydraulic processes are active (shore erosion and accretion, littoral drift), piers and docks should allow for a maximum of littoral drift and should minimize interference with basic geohydraulic processes.*
 - ii) *If a bulkhead-like base is proposed for a fixed pier or dock where there is net positive littoral drift, the base should be built landward of the ordinary high water mark (foreshore) or protective berms.*
 - iii) *Piers and docks should not be located in estuaries and biologically productive marshlands.*
 - iv) *The use of mooring buoys should be preferred if proposed docking facilities for small boat and pleasure craft will adversely interfere with basic geohydraulic processes or utilize valuable and unique shoreline resources.*
- b) *River shores:*
- i) *Piers and docks should not locate along braided or meandering river channels or where the river channel is subject to change in direction or alignment.*
 - ii) *Bulkhead-like bases for piers and docks along river shorelines should be built landward of the ordinary high water mark.*
 - iii) *If docks are allowed along river shorelines, they should be of the floating type, securely anchored to piling to allow for changes in the river level. Construction of such docks and their accessory uses should be able to withstand 100-year frequency flooding.*
- c) *Floating and/or open-pile construction should be utilized:*
- i) *where geohydraulic processes are active.*
 - ii) *where shore trolling and commercial fishing is a significant activity.*
 - iii) *if there will be interference with currents, circulation, and aquatic life.*
- d) *Open-pile piers and docks should not form groins or baffles that trap littoral drift, adversely affect river channel form and alignment, promote erosion or accretion, or significantly interfere with fisheries resources and other aquatic life.*
- e) *Impacts. Piers and docks should be sited to minimize all possible adverse impacts.*
- f) *Boathouses should be located inland from the ordinary high water mark, be in conformance with Skagit County zoning ordinances regarding accessory buildings, and should be designed to minimize visual impacts to the shoreline environment.*



- g) *Mooring buoys and swim floats should be of the anchored, floating type, be located out of main navigational channels and areas of intensive water surface use, and be painted or designated to avoid being a hazard to other water users.*

6A-16.3 Docks. Although docks for private, non-commercial pleasure craft and common to single family residences and costing less than two thousand five hundred dollars (\$2,500) are exempt from the shoreline permit procedure (RCW 90.58.030 (3-e-vii)), the county, for the benefit of the lot owner, adjacent properties, and water body users, should review all proposals for docks to determine if:

- a) *The proposal is or is not exempt from permit procedures.*
- b) *The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated.*
- c) *The proposal is consistent with the intent, policies and regulations of the Act and this program (RCW 90.58.140(1)).*

■ Ports and Industry

Objective 17

Establish policies for ports and industry to implement the goals, objectives, and shoreline area designations.

6A-17.1 General

- a) *Feasibility. Proposals for either new port facilities with water related industries or substantial additions to existing facilities should be presented as a component of a comprehensive regional feasibility analysis and plan. Such an analysis and plan should be coordinated with all affected local, state, and federal agencies and their programs and plans.*
- b) *Port industries. Port facilities should be limited to shoreline and water dependent or related industries and activities.*
- c) *Existing facilities. Development or redevelopment and multiple use of existing port areas, facilities, and services should be encouraged over the addition and/or location of new or single purpose port use facilities.*
- d) *Ports and water related industry proposals should mitigate adverse impacts to new developments. New port development proposals should include, where feasible, the cooperative use of docking, parking, cargo handling, storage facilities, and other related services.*
- e) *Public access*



- i) *Privately funded port facilities should be encouraged to make available public access opportunities, providing such access will not unduly interfere with port operations, endanger public health and safety, or impose an economic or physical liability to the owner.*
- ii) *Port facilities, funded in any way by public monies, should make available ample public access, providing such access will not unduly interfere with port operations or endanger public health and safety.*

6A-17.2 Location and Design. For location and design policies for piers, wharves, and docks, see “Piers and Docks” in this chapter (Objective 16).

- a) *Ports and water related industry should be located and designed to minimize the need for initial and continual dredging, filling, spoil disposal, and other harbor and channel maintenance activities.*
- b) *Ports and water related industry should be located at existing developed port and harbor areas and/or on Department of Natural Resources designated first class shorelands and harbor areas if consistent with this program.*
- c) *Water using industries and activities should not locate in shoreline areas. Waste treatment ponds and works associated with port and water related industry should not locate in shoreline areas.*
- d) *Ports and water related industry should occur in areas other than those of high environmental, agricultural, cultural, recreational, or historical value.*
- e) *All port and water related industrial facilities, equipment and works should be located, designed, and maintained to avoid, or if necessary, withstand 100-year flood frequency flooding and/or storm tides or surges without becoming hazards and without the placement of massive structural defense works.*
- f) *Hazard prone areas. Port and industrial developments should not be located on accreting, eroding, slumping, or geologically unstable shorelines and where extensive shore defense and/or flood protection structures would be necessary.*

6A-17.3 Transportation and Utilities

- a) *Land transportation and utilities associated with ports and water related industry should follow the policies and regulations provided under “Utilities,” (Objective 24), and “Transportation Facilities,” (Objective 23).*
- b) *Ports and water related industry should utilize existing transportation and utility corridors wherever feasible.*

6A-17.4 Water Quality



- a) *Port and water related industry operations and practices should adhere to the water quality guidelines, policies, standards, and regulations of water quality management programs and appropriate regulatory agencies.*
- b) *Port and water related industry operations and practices in shoreline areas should protect all water bodies from existing and potential sources of pollution from such activity.*

6A-17.5 Log Storage and Transport

- a) *Water storage of logs should be discouraged.*
- b) *Log storage on land within the shorelines jurisdiction should utilize all practical techniques to prevent all debris, and site surface runoff from entering water bodies.*
- c) *Log storage and all associated equipment, works, and structures should be able to withstand flooding without becoming hazards and without the placement of structural defense works.*
- d) *Log storage, if allowed on shorelines, should occur in areas other than those of high environmental, agricultural, cultural, recreational, or historical value.*
- e) *Water quality maintenance programs and development of criteria for log storage and rafting areas should be initiated and implemented.*

6A-17.6 Impacts

- a) *Port and water related industry operations and practices should adhere to the shoreline and aquatic environment and to adjacent and nearby land and water users.*
- b) *Review of proposed port and water related industries should adhere to applicable local, state, or federal environmental impact statement (EIS) procedures and guidelines.*

■ Recreation

Objective 18

Establish policies for recreation to implement the goals, objectives, and shoreline area designations.

Policies

6A-18.1 General



- a) *Developments, including commercial or residential activities, should be encouraged to provide public recreational access and use of shorelines. Such access or developments should neither unduly conflict with adjacent uses nor adversely impact the shoreline environment.*
- b) *A variety of recreational experiences and activities should be encouraged to satisfy the diversity of demands.*
- c) *Recreational activities and facilities along the shorelines of Skagit County should comply with the guidelines, policies, and regulations of appropriate county, state, and federal agencies and this program.*
- d) *If shoreline areas suited for one or more forms of recreation are scarce yet in demand in Skagit County, such shorelines should not be developed for other types of recreation that are already well supplied.*

6A-18.2 Location and Access

- a) *Active shoreline recreational access, developments, and opportunities should be allowed to expand only in those areas already used for such purposes or on those shorelines environmentally capable of supporting such activities.*
- b) *Passive shoreline recreational access and opportunities should minimize the concentration of users at specific points or portions of shoreline areas. This may be accomplished, where appropriate and feasible, by a combination of linear shoreline trails or easements tied in with a series of public parking or access points.*
- c) *When private developments, whether recreational, residential, or commercial, are proposed along or around publicly owned shorelines or public water bodies, such developments should be encouraged to provide access to these shorelines and waters.*
- d) *When large scale private developments, whether recreational, residential, or commercial, are proposed for unique shoreline areas that have a high potential for meeting local public outdoor recreation needs, the applicant should be encouraged to make provisions for public access, even if a nominal user fee is required.*
- e) *Shoreline recreation developments, designations, activities, and accesses should not be sited in locations where the health, safety, and welfare of the users will be endangered by the existing land and water activities.*

6A-18.3 Unique and Fragile Shoreline Areas

- a) *Unique and fragile shoreline areas such as accretion beaches, marshes, estuaries, and wetlands that are susceptible to damage from structural recreational development and to periodic and seasonal changes in water levels should be identified, protected, and preserved for less intensive forms of recreation.*



- b) *Unique and fragile shoreline areas such as point bar beaches, sand bars, and other accretion beach forms whose formation and maintenance are dependent upon water-borne transport and deposit of sand and gravel materials should be identified, protected, and preserved for more passive forms of recreation.*
- c) *Plans for recreational activities, developments, designations, and accesses should identify and make provisions for the preservation, protection, and proper use (see Policy 6A-18.3(a) and (b) above) of unique and fragile shoreline areas and their associated biological life and communities.*

6A-18.4 Design

- a) *Sewage Disposal:*
 - i) *Solid and liquid wastes and untreated effluent should not be allowed to enter any bodies of water both on and off the recreation site.*
 - ii) *All current and future regulations of appropriate regulatory agencies regarding solid and sewage waste disposal should be adhered to.*
- b) *Auxiliary use facilities, such as restrooms, recreation halls and gymnasiums, commercial services, access roads, and parking lots, should be located inland from shoreline areas, unless it can be shown that such facilities are essentially shoreline dependent.*
- c) *Where large, grassy open areas for recreational purposes are proposed, such as golf courses and play fields associated with turf maintenance programs should include provisions, procedures, and facilities to protect all water bodies within the drainage area from the potentially detrimental effects of turf chemicals in drainage and surface runoff.*
- d) *Variations in modes of travel along, between, and to shoreline areas and access points should be encouraged. These might include trails, pathways, or corridors for walking, bicycling, horseback riding, and other pedestrian means of transport.*
- e) *Recreational motor vehicles should be prohibited except in designated areas.*
- f) *Recreational or access development should be designed to protect and preserve scenic views and aesthetic values of the shoreline environment.*

6A-18.5 Conflicts. To avoid duplication and minimize possible conflicts, this Master Program encourages the coordination of recreation planning between local, state, and federal agencies.

- a) *Shoreline recreation developments, designations, activities, and accesses should be compatible with the adjacent and surrounding land and water uses.*



- b) *There should be a minimum of conflict between the recreation activities and between the activities and existing land and water uses.*
- c) *Proposed shoreline and shoreline linked activities or developments that would interfere with an existing or previously identified or designated recreational experience should be discouraged.*
- d) *Plans for public or private recreational developments should consider and not conflict with or impinge upon existing and planned recreation developments, designations, and systems of other public agencies.*
- e) *Plan reviewers: Plans of public agencies for recreation developments, designations, or systems should receive major consideration during design review of proposed private or public developments that might negate, conflict, or otherwise adversely impact the implementation of such plans.*
- f) *Consideration should be given to possible conflicts between various forms of recreation and between recreation and adjacent and surrounding land and water uses.*

6A-18.6 Impacts. In general, shoreline recreation development, activities, and accesses have a degree of impact upon both the shoreline environment and adjacent land and water uses. It is the policy of this Master Program to minimize these impacts. This is not only to protect and enhance the quality of the shoreline resource, but also to ensure that the anticipated recreational experience is preserved and enhanced for present and future users.

- a) *The siting, design, and overall development of recreational areas and their activities should minimize adverse impacts on the quality of the shoreline resource and on the adjacent and surrounding land and waters.*
- b) *Review of proposed recreation developments, designations, and systems should adhere to applicable local, state, or federal environmental impact statement (EIS) procedures and guidelines. At a minimum, this design review and EIS procedure should consider:*
 - i) *Impact of the activities and development on the existing shoreline environment.*
 - ii) *Impact of the activities and development on the adjacent and nearby shoreline environment.*
 - iii) *Impact of the activities and development on the adjacent and nearby land and water uses.*
 - iv) *The need for the recreation facilities compared to the supply existing in the county.*



- v) Identification of alternative shoreline or inland locations suited to the types of activities proposed.*
- vi) The necessity and extent of alteration of the shoreline environment to meet design objectives and requirements.*
- vii) The proximity to and impact upon required public utilities and services.*

■ Residential Development

Objective 19

Establish policies for residential development to implement the goals, objectives, and shoreline area designations.

Policies

6A-19.1 General

- a) Residential development should be located, designed, constructed, and maintained to preserve, enhance, and wisely use the natural features and resources of Skagit County's shoreline and aquatic environments.*
- b) Coordination. All proposals for residential development should be coordinated and consistent with plans, policies, guidelines, and regulations of applicable federal, state, and/or local agencies.*
- c) Multiple and optimum use. Recognizing the single purpose, irreversible and space consumptive nature of shoreline residential development, then new development should be adequately set back from immediate shoreline areas to allow for suitable recreation and leisure activities by development residents.*
- d) Joint use. Residential developments that propose new or additional piers, docks, recreational floats, or other structures should provide community, multipurpose, or consolidated facilities and should demonstrate the need for such facilities.*
- e) Public access. Residential developments should provide public access opportunities to publicly owned shorelines or public water bodies. Such access should be of a mode and size appropriate to the site, size, and general nature of the development. If access is appropriate, feasible, and in the public interest, yet is denied, the developer should exhibit adequate cause for such denial.*
- f) Public uses. Proposals for residential development should demonstrate that the development and its related activities will not be detrimental to the public interest and uses of the shoreline and water bodies.*



- g) *Natural resources, processes, and other uses. Residential development, if permitted on shorelines, should not significantly damage, diminish, or adversely affect:*
 - i) *Estuaries, natural wetlands, and marshes.*
 - ii) *Prime agricultural land.*
 - iii) *Natural resources such as but not limited to, sand and gravel deposits, timber, or natural recreational beaches.*
 - iv) *Fish, shellfish, and wildlife habitats, migratory routes, and spawning areas.*
 - v) *Water quality and quantity.*
 - vi) *Geohydraulic processes and accretion shoreforms.*
 - vii) *Archaeological and historic sites.*
 - viii) *Scenic vistas.*
- h) *Hazardous areas. Residential development and accessory uses should be located, designed, constructed, and maintained to avoid, or if necessary, withstand 100-year frequency flooding and storm tides or surges without becoming hazards and without the placement of extensive structural defense works.*
- i) *Water quality and quantity. Residential construction, maintenance, and activities should protect and not adversely affect the quality and quantity of all surface and ground waters on and adjacent to the site, and should adhere to the guidelines, policies, standards, and regulations of water quality management programs and appropriate regulatory agencies.*
- j) *Planned Unit Development (PUD). For substantial residential development proposals and to more efficiently use land resources and public services, PUDs at suitable locations are preferred to extensive single lot development on shorelines.*
- k) *Floating and over the water homes should be prohibited.*
- l) *Community services and facilities. Community services and facilities common to residential land use such as police and fire stations, schools, hospitals, churches and associated structures should be located inland from shorelines areas.*
- m) *Shoreline Management Act jurisdiction. If a component of residential development falls within shoreline management jurisdiction, the entire proposal should be considered and reviewed as a single project relating to shoreline use.*

6A-19.2 Single Family Residences. Although single family residences are exempt from shoreline permit procedure (RCW 90.58.030 (3)(e)(vi)), the county, for the benefit of the lot owner, adjacent properties, and other shoreline



and water body users, should review all proposals for construction to determine if:

- a) *The proposal is or is not exempt from permit procedures.*
- b) *The proposal is suitably located and designed and that all potential adverse impacts to the shoreline and water bodies have been recognized and mitigated.*
- c) *The proposal is consistent with the intent, policies, and regulations of the Act and this program (RCW 90.58.140 (1)).*

6A-19.3 Location

- a) *Existing and designated areas. New substantial developments should locate in existing developed areas or in officially designated residential areas providing development in these areas is consistent with this program.*
- b) *Geohydraulics. Residential development should be located:*
 - i) *so as not to interfere with geohydraulic processes.*
 - ii) *inland from feeder bluffs, drift sectors, and accretion shore forms.*
 - iii) *to avoid or minimize the need for shore defense, stabilization, and flood protection works.*
 - iv) *to utilize and protect the integrity of the shore resources for the benefit of present and future residents and users.*
- c) *Services utilities and access. Shoreline residential development of a density and nature requiring substantial public services, roads, and utilities should locate where such services are adequately or feasibly available and officially planned.*
- d) *Geologically hazardous, sensitive, and unique areas. Shoreline areas subject to geologic hazards such as, but not limited to, bank and bluff sloughing, failure, or excessive erosion, and other shorelines sensitive to adverse impact from development should not be subject to residential development. These areas, if a part of development ownership, should be reserved for less intense uses.*

6A-19.4 Design and Construction

- a) *Residential shoreline development structures, services, and facilities should be sited and designed to preserve, enhance, and wisely use the natural features and resources of the shoreline environment.*
- b) *Site compatibility. Arrangement, density, setback, lot coverage, and height of dwelling units should be appropriate and compatible with the local and surrounding natural and cultural features.*
- c) *Open Space.*



- i) Residential development should provide ample, multipurpose open space between structures and water bodies or wetlands, along site boundaries, and between conflicting uses.
 - ii) Hazardous or sensitive shoreline areas or segments not suitable for intensive or developmental use should be utilized as open space.
- d) *Geohydraulics. Residential development should be designed:*
 - i) so as not to interfere with geohydraulic processes and shore forms.
 - ii) to avoid or minimize the need for shore defense, stabilization, and flood protection works.
 - iii) to utilize and protect the integrity of the shore resources for the benefit of present and future residents and users.
- e) *Recreation oriented residential. Recognizing the potential adverse impact upon publicly provided facilities and areas, recreation oriented developments should provide adequate, diverse recreation opportunities to serve resident members and other users.*
- f) *Planned Unit Developments (PUD). Multi-unit, highrise, and other high density developments, including units over 35 feet in height, should take extraordinary steps to:*
 - i) provide adequate, county standard roads, parking and boat storage facilities, utilities, and fire protection.
 - ii) provide substantial, diverse on-site recreation opportunities and open space, with shoreline areas reserved for such purposes.
 - iii) arrange and design structures so as to preserve views, vistas, and local aesthetic values.
- g) *Accessory uses. Unless clearly shoreline dependent (such as docks and floats), should be set back from shoreline areas, be reasonable in size and purpose, and be compatible with on-site and adjacent structures, uses, and natural features.*
- h) *Utilities. Residential development should provide safe, well planned utilities to meet all applicable standards and the policies and regulations for the "Utilities" Section of this chapter (see page 59-66). Underground placement in shoreline areas should be required.*
- i) *Parking and circulation*
 - i) *Parking areas and roads should:*
 - 1) be sited inland from shoreline areas.



- 2) *be adequately buffered.*
- 3) *be designed and constructed to minimize erosion and runoff, utilizing permeable materials and, if necessary, structural measures.*
- ii) *Developments should provide residents with non-motorized access to and along shorelines.*
- j) *Construction and maintenance. All phases of construction and land maintenance activities should be scheduled and designed to minimize and control all runoff, erosion, and other potential adverse water quality and quantity impacts.*
- k) *Aesthetics. All residential development structures, accessory uses, and facilities should be arranged and designed so as to preserve views and vistas to and from shorelines and water bodies and be compatible with the aesthetic values of the area.*

6A-19.5 Impacts

- a) *Review of proposed residential developments should adhere to applicable local, state, and federal environmental impact statement (EIS) procedures and guidelines.*
- b) *Residential developments and activities should mitigate adverse impacts to the shoreline and aquatic environment and to adjacent and nearby land and water uses.*

■ Scientific & Educational Resources

Objective 20

Establish policies for scientific and educational resources to implement the goals, objectives, and shoreline area designations.

Policies

6A-20.1 General

- a) *Existing legislation. The provisions and regulations of the National Historic Preservation Act of 1966, the State Historic Preservation Act (RCW 43.51), the Natural Area Preserves Act (RCW 79.70), and the Archaeological Sites and Resources Act (RCW 27.53) should be adhered to.*
- b) *Identification. Resources, sites, and areas having a high potential scientific and educational value should be identified and researched by qualified personnel.*



- c) *Protection. Scientific and educational resources, especially archaeological and historic sites and natural areas, that are sensitive to shoreline and land modification, development, adverse impact, or encroachment should be protected and/or preserved for future use.*
- d) *Evaluation. Proposals for shoreline use or development in areas known or suspected to contain material, remains, artifacts, formations, or processes of scientific or educational value, should provide for site inspection or evaluation by qualified personnel to ensure such resources are properly recovered and/or preserved.*
- e) *Permit provisions. Shoreline permits should contain provisions requiring applicants to notify local government if any potential scientific or educational resources are discovered.*
- f) *Conflicting uses and impacts. Shoreline and land uses adjacent to or near scientific and educational resources should not conflict with or adversely impact the purpose and value of these resource sites and areas.*

■ Shore Defense Works

Objective 21

Establish policies for shore defense works to implement the goals, objectives, and shoreline area designations.

Policies

6A-21.1 General

- a) *Geohydraulics. Recognizing that erosion, littoral drift, and accretion are primary and inseparable components of the dynamic geohydraulic process that has created much of the unique and scenic shorelines of this county and Puget Sound and that shore defense works may interfere with this process, then such works should be located, designed, and maintained to protect the integrity of these natural shore resources.*
- b) *Coordination. Recognizing that uncoordinated, piecemeal defense works are costly for individuals, prone to early failure, and likely to increase erosion and resource losses on adjacent shorelines, then defense works should be developed in a coordinated manner among affected property owners and public agencies for a whole drift sector or homogeneous reach.*
- c) *Necessity. Shore defense works should be permitted for individual lots only where wave erosion threatens buildings or uses of the upland property and where such*



works will not cause damage to neighboring properties and natural shore features or substantially interfere with geohydraulic processes.

- d) Use conflicts. Shore defense works should not interfere with public access to publicly owned shorelines, to the water's surface and to other appropriate shoreline and water uses, and should not decrease long term public use potential or needlessly damage shore features and processes if alternatives are feasible.*
- e) Water quality, fish, shellfish, and wildlife. Shore defense works should be located, designed, and maintained in such a manner to conserve and enhance water quality, fish, shellfish, and wildlife resources and habitats.*
- f) New techniques. As new, environmentally sensitive concepts in shore defense works are developed, they should be considered and evaluated as viable alternatives to present systems.*
- g) Recreation, scenic, and aesthetic resources. The existing and potential recreation, scenic, and aesthetic resources of the shoreline environment, particularly accretion shores, should be given serious consideration in review of shore defense work proposals.*
- h) Landfill. Shore defense works should not be constructed for the sole purpose of filling shoreline areas.*
- i) Multiple use. Multiple use, including public access, should be encouraged for those publicly owned shorelines and the water's surface where construction of breakwaters, jetties, and groins has been permitted.*
- j) Restoration. Local programs or coordinated efforts among individuals, private and/or public agencies should be initiated to remove or repair failing, hazardous, or nonfunctioning shore defense works and to restore and/or maintain shore and beach resources with more rational, less hazardous long term measures.*

6A-21.2 Location – General

- a) Critical Areas. Shore defense works should not be located where valuable geohydraulic or biologic processes and resources are critical to shoreforms and aquatic life systems, such as feeder bluffs, marshes, or estuaries.*
- b) Shoreline uses should be located in such a manner to eliminate or minimize the need for shore defense works. Existing and proposed uses requiring massive and/or extensive defense works and yet not requiring a shoreline location should be located in other than shoreline areas.*

6A-21.3 Design – General

- a) Recognizing that poorly sited, designed, and constructed shore defense works may eventually fail and may adversely affect the general shoreline environment and geohydraulics along adjacent and downdrift properties, then such works should be*



sited and designed by qualified personnel. If possible, geologists or other qualified persons should evaluate the existing upland and shoreline conditions, needs, and requirements and recommend action to avert possible future problems.

- b) *Materials and Processes.*
 - i) *Shore defense works of natural materials and processes such as protective berms, beach feeding, or vegetative stabilization should be utilized. Proposals for structural defense works should indicate reasons for infeasibility of natural materials and processes.*
 - ii) *Defense work materials should exhibit the qualities of long term durability, ease of maintenance, flexibility for future uses, and compatibility with shore features, processes, and aesthetics.*

6A-21.4 Bulkheads

- a) *Although normal protective bulkheads common to single family residences are exempt from the shoreline permit procedure (RCW 90.58.030(3)(e)(ii)), the county, for the benefit of the lot owner and adjacent properties and in the interests of continuity and proper design and construction, should review all proposals for bulkheads to determine if:*
 - i) *The proposal is or is not exempt from permit procedures.*
 - ii) *The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated.*
 - iii) *The proposal is consistent with the intent, policies, and regulations of the Act and this program (RCW 90.58.140(1)).*
- b) *Bulkheads for any purpose should not be permitted if they will cause significant adverse erosion or starvation of beaches.*
- c) *Bulkheads should not be constructed for the purpose of filling shoreline areas.*
- d) *Bulkheads should be located landward of the ordinary high-water mark, foreshore, or protective berms (artificial or natural).*

6A-21.5 Breakwaters

- a) *Recognizing the irreversible nature and potential adverse effects from solid breakwaters on shore processes and aquatic systems, then floating, portable, or submerged structures should be seriously considered as alternatives.*
- b) *Also recognizing that solid breakwaters partially or totally block shore processes, requiring an ongoing and costly dredging or beach feeding program to alleviate erosion or channel shoaling, then such large scale works should be discouraged.*

6A-21.6 Jetties and Groins



- a) *Recognizing that jetties partially or totally block shore processes and are irreversible in nature, requiring an ongoing and costly dredging beach feeding program to alleviate erosion or accretion, then such work should be discouraged.*
- b) *Recognizing that groins purposefully trap and accrete beach-forming materials yet erode downdrift beaches and may have adverse effects on other shore resources and users, then groins should be discouraged.*

6A-21.7 Gabions. Recognizing the limited durability of gabions (wire mesh and concrete or works) and their possible impacts as hazards to shore users and the shore environment, then alternatives consistent with this program should be used in place of gabions.

■ Shoreline Stabilization and Flood Protection

Objective 22

Establish policies for shoreline stabilization and flood protection to implement the goals objectives and shoreline area designations.

Policies

6A-22.1 General

- a) *Streamway modification and marine diking programs should be coordinated and monitored to provide for more comprehensive planning of Skagit County's shorelines.*
- b) *Recognizing that streamway modifications may cause interference with normal river geohydraulic processes that may lead to erosion of other up and down river shorelines, then such modifications and stabilization measures should incorporate basic geohydraulic principles and be located, designed, coordinated, and maintained for homogeneous river reaches. Such modifications and measures should be sited and designed by qualified, professional personnel.*

6A-22.2 Design and Location

- a) *All bank stabilization and flood protection measures should be constructed to comply with the design and location standards and guidelines of applicable agencies.*
- b) *Ripraping and other bank stabilization measures should be located, designed, and constructed primarily to prevent damage to agricultural land, public roads and bridges, existing homes and residential areas, or other structures or natural features whose preservation is in the public interest. Such measures should not restrict the flow of the river or stream.*

- c) *Fish and Wildlife Resources. Recognizing the value and interdependency of water bodies and associated wetlands as biologically productive habitats and recognizing the intent of the Shoreline Management Act (RCW 90.58.030(2) and WAC 173-22-030), shoreline stabilization and flood protection projects should be located landward of natural wetlands, marshes, and swamps of associated fresh and marine water bodies.*
- d) *Braided and meandering channels and associated shoreline areas should not be the locations for intensive land use developments such as those of an industrial, commercial, or residential nature.*
- e) *Substantial stream channel direction modification, realignment, and straightening should be discouraged as a means of shoreline and flood protection and for protection of road rights-of-way, navigational routes, and other construction or developmental projects.*

6A-22.3 Materials

- a) *Shoreline stabilization and revetment material should consist of substantial rock and should meet the standards and guidelines of the Soil Conservation Service.*
- b) *Junk and solid waste should not be permitted for shoreline stabilization and revetment material. Concrete and concrete waste should not be used as stabilization and revetment material.*
- c) *Shoreline stabilization programs should utilize natural, perennial vegetation either as stabilization material alone or as complementary to other materials.*

6A-22.4 Natural Features

- a) *Natural features such as snags, stumps or uprooted trees which support fish and other aquatic systems, and do not intrude on the navigational channel or reduce flow, and do not threaten agricultural land and existing structures and facilities should be allowed to remain.*

6A-22.5 Agricultural Practices. Recognizing the importance of vegetation as an aid to bank stabilization, agricultural operations should encourage grazing practices which enhance vegetation on and adjacent to stream banks. Cultivation to the water's edge should be avoided.

6A-22.6 Alternatives. Shoreline stabilization programs should be encouraged to develop alternative methods of streamway modifications utilizing natural systems of stabilization and geohydraulic principles.

6A-22.7 Impacts

- a) *Recognizing that shorelines of recreation, wildlife, and aesthetic value are limited and irreplaceable resources, then shoreline stabilization and flood protection projects should consider their potential effects and impacts upon such resources.*



- b) *Recognizing that the related shoreline stabilization and flood protection activities of filling, grading, lagooning, and dredging may have a substantial impact upon the existing aquatic and biological systems, navigation, and river hydraulics by subsequent erosion and sedimentation, then these activities and their possible impacts should be recognized.*

■ Transportation Facilities

Objective 23

Establish policies for transportation facilities to implement the goals, objectives, and shoreline area designations.

Policies

6A-23.1 General

- a) *Coordination. Transportation facility proposals should be consistent and coordinated with all federal, state and/or local planning functions and efforts, including comprehensive plans.*
- b) *Geohydraulics.*
 - i) *Transportation facilities should be located, designed, and maintained to avoid adverse impacts to, or if necessary, protect the active geohydraulic processes operating along Skagit County's shorelines.*
 - ii) *Transportation facilities should be located and designed to minimize the need for shore defense and shoreline stabilization works.*
- c) *Existing Facilities and Corridors. Transportation facilities and services should utilize existing shoreline corridors, providing such corridor or facility additions and modifications do not adversely impact the shoreline resource and are otherwise consistent with this program. If expansion of existing corridors will result in significant adverse impacts, then alternative, inland routes should be utilized.*
- d) *Joint Use. Transportation corridors within shoreline areas should be jointly used by other shoreline related or dependent linear uses, such as utilities, whenever feasible.*
- e) *Multiple Use/Public Access. Transportation facilities, necessarily located on shorelines and funded in any way by public monies, should provide for public point or linear access along the corridors to publicly owned shorelines and water bodies. Such access or multiple use should not unduly interfere with facility*



operations or endanger public health and safety. Shoreline trails, viewpoints, rest, and picnic areas are examples of public access.

- f) *Natural Resources, Processes, and Other Uses. Transportation facility development, if permitted on shorelines, should not significantly damage, diminish, or adversely effect:*
 - i) *Estuaries, natural wetlands, and marshes.*
 - ii) *Prime agricultural land.*
 - iii) *Natural resources such as, but not limited to, sand and gravel deposits, timber, or natural recreational beaches.*
 - iv) *Fish, shellfish, and wildlife habitats and migratory routes.*
 - v) *Water quality and quantity.*
 - vi) *Public access to publicly owned shorelines and water bodies.*
- g) *Hazardous Areas. Transportation facilities and corridors should be located, designed, and maintained to avoid, or if necessary, withstand 100-year frequency flooding and storm tides or surges without becoming hazards and without the placement of massive structural defense works.*
- h) *Non-Motorized Transportation. This program encourages the provision of safe pedestrian and/or non-motorized vehicle paths, trail systems, and other means along shoreline areas and along abandoned, existing, or proposed railroad, roadway, dikes and utility shoreline rights-of-way.*
- i) *Water Quality. Transportation facility design, construction, and maintenance activities should adhere to the guidelines, policies, standards, and regulations of water quality management programs and appropriate regulatory agencies.*
- j) *Scenic drives should receive special attention by proposal reviewers regarding location, design, setback, and construction.*

6A-23.2 Location

- a) *Major highways, freeways, and railways should be located away from shorelines wherever feasible.*
- b) *All roadways, railways, bridges, and parking areas should not locate:*
 - i) *in front of feeder bluffs, over driftways, or on accretion shoreforms.*
 - ii) *where river channel direction and alignment is subject to change.*
 - iii) *in or through designated parks, scenic, natural, historic, archaeological, or recreation areas.*



- iv) *along sensitive shoreline areas such as but not limited to those with steep slopes or soils subject to erosion or sliding.*
- c) *Roadways, railways, and bridges necessary to the operation of shoreline dependent and related activities should be allowed on shorelines, provided:*
 - i) *such facilities avoid or minimally affect the resources above (23.2(b))*
 - ii) *existing facility and corridor use is not possible.*
 - iii) *they are consistent with the design policies and regulations of this chapter and program.*
- d) *Parking areas for all types of vehicles and for all forms of shoreline activity should not be permitted over water and should be adequately set back to allow for shoreline dependent activities.*

6A-23.3 Design and Construction

- a) *All roadways, railroads, bridges, and parking areas, if permitted in shoreline areas, should be designed, constructed and maintained to prevent and/or control all debris, overburden, runoff, erosion, and sedimentation generated from the affected areas.*
- b) *Drainage and floodwaters.*
 - i) *All transportation facilities, if permitted in shoreline areas, should be designed so as not to adversely affect or interfere with the flow of surface, subsurface, and floodwaters.*
 - ii) *Transportation facilities essential to shoreline dependent and related uses should, if possible, parallel the surface drainage flow. If facilities must cross or bisect drainage and tidal flows, they should be constructed as elevated, open structures.*
- c) *Construction and maintenance*
 - i) *All shoreline areas disturbed by facility construction and maintenance should be replanted and stabilized with compatible, self-sustaining vegetation.*
 - ii) *Handling and application practices for fertilizers and pesticides should adhere to the guidelines and regulations of applicable regulatory agencies.*
- d) *All transportation facilities, if permitted parallel to shoreline areas, should be adequately set back from immediate shorelines and water bodies and should provide buffer areas of compatible, self-sustaining vegetation. Shoreline scenic drives and viewpoints should not be required to provide buffer areas.*



- e) *Parking areas. Parking areas, if permitted within the shoreline area, should be constructed of permeable materials to minimize runoff and potential erosion and sedimentation.*
- f) *All transportation facilities should be designed and constructed to comply with Skagit County standards.*

6A-23.4 Impacts

- a) *Transportation facilities and corridors should minimize impacts to the shoreline and aquatic environment and to adjacent and nearby land and water uses.*
- b) *Review of proposed transportation facilities should adhere to applicable local, state, or federal environmental impact statement (EIS) procedures and guidelines.*

■ Utilities

Objective 24

Establish policies for utilities to implement the goals, objectives, and shoreline area designations.

Policies

6A-24.1 General

- a) *Coordination. Utility development proposals should be consistent and coordinated with all federal, state, and/or local planning functions and efforts, including comprehensive plans.*
- b) *Existing use areas. Utilities, specifically power, communications, and fuel lines and pipelines, should utilize existing rights-of-way and corridors and should avoid duplication and construction of new or parallel corridors.*
- c) *Joint use. Utilities should coordinate with government agencies and private interests in developing or utilizing joint or common use rights-of-way and corridors in shoreline areas unless it can be shown to be infeasible.*
- d) *Multiple use. Utility development should, through coordination with local government agencies, provide for compatible, multiple use of sites and rights-of-way. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, endanger public health and safety, or impose an economic or physical liability on the owner.*



- e) *Natural resources, processes, and other uses. Utility development, if permitted on shorelines, should not significantly damage, diminish, or adversely affect:*
 - i) *Prime agricultural land.*
 - ii) *Natural resources such as sand and gravel deposits, timber, or recreational beaches.*
 - iii) *Fish, shellfish, and wildlife habitats and migratory routes.*
 - iv) *Geohydraulic processes.*
 - v) *Water quality.*
 - vi) *Public access to publicly owned shorelines and water bodies.*

6A-24.2 Location

- a) *The following components of utilities, essentially shoreline dependent, should be allowed on shorelines, providing they are located to cause no adverse impacts to the shoreline environment and other users:*
 - i) *Water system intake facilities and outfall pipes.*
 - ii) *Sewage system outfall pipes and diffusers.*
 - iii) *Waterborne fire fighting facilities and equipment.*
 - iv) *Nonpetroleum/nonchemical pipelines and electrical cable crossings.*
- b) *The following utilities and/or their components, not essentially shoreline dependent, should not be located on shorelines unless it can be shown that non-shoreline alternatives are infeasible:*
 - i) *Water system treatment plants.*
 - ii) *Sewage system lines, interceptors, pump stations, and treatment plants.*
 - iii) *Electrical energy generating plants (except for dam sites), substations, lines and cables.*
 - iv) *Petroleum and gas pipelines.*
 - v) *Accessory uses and administrative structures for utilities.*
- c) *Solid Waste*
 - i) *Facilities for processing, storing, and disposing of solid waste on shorelines should not be permitted in conformance with WAC 173.16.060(14)(1).*
 - ii) *Indiscriminate, random disposal of solid waste on shorelines should not be permitted.*



- d) *Utility development should be located to avoid the following unless it can be shown that non-shoreline alternatives are infeasible:*
 - i) *Natural wetlands, tidelands, lagoons, and estuaries.*
 - ii) *Wildlife concentration and nesting areas and migratory flight corridors.*
 - iii) *Designated parks, scenic, natural, historic, archaeological, and recreation areas.*
 - iv) *Sensitive shoreline areas such as, but not necessarily limited to, those with steep slope or soils subject to erosion or sliding.*
- e) *Hazardous areas. Utilities and their associated structures should be located, designed, and maintained to avoid, or if necessary, withstand 100-year frequency flooding or storm tides and surges without becoming hazards and without the placement of massive structural defense works.*
- f) *Petroleum/chemical pipelines and electrical transmission cables. Petroleum/chemical pipelines and above ground electrical transmission lines should not be located parallel to shoreline areas and water bodies. Such utilities should be allowed to cross shoreline areas and water bodies only if it can be shown that non-shoreline alternatives are infeasible and that the proposed crossing site is consistent with this program.*

6A-24.3 Design

- a) *Installation and maintenance*
 - i) *During installation of utility components and corridors on shorelines, appropriate measures should be taken to prevent and/or control all runoff and erosion from the affected area.*
 - ii) *After installation, the affected shoreline area should be regraded to the natural terrain (if necessary), replanted with compatible, self-sustaining vegetation, and maintained until such vegetation is established.*
 - iii) *Adequate buffer areas and/or setbacks should be designed and utilized for all utility development in shoreline areas.*
 - iv) *Handling and application practices for fertilizers and pesticides should adhere to the guidelines and regulations of applicable regulatory agencies.*
- b) *Parking areas and access roads for utility development structures should be located inland from shoreline areas except where public access roads or paths to shorelines are provided. Such facilities should be designed and constructed to county standards and adhere to the policies and regulations of "Transportation Facilities" (Objective 23).*
- c) *Underground utilities*



- i) *Whenever existing overhead or above ground utility distribution facilities along shorelines require replacement or upgrading, or when new systems are planned for new or existing residential density developments, commercial areas, and other developmental shoreline uses, such utilities should be placed underground.*
- ii) *Electrical and communication transmission lines should be placed underground whenever technological developments make this technique feasible.*
- d) *Impacts. Utility development proposals, if allowed on shorelines, should take all feasible measures to mitigate adverse impacts to the shoreline and aquatic environment and to adjacent and nearby land and water users.*

■ Hydropower Facilities

Objective 25

Establish policies for hydropower facilities to implement the goals, objectives, and shoreline area designations.

Policies

6A-25.1 General

- a) *Hydropower development proposals should be consistent and coordinated with all federal, state, and/or local planning functions and efforts, including comprehensive plans.*
- b) *When applicable, Skagit County shall utilize existing environmental and technical information prepared pursuant to the requirements of the Federal Energy Regulatory Commission (FERC) to satisfy the requirements of WAC 173-14-110 and the requirements of this Master Program. Additional information may be required at the discretion of the Shoreline Administrator, the Hearing Examiner, and/or the Board of County Commissioners from FERC and/or the applicant.*
- c) *Flowlines, electric transmission lines necessary to connect a hydropower project with a transmission system, and communications lines should utilize existing rights-of-way and corridors and should avoid duplication and construction of new or parallel corridors. Coordination with appropriate government agencies and private interests in developing or utilizing joint or common rights-of-way and corridors should, to the extent practical, occur.*
- d) *The expansion of legally existing hydropower facilities or the integration of hydropower facilities within existing flood control, irrigation or water supply*



facilities is encouraged where increased adverse environmental impacts will not result or can be mitigated.

- e) *While encouraged, hydropower development should not significantly damage, diminish, or adversely affect:*
 - i) *Prime agricultural land.*
 - ii) *Natural resources such as sand and gravel deposits, timber, or recreational beaches.*
 - iii) *Fish, shellfish, and wildlife habitat and migratory routes.*
 - iv) *Geohydraulic processes.*
 - v) *Water quality.*
 - vi) *Public access to publicly owned shorelines and water bodies.*
- f) *The probable, significant, adverse environmental shoreline impacts of a project should be mitigated, with preference for onsite mitigation where practical. Where onsite mitigation is not practical, pursuing offsite mitigation is encouraged.*

6A-25.2 Location and design features

- a) *Hydropower facility proposals should avoid or minimize land and water use conflicts to properties in shoreline jurisdiction and to properties adjacent to, upstream and downstream of the proposed site; provided, that the installation of a hydropower project per se shall not be considered a “conflict” with properties in the shoreline jurisdiction or with properties adjacent to, upstream and downstream of the proposed site.*
- b) *Hydropower facility proposals should minimize adverse impacts to the shoreline and the surrounding area in the design, location, security, and construction of access roads, impoundment structures and reservoirs, flowlines and powerhouses.*
- c) *In determining the appropriateness of a stream or river for hydropower development, the protected area designations of the Northwest Power Planning Council or equivalent state-adopted site-ranking study should be considered.*
- d) *The following hydropower facility components are shoreline dependent and should be allowed at appropriate locations within shoreline jurisdiction:*
 - i) *Water intakes.*
 - ii) *Dams, weirs, and other impoundment and diversion structures (including sediment transport and fisheries enhancement features) and associated flowline segments.*
 - iii) *Water outfalls and tailraces.*



- e) *The following components of hydropower facilities are shoreline related and may be completely or partially located at appropriate locations within shoreline jurisdiction:*
 - i) *Flowlines (other than those segments included in 25.1(c) above).*
 - ii) *Powerhouses and functionally related switchyards.*
 - iii) *Access roads relating to shoreline dependent or shoreline related facilities.*
- f) *All non-shoreline dependent or non-shoreline related components of hydropower facilities, such as staging and storage areas, electric transmission lines (except for necessary water and wetland crossings, and switchyard-related lines), communications lines, and administrative structures, should be located outside of shoreline jurisdiction to the extent practical. Where shoreline jurisdiction includes the entire 100-year floodplain, non-shoreline dependent and non-shoreline related facilities should be located, to the extent practical, at least 200 feet landward of the OHWM.*
- g) *Water and wetland crossings should be minimized. Where crossings are necessary or appropriate, minimizing impacts by grouping crossings with one another and with existing line crossings or road crossings (bridges) is encouraged. Crossings should be located under bridges or underground to the extent practical.*
- h) *Hydropower development should provide for the protection of natural, historic and cultural resources, including but not limited to the following:*
 - i) *Natural wetlands, tidelands, lagoons, estuaries and waterfalls.*
 - ii) *Fish, wildlife, and water resources, including wildlife concentration and nesting areas and migratory corridors.*
 - iii) *Natural scenic vistas and designated parks, scenic, natural, historic, archeological, and recreation areas.*
 - iv) *Sensitive shoreline areas such as, but not necessarily limited to, those with steep slopes or soils subject to erosion or sliding, and erosion and accretion shoreforms.*
 - v) *Ethnographic artifacts and sites.*
- i) *All components of hydropower facilities should be located, designed and maintained to avoid or, if necessary, withstand 100-year frequency flooding and other hazards inherent to or predictable for a given facility's site (including but not limited to stormtides and surges, glacial outbursts, erosion, accretion, subsidence, landslides, earthquakes and other hazards associated with geohydraulic processes, unstable streambanks, bluffs, and other erosive landforms) without becoming hazards and without the placement of massive structural defense works.*



- j) *All electric and communication lines (except stream or water crossings) should be underground where practical. Stream or water crossings should be beneath the streambed where practical.*
- k) *Parking areas and access roads, unless stated elsewhere in this program, should be located and designed to minimize impact in the riparian corridor.*
- l) *Flowlines should be placed underground where practical.*
- m) *Design features*
 - i) *Diversion structures should be designed to maximize downstream transport of bed load materials at times of high flow.*
 - ii) *Hydropower facilities should be designed to minimize removal of riparian vegetation and the necessity for massive shore defense structures.*
 - iii) *Where necessary or appropriate, hydropower facilities may exceed thirty-five feet above average grade level because overriding considerations of the public interest will be served by allowing such facilities to exceed such height limitations.*
- n) *Installation and maintenance*
 - i) *During installation of hydropower facilities on shorelines, appropriate, practical measures should be taken to prevent and/or control runoff and erosion from the affected area.*
 - ii) *After installation, the affected shoreline area should be re-graded to the natural terrain (if necessary); re-vegetated; and maintained until such vegetation is established.*
 - iii) *Handling and application practices for fertilizers and pesticides should adhere to the guidelines and regulations of applicable regulatory agencies.*

6A-25.3 Public access and recreational considerations

- a) *To the extent of the probable, significant, adverse impacts of the proposed hydropower facility on public access, hydropower facilities should provide public access, provided that public access improvements do not create additional adverse environmental impacts to and along the affected shoreline, nor create a safety hazard to the public or to the operation of the hydropower project.*
- b) *The nature, time, and area open to public access should be regulated as necessary for the purposes of habitat protection and/or public safety.*

6A-25.4 Impacts and mitigation

- a) *Hydropower development proposals should include practical measures to avoid, reduce, or mitigate probable, significant, adverse impacts to affected natural*



systems, including the shoreline and aquatic environment, fisheries and wildlife resources, and sensitive areas; and to adjacent and nearby land and water users. No net loss in function or value of acreage should occur as a result of hydropower facility development.

- b) Mitigation measures should be properly planned and monitored to ensure their effectiveness.*
- c) In considering appropriate mitigation measures, the County should consider, and adopt where appropriate, mitigation measures imposed by, or likely to be imposed by, other federal, state, and local agencies with jurisdiction (including but not limited to FERC and the Washington State Department of Ecology).*



Housing Element

Introduction

Housing is one of the most important needs in our lives and communities.

- *It provides shelter and a link to the neighborhood and the larger community.*
- *It is the single largest purchase made by most households.*
- *As an industry, housing is a major partner in the economic life of the community both as a consumer of goods and services and producer of dwelling units, jobs, and income.*
- *As a major economic activity, housing depends on local government. While taxes on housing are a principal source of local government revenue, services to housing and to the inhabitants of this housing comprise a major portion of local government expenditures.*

Skagit County faces challenges and opportunities as it works toward providing housing options for present and future generations. Every community has low and moderate income households. Since a community benefits from its residents, it has a responsibility to ensure they have a desirable place to live. The Comprehensive Plan's Rural



Element seeks to provide for a variety of rural residential densities and housing opportunities within the confines of the Growth Management Act (GMA). And although the majority of unincorporated Skagit County is restricted by GMA mandates from providing higher density (urban) housing, such housing may be provided in the Swinomish, Bayview Ridge, and municipal Urban Growth Areas.

The Housing Profile contains detailed information describing the demographic and economic conditions pertaining to housing needs for the next 20 years. This Housing Chapter contains the goals and policies through which Skagit County encourages the availability and affordability of housing for its citizens.



Growth Management Mandate

Addressing the countywide community housing need requires a regional approach that involves all levels of government (federal/state/local) and the private sector. Each jurisdiction has a responsibility for meeting its obligations in addressing affordable housing in Skagit County. The greatest potential for promoting affordable housing is in the urban areas, given the intent of the Growth Management Act to direct most population growth to these areas, and to maintain lower densities and larger lot sizes in the rural area. Skagit County recognizes that development within cities and their unincorporated Urban Growth Areas is subject to interlocal agreements that may affect the type, style and location of housing. The Countywide Planning Policies are the most appropriate tool for advancing a countywide or regional housing strategy supported by the County, cities and towns, and other public and private entities.

The following GMA Planning Goal drives the formation and implementation of the County's housing goals and policies: "Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."

The Countywide Planning Policies (CPPs) provide specific guidance to the analysis and policies developed in this element:

- *Local governments shall allow for an adequate supply of land use options to provide for a wide variety of incomes, housing types, and densities. (CPP 4.1)*
- *Public/private partnerships shall be encouraged to build affordable housing and devise incentives for innovative and environmentally sensitive design to meet the housing needs of people with low and moderate incomes and special needs populations. (CPP 4.2)*
- *The Comprehensive Plan should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights. (CPP 4.3)*
 - *The existing affordable housing stock should be maintained and efforts to rehabilitate older and substandard housing, which are otherwise consistent with comprehensive plan policies, should be encouraged. (CPP 4.4)*
- *The construction of housing that promotes innovative, energy efficient and less expensive building technologies shall be encouraged. (CPP 4.5)*
- *Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas. (CPP 4.6)*
- *Manufactured home parks shall be allowed only within urban or urban growth boundary areas. (CPP 4.7)*

"Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."

— Washington State Growth Management Act, Goal 3, RCW 36.70A.020



■ Housing Goals and Policies

Goal A – Housing Quantity

Ensure that the supply of housing and sufficient land capacity keep pace with population growth in the County.

Goal A-1, Housing Affordability

Maintain a progressive program of financial, regulatory, and development measures that will produce opportunities for a full range of housing affordability.

Policies

- 7A-1.1** Work with housing producers and stakeholders in urban and rural areas to apply creative solutions to infill and development using techniques such as attached dwelling units, co-housing, home-sharing, accessory dwelling units, clustering, planned unit developments and lot size averaging.
- 7A-1.2** Develop explanatory materials, offer pre-application conferences, and employ other measures to facilitate the review and approval of building permit and land use applications.
- 7A-1.3** Support, when financially feasible, low income housing programs, with tools such as multifamily tax exemptions, public bond issues, grants, and low interest loan programs.
- 7A-1.4** Zoning and subdivision regulations should provide for the efficient use of lands for residential development where appropriate to increase available land supply and opportunities for affordable housing to match the demographic and economic housing needs of the County's current and projected population.
- 7A-1.5** Develop procedures to reduce impact fees for low income housing projects, when such fees are required.
- 7A-1.6** Maintain an ongoing monitoring and evaluation program to improve the process of permit review and approval, save time, and decrease costs.
- 7A-1.7** Work with the Skagit Council of Governments to establish a program for regular updating of the Housing Needs Assessment, including



provisions to monitor and assist in providing affordable housing opportunities. The Assessment should be updated on a regular basis, several years in advance of each seven-year Comprehensive Plan update that is required by the Growth Management Act.

Goal B – Housing Quality

Strive to preserve, conserve, and enhance the existing housing stock, including historic structures and sites; develop design guidelines and standards to improve the quality of new housing consistent with applicable building codes.

Goal B-1, Information

Manage regulatory, administrative, funding and information programs that contribute to the development and maintenance of high quality housing and strong communities throughout the County.

Policies

- 7B-1.1** Facilitate the rehabilitation and reuse of existing structures for housing by allowing reduced permitting fees and “grandfathered” development standards.
- 7B-1.2** Allow reuse of formerly non-residential structures for housing in mixed use developments in Rural Village Commercial Districts and Urban Growth Areas.
- 7B-1.3** Establish development standards and design guidelines for Urban Growth Areas, Rural Villages, and large CaRD developments, to promote efficient, pedestrian friendly, and attractive communities.

Goal C – Housing Distribution And Accessibility

Strive to ensure that a variety of housing types, densities, and values can be produced in the rural area, Urban Growth Areas, and Rural Villages appropriate to the character of the individual communities. Additionally, ensure sufficient infrastructure capacity is available to accommodate growth and provide housing opportunities for all economic segments of the population.

Goal C-1, Housing For Special Needs

Ensure the availability of housing for people with special needs.



Policies

- 7C-1.1** Allow mixed residential and commercial uses in Urban Growth Areas and Rural Village commercial districts to promote housing affordability and availability.
- 7C-1.2** Consider allowing reduced minimum lot sizes in exchange for community facilities and amenities such as parks, open space, recreational facilities, and community centers.
- 7C-1.3** Allow duplexes in zoning districts permitting single-family residences, as an alternative to accessory dwelling units or the ability to further subdivide. A duplex extinguishes two development rights.
- 7C-1.4** Allow specialized housing facilities such as group homes for children and adults with special needs, in appropriate zoning districts.

Goal D – Farm-worker Housing

Strive for an adequate supply of housing to meet the needs of farm workers and the agricultural industry.

Policies

- 7D-1.1** Work in partnership with other public agencies and the private sector to ensure an adequate supply of farm-worker housing.
- 7D-1.2** Review permit applications for farm-worker housing developments in consideration of proximity to job locations and necessary public facilities and services consistent with the Washington State Temporary Worker Housing Health and Safety Regulations (RCW 70.114A).

Goal E – Manufactured Housing

Recognize the value of manufactured housing as an affordable housing solution.

Policies

- 7E-1.1** Regulations regarding manufactured housing shall be consistent with federal and state laws.



Housing Profile

Introduction

This section provides the background documentation that supports the goals and policies in the Housing Element. It summarizes the current conditions and describes the projected housing needs of the County throughout the 20-year planning period. Unless otherwise specified, this profile describes conditions for all of Skagit County including the cities and towns.

Population

Housing demand is a function of population growth and the demographic characteristics of the population. Overall, Skagit County's population grew by 20 percent between 1994 and 2004, based on annual estimates produced by the state Office of Financial Management (OFM). This was a numerical increase of 17,800 residents. The official U.S. Census population for 2000 was 102,979. Growth between the 1990 and 2000 censuses was 23,434 or 29 percent. Between 2000 and the 2005 estimate, 7,921 new residents arrived, an increase of 7.7 percent. The increase is due to a 25 percent-75 percent split between natural increase (births) and migration or movement from other locations. The average



annual increase for the 10-year period 1990 to 2000 was 2 percent while for the 2000-2005 period it was 1.5 percent. The estimated 2005 population of unincorporated Skagit County is 47,250 including the population of the Urban Growth Areas. The population of the incorporated cities is 63,650.

A detailed breakdown of the 2000 population is provided by the Census. The median age of the population was 37.2 years. Nearly all of the population (98 percent) resided in "households" with the remaining 2 percent in group quarters, such as group homes or jails. There were 38,852 households, with an average household size of 2.6 persons. Over two-thirds (70 percent) of the households were comprised of families. The remaining 30 percent was comprised of single persons living alone. Thirty percent of the households included children under 18 years of age. Persons over



65 years of age represented 14.5 percent of the county population.

The median household income in 1999 (Census) was \$42,381. The median family income was \$48,347. Families in poverty status numbered 2,161 or just under 8 percent. Incomes include wage and salary earnings, Social Security, Supplemental Security, public assistance, and retirement. Per capita income was \$21,256. OFM projects the 2004 household income at \$48,588.

Three-fourths (79,422) of the total 2000 population was 16 years and older and considered in the workforce. Of this, 4.3 percent was unemployed.

Housing Supply

The 2000 Census counted a total of 42,681 housing units. Most (91 percent) of these were occupied. About half (1,971) of the remaining 3,829 vacant units were considered “seasonal, recreational or occasional use.” Seventy percent of the occupied units were owner-occupied, and the remainder were renter-occupied. Household sizes of owner- and renter-occupied units were the same. Seventy percent of the units were single-family detached. Of those, 2.5 percent were single-family attached, 2.8 percent were duplexes, and 12.8 percent were in structures of 3 units or more. Nearly 12 percent of the housing stock was in the form of “mobile homes.”

Between 1996 and 2004, the inventory of housing units increased by 6,939 or 17.5 percent, an annual average increase of 2 percent. Single-family housing production averaged just fewer than 530 units per year. In 2001 and 2002, about two-thirds of the units permitted were single-family and one-third were multi-family. According to the Washington Center for Real Estate Research (WCRER), in 2004, median home prices in

Table 7.1 – Estimated Months of Supply of For-Sale Housing

Price Range	03/2005			
Under \$80,000	7.0	3.6	6.0	6.2
\$80,000 – 159,999	4.9	2.5	2.1	1.9
160,000 – 249,000	8.7	3.2	1.6	1.5
250,000 – 499,999	13.3	6.7	3.4	3.4
\$500,000 and above	53.0	19.5	7.8	8.4

Table 7.2 – Skagit County Housing Affordability Index

Year	2003				2004				2005
Quarter	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st

Skagit County increased 10.9 percent from \$178,000 to \$197,400. This was under the state increase of 13.4 percent and much less than Whatcom County’s (25.1 percent), San Juan County’s (35 percent), and Snohomish County’s (14.4 percent). It was comparable to Island County’s increase of 9.1 percent.

The WCRER also tracks the inventory of housing for sale by price range in terms of the estimated number of months of supply that is available as shown in Table 1. In 2004 and 2005, the supply of housing on the market was much lower that it was in 2000. The large (relative) inventory of top-priced housing dropped most dramatically, but the drop in moderate priced housing availability is of more concern, considering the greater volume of housing in those price ranges. In March of 2005, 46 percent of all homes for sale were priced below \$250,000 and 21 percent were priced below \$160,000.

By the third quarter of 2005, the median price of single-family housing (resales and new construction) had reached \$240,000.



Affordability

The WCRER Housing Affordability Index is the ratio of income to the “bare minimum” outlay necessary to qualify for a mortgage on a median price home. Since 2003, Skagit County middle income families’ abilities to pay for housing dropped, although the index was better than in the state and most other neighboring counties. As shown in Table 2, Skagit County middle income families had 42 percent more income than the bare minimum necessary to qualify for a mortgage to purchase homes in their price range in the first quarter of 2003. By the first quarter of 2005, that factor had slipped to 23 percent. The state’s comparable factors were 31 percent and 12 percent respectively.

Since this analysis includes both first-time and “move-up” buyers, the WCRER also provides an analysis of affordable home purchase prices for selected income groups.

Another way of looking at affordability is the “30 percent factor” – that is, households should not have to spend more than 30 percent of their incomes to pay their housing costs. The 2000 Census found that nearly 5,500 of Skagit County home-owning households, and 4,800 of the renter households had housing costs higher than 30 percent of income. This amounts to about one-third of all households.

Table 7.3 – Skagit County Housing Affordability (2004 \$)

Income	Affordable Housing Expense (P & I)*	Mortgage Amount	Down Payment	Maximum Home Purchase Price
\$25,000	521	89,249	4,697	93,946
\$45,000	1,042	178,498	19,833	198,331
\$70,000	1,563	267,747	66,937	334,684
\$125,000	2,604	446,245	240,286	686,531

*Principal & interest

Generally, household incomes are characterized as “low,” “moderate,” “middle,” and “upper” where they are respectively 0-50 percent, 50-80 percent, 80-120 percent, and more than 120 percent of the median county income. Using the median household incomes described above, the distribution shown in Table 4 would result.

There is a gap between the recent supply of housing and the ability of many households to pay an appropriate proportion of their incomes to own or rent suitable homes. The OFM projected the 2004 median household income to be \$48,500. This means that most of Skagit County’s households were in the market for housing priced below \$190,000, but less than half of the for-sale homes were available at that price.

The Skagit County Community Action Agency published the Skagit County Low-Income Needs Assessment in August 2005. This report is based on a survey of more than 1,000 low-moderate income households that provides information on a broad range of economic and social needs of this segment of the community. With respect to housing, 26% of the respondents needed emergency housing. Two-thirds of the renters and three-fourths of the homeowners paid more than 30% of their gross incomes for rent or mortgage payments. The median cost burden for renters was 44% and 43% for owners. These figures illustrate the need for a comprehensive housing strategy

Table 7.4 – Skagit County Household Income Thresholds, 2004

Low Household Income Threshold (0-50%)	\$0 – \$24,295
Moderate Household Income Threshold (50-80%)	\$24,295 – \$38,870
Middle Household Income Threshold (80-120%)	\$38,270 – 58,305
Upper Household Income Threshold (120+%)	\$58,305+



that can lead to solutions to this growing problem.

Housing Demand

By 2025, the population of Skagit County is expected to grow by 46,100. At the 2000 Census average household size of 2.6, this will create a total demand for 17,700 new occupied dwelling units. With a vacancy rate of 5 percent, the total would be 18,580. At a steady rate this will mean that more than 900 units should come on line each year. This is considerably more than the rate of production in recent years.

The County and the cities have adopted an allocation formula for this growth, assuming that a maximum of 20 percent of the growth will be in the rural area and the remaining 80 percent-plus will be in the cities and Urban Growth Areas. Since urban densities must be at least 4 units per net acre, and there will be some land that will not be available for development, the residential land demand for urban growth may be 4,500 – 5,000 acres. The County's planned rural densities range considerably; therefore, the projected new rural housing land demand will vary depending upon the location and underlying characteristics of the geographic areas. The variables affecting land demand include density, housing types, critical areas, water availability, septic suitability, and the market. Developing a better estimate of the number of available lots in the rural area is a priority that the County will pursue through a plan implementing various policies of this Comprehensive Plan.

It can also be assumed that some of the new housing demand will be created by households with low and moderate incomes. It will be difficult for these households to be

Plan Key: Measuring and Tracking Housing Affordability



Housing is a critical issue for comprehensive plans. Housing plays a major economic role in a community and is key to the quality of life enjoyed by residents. Even the design and

placement of housing has a large impact on the type and costs of services offered by communities. But to help achieve plan goals, it's important to measure housing supply and how affordable housing is for residents.

Two standard measures are used in Skagit County to gauge affordability:

- The Washington Center for Real Estate Research's (WCRER) Housing Affordability Index, which measures the ratio of income to the "bare minimum" outlay required to qualify for a mortgage on a median price home.
- The "30 percent factor", based on the common rule-of-thumb maintaining that no more than 30% of household income should be spent on housing. Census figures are used to determine how many residents are above or below this threshold.

Census figures are also used to classify varying income levels as compared to the County's median income, established by the Washington State Office of Financial Management (OFM):

- "Low income" – defined as households earning between zero and 50% of the median income
- "Moderate income" – households with incomes between 50 and 80% of the median
- "Middle income" – those earning between 80 and 120% of the median
- "Upper income" – defined to include those earning more than 120% of the median income.



accommodated without some level of subsidy or assistance.

at accommodating growth and providing affordable housing.

Affordable Housing Strategy



Over the next twenty years, Skagit County jurisdictions should diversify the housing supply to accommodate all income levels and household demographic conditions. The County and cities should work with the Skagit Council of Governments to amend the Countywide Planning pPn action-oriented program for implementing regulatory, administrative, and financial measures. This will allow all jurisdictions to prioritize actions that will be most effective in addressing short- and mid-term housing needs, and then shape additional strategies for more long-term, sustainable measures.

Examples of potential strategies include incentives such as:

- *Density bonuses for providing affordable housing;*
- *Taking additional action to support development of accessory dwelling units;*
- *Adopting special regulations for senior housing and housing for persons with special needs;*
- *Reviewing regulatory provisions to expedite permitting;*
- *Using surplus land for housing;*
- *Supporting a shared housing program;*
- *Supporting regional efforts to provide affordable housing; and*
- *Establishing annual performance measures to determine how the County is doing.*



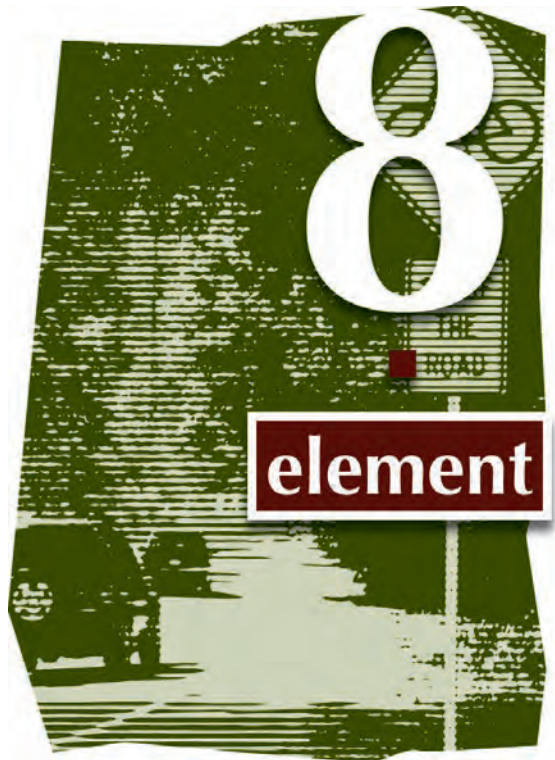
Transportation Element

Introduction

The Growth Management Act has very specific requirements for comprehensive plan transportation elements. To meet these Transportation Element requirements, Skagit County has adopted the Transportation Systems Plan (TSP) which includes a transportation inventory land use assumptions, travel forecasts, Level of Service (LOS) standards, current and future transportation needs, and a transportation financial plan in addition to other GMA requirements. In this chapter, the transportation goals and policies are presented. Together with the Transportation Systems Plan, the goals and policies provide the basis for transportation infrastructure decisions pursuant to the GMA. Since transportation infrastructure and services are also provided by the state, regional government, and the cities and towns, the Skagit County Transportation Element is intended to complement those other systems and networks. The Transportation Profile elaborates further on this.

The Transportation Element is based on the following documents:

- *Skagit County Transportation Systems Plan, Adopted February, 2003, amended*



May, 2004, to include the Non-Motorized Transportation Plan.

- *Skagit County Comprehensive Plan Supplemental Map Portfolio (includes road inventories and transit service areas).*
- *Skagit County Capital Facilities Plan (CFP) 2000-2005, Goals and Policies, Capital Improvements and Implementation Programs, July 24, 2000. The CFP contains information and policies regarding financing, level of service and implementation of capital improvement projects.*
- *Revenue Sources for Capital Facilities 2000-2005, July 24, 2000. This report identifies and briefly describes revenue sources that are available to Skagit County for capital facilities.*



Three aspects of the Transportation Element have a direct bearing on transportation project programming and funding through the Six-Year Transportation Improvement Program (Six-Year TIP). These are: (1) transportation policies; (2) existing and future transportation needs (based on Level of Service); and (3) the transportation financial plan. The transportation policies are used to give general direction for transportation improvement investments. Along with the County's Priority Array, which prioritizes road projects primarily on physical deficiencies, the Level of Service based transportation needs are used to select potential projects. The transportation financial plan is used to produce a financially feasible six-year plan. Thus, the Transportation Element provides a framework for use in transportation investment decisions.

Pursuant to RCW 36.81.121, the Six-Year Transportation Improvement Plan (TIP) is updated annually. The Public Works Department produces a draft TIP that includes projects retained from the previous year, plus any additions or deletions, and a short description of each project. The department holds an informational meeting for the public to comment on the draft plan, and sends the draft documents to the Planning Commission for information and comment.

Then the Board of County Commissioners holds a public hearing on the proposed TIP. Members of the public may comment in writing or in person. The Six-Year TIP is usually adopted by the Board of County Commissioners after the public hearing.

It is then sent to the Skagit Council of Governments (SCOG) where it is compiled with the TIPs of other municipalities in the County. SCOG sends the TIP to the Washington State Department of Transportation where it is combined into the State TIP.

GMA Mandate

Development of this chapter was guided in particular by the following GMA Planning Goal:

- *Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with County and city Comprehensive Plans.*

“Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with County and city Comprehensive Plans.”

— *Washington State Growth Management Act
Goal 3, RCW 36.70A.020*

This Goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following CPPs that provide specific guidance to the analysis and policies developed in this chapter:

- *Multi-purpose transportation routes and facilities shall be designed to accommodate present and future traffic volumes. (CPP 3.1)*
- *Primary arterial access points shall be designed to ensure maximum safety while minimizing traffic flow disruptions. (CPP 3.2)*
- *The development of new transportation routes and improvements to existing routes shall minimize adverse social, economic and environment impacts and costs. (CPP 3.3)*



- *The Transportation Element of the Comprehensive Plan shall be designed to do the following: facilitate the flow of people, goods and services so as to strengthen the local and regional economy; conform with the Land Use Element of the Comprehensive Plan; be based upon an inventory of the existing Skagit County transportation network and needs; and encourage the conservation of energy. (CPP 3.4)*
- *Comprehensive Plan provisions for the location and improvement of existing and future transportation networks and public transportation shall be made in a manner consistent with the goals, policies, and land use map of the Comprehensive Plan. (CPP 3.5)*
- *The development of a recreational transportation network shall be encouraged and coordinated between state and local governments and private enterprises. (CPP 3.6)*
- *The Senior Citizen and Handicapped transportation system shall be provided with an adequate budget to provide for those who, through age and/or disability, are unable to transport themselves. (CPP 3.7)*
- *Level of service (LOS) standards and safety standards shall be established that coordinate and link with the urban growth and urban areas to optimize land use and traffic compatibility over the long term; new development shall mitigate transportation impacts concurrently with the development and occupancy of the project. (CWPP 3.8)*
- *An all-weather arterial road system shall be coordinated with industrial and commercial areas. (CPP 3.9)*
- *Cost effectiveness shall be a consideration in transportation expenditure decisions*



and balanced for both safety and service improvements. (CPP 3.10)

- *An integrated regional transportation system shall be designed to minimize air pollution by promoting the use of alternative transportation modes, reducing vehicular traffic, maintaining acceptable traffic flow, and siting of facilities. (CPP 3.11)*
- *All new and expanded transportation facilities shall be sited, constructed and maintained to minimize noise levels. (CPP 3.12)*



■ Regional Transportation Policies

The Skagit Council of Governments has adopted policies and goals for regional transportation planning and infrastructure coordination. The Metropolitan Transportation Planning Organization (MTPO) policies are required by federal law and direct more detailed goals. The MTPO policies are:

- a) *Identify, encourage, and implement strategies and projects that will maximize the efficiency and effectiveness of the metropolitan transportation system through a cooperative effort with its member agencies, the Sub-Regional Transportation Planning Organization, the public sector, and state and federal agencies.*
- b) *Provide a Metropolitan Transportation Plan that identifies significant transportation facilities and services that support local comprehensive plans and ensures ongoing evaluation necessary to keep current with local, regional, inter-regional, state, federal, and public needs and requirements while recognizing the inter-relationships within the contiguous urban area and areas immediately adjacent to it.*
- c) *Protect the integrity of the investment in the existing transportation system by encouraging timely maintenance of the system.*
- d) *Facilitate cooperation and information exchange amongst stakeholders in the Skagit MPO.*
- e) *Maintain and execute an ongoing public involvement program and plan to ensure the early, meaningful, and continuous participation of the citizens of the Skagit Metropolitan Planning Area in the planning process.*

The Skagit County portion of the Regional Transportation Planning Organization (RTPO) has another set of policies that are required to comply with state law. They are:

- a) *Identify, encourage, and implement strategies and projects that will maximize the efficiency and effectiveness of the regional transportation system through a cooperative effort with its member agencies, the Metropolitan Planning Organization, the public sector, and state and federal agencies.*
- b) *Provide a Sub-Regional Transportation Plan that identifies regionally significant transportation facilities and services that support local comprehensive plans and ensures ongoing evaluation necessary to keep current with local, metropolitan, inter-regional, state, federal, and public needs and requirements.*
- c) *Protect the integrity of the investment in the existing transportation system by encouraging timely maintenance of the system.*



- d) *Facilitate cooperation and information exchange amongst stakeholders in the Skagit Sub-RTPO.*
- e) *Maintain and execute an ongoing public involvement program and plan to ensure the early, meaningful, and continuous participation of the citizens of Skagit County in the planning process.*

For each of these policies, the MTPO/RTPO Plans have goals that are intended to direct the coordination of the agencies in coordinating their individual plans and improvement programs and financing strategies.

Within this framework, the following transportation goals and policies have been adopted by Skagit County.

Goal A

Plan and maintain a safe and efficient system for the movement of people and goods in partnership with the Skagit Council of Governments.

System Management

Goal A-1

Maintain and improve the County roadway system consistent with the growth management strategies of the Land Use Element, and respect the unique environmental and economic character of the area.

Policies

- 8A-1.1** Monitoring for Congestion Relief – Monitor the capacity of the transportation system to meet level of service standards and manage congestion.
- 8A-1.2** Right-of-Way Preservation – Anticipate and address future transportation needs through strategies for acquiring rights-of-way and limiting of encroachments or ancillary uses that could endanger future roadway improvements.
- 8A-1.3** Multi-Modal Transportation – Participate in the planning and implementation of multi-modal transportation systems to increase mobility of all users and provide alternatives to the passenger car.
- 8A-1.4** Functional Classification – Designate all county roads according to the functional classification system mandated by federal and state law based



on the character of service those roads are intended to provide in urban and rural areas. Arterials should serve as the main routes to move traffic through the county. Collectors should serve as the supplemental routes for traffic within the county.

- 8A-1.5** Skagit River – The County supports improving the flow of traffic over the Skagit River, including new bridge construction.
- 8A-1.6** Arterial access – Primary arterial access points should be designed to ensure maximum safety while minimizing traffic flow disruptions.

■ Level Of Service

Goal A-2

Establish level of service standards for the County's road system to gauge the performance of the system and determine areas where transportation improvements are required.

Policies

- 8A-2.1** Level of Service Standards – The Level of Service (LOS) standard for County roads is C. LOS D is acceptable for all road segments that:
- a) *Have Annualized Average Daily Traffic (AADT) greater than 7,000 vehicles; and*
 - b) *Are NOT federally functionally classified as an 09-Local Access Road; and*
 - c) *Are designated as a County Freight and Goods Transportation Systems Route (FGTS).*

The LOS standard for County road intersections is LOS D.

- 8A-2.2** The Level of Service standards shall not be the overriding factor when the County is considering road improvements. Other factors such as the Priority Array and the Comprehensive Plan policies shall be given equal consideration with the LOS.
- 8A-2.3** Design Standards – Maintain urban and rural design standards for structures, roads, and utility systems constructed either by the county or other public or private sponsors. These standards shall reflect the character of the communities as defined in the Land Use, Rural, and Community Planning Elements.



■ Public Transportation

Goal A-3, Coordination

Work with other agencies and jurisdictions to coordinate a safe, accessible, and integrated system of public transportation.

Policies

- 8A-3.1** Transit Support – Encourage citizens and businesses to use transit as an alternative to the single-occupant vehicle.
- 8A-3.2** Transit Schedules – Allow County employees to adopt flexible work schedules that can be coordinated with transit schedules. Encourage similar actions by private and other public employers and employees.
- 8A-3.3** Support adequate funds for senior citizen and handicapped transportation systems to provide for those who, through age and/or disability, are unable to transport themselves.
- 8A-3.4** Encourage public transportation services to serve cities, towns, and Rural Villages, and to link with systems in adjoining counties, when financially feasible and supported by the public.
- 8A-3.5** Encourage private transit providers to continue to provide services that public transit cannot, including services to the County and State ferry systems, and local and regional airports.

■ Passenger Rail

Goal A-4, Passenger Rail Transportation

Support passenger rail service to and through Skagit County as an important element of a balanced transportation system.

Policies

- 8A-4.1** Encourage rail agencies to implement a public education program on railroad safety.
- 8A-4.2** Work with the Washington State Department of Transportation, local jurisdictions other agencies, and the public to make safety and other improvements to the rail corridors to allow for increased speeds.



- 8A-4.3 Work with the Washington State Department of Transportation, local jurisdictions, other agencies and the public to determine the location of potential rail crossing closures.
- 8A-4.4 Road improvement decisions shall be consistent with any plans for rail crossings closures and with other aspects of rail service.
- 8A-4.5 Plan for commuter rail service to Skagit County at such time it is determined to be economically and socially acceptable.

■ Ferry Service

Goal A-5, Ferry Service

Work to maintain county and state ferry services as an important element of the transportation network.

Policies

- 8A-5.1 Encourage the provision of adequate street, highway, and road facilities to accommodate traffic to the ferry terminals in Anacortes.
- 8A-5.2 Work with the City of Anacortes, property owners, and residents on Guemes Island to develop and maintain adequate parking areas.
- 8A-5.3 To meet future increases in demand, increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule.
- 8A-5.4 In making all decisions related to the Guemes Island Ferry, balance the needs of the Island residents, the non-resident property owners, and the County citizenry as a whole. Decisions that would have significant service or financial impacts should be made after providing ample opportunities for public review and comment.
- 8A-5.5 Continue to provide safe and adequate ferry service between Anacortes and Guemes Island, and a fare structure designed to recover as much operating cost as Washington State Ferries does from the users.
- 8A-5.6 Support the State's continued provision of ferry service to and from Anacortes-San Juan Islands-Vancouver Island, B.C.



■ Non-motorized Transportation

Goal A-6, Network

Provide a safe and efficient network of trails and bikeways, including both on- and off-road facilities that link populated areas of the County with important travel destinations.

Achieve high standards in meeting the needs of non-motorized users through appropriate planning, design, construction and maintenance of user-friendly facilities.

Increase education, information and traffic enforcement efforts associated with non-motorized transportation as a means of lowering collision and injury rates associated with these modes.

Policies

- 8A-6.1** The Skagit County non-motorized transportation system is comprised of all streets and highways to which access by bicyclists and pedestrians is permitted, separated trails and pathways which have a transportation function as defined in the Non-Motorized Transportation Plan, and any system or design accommodations meant to serve non-motorized users.
- 8A-6.2** The County's Non-Motorized Transportation Plan should identify non-motorized needs in the County. Based on those needs, the plan should then identify and prioritize potential non-motorized projects. However, the inclusion of a project in the plan does not constitute a commitment that the County will fund or construct a project.
- 8A-6.3** Like all transportation projects, non-motorized transportation projects must be added to the Six-Year Transportation Improvement Program (6-Year TIP) in order to be funded.
- 8A-6.4** Provide for the diverse needs of bicycle, pedestrian and equestrian modes through appropriate routing and the utilization of single-use and shared-use facilities.
- 8A-6.5** Connect all significant traffic generators (such as neighborhoods and communities) with each other as well as with a wide variety of destinations including schools, employment and commercial centers, medical and social service centers, other transportation facilities and



modes, scenic and recreational areas, and the non-motorized facilities and systems of adjoining areas.

- 8A-6.6** Coordinate system planning, funding, and development with other local, regional, state, federal and tribal jurisdictions.
- 8A-6.7** Design all non-motorized facilities in compliance with federal, state and local accessibility standards.
- 8A-6.8** Access and trailhead facilities should include adequate parking and sanitation.
- 8A-6.9** Promote non-motorized transportation as a viable, healthy, non-polluting alternative to the single-occupancy vehicle.
- 8A-6.10** Rail Corridors – Rail corridors should be preserved through the use of rail banking programs after affected property owners and their property rights are first adequately and legally addressed.

■ Freight And Economic Development

Goal A-7

Support economic development goals by providing adequate air, rail and surface freight handling routes and facilities throughout the County transportation system.

Policies

- 8A-7.1** Freight and Goods Transport System – Invest in road improvements to create an All-Weather Road System as part of the Freight and Goods Transportation System (FGTS). In conjunction with the state, designate portions of the road system as truck routes.
- 8A-7.2** Provide roads structurally adequate to handle anticipated commercial traffic demand, particularly on the FGTS.
- 8A-7.3** Encourage the enhancement and expansion of freight rail service to and from economic activity centers.
- 8A-7.4** Encourage improvements to air transportation facilities consistent with the ports of Skagit County and the state Aviation System Plan. Improve road and transit linkages to airport facilities.



■ Tourism, Recreation, Special Events, and Scenic Highways

Goal A-8, Tourism And Recreation

Support the promotion of tourism, recreation, and special events through the County transportation system.

Policies

- 8A-8.1** Involve affected jurisdictions in the planning and design of transportation projects that affect major tourism, park, and recreation facilities.
- 8A-8.2** Coordinate management of the transportation system during special events with the responsible program organizations, while minimizing the disruption of normal economic operations.
- 8A-8.3** Encourage the state to consider high-season traffic demand on SR 20 in East Skagit County whenever the state studies the need for improvements.

Goal A-9, Scenic Highways

Support the preservation and enhancement of scenic highways and historic, archeological and cultural resources within Skagit County.

Policies

- 8A-9.1** Scenic Roads Program – Encourage the state and federal Scenic Highways and Scenic Byways programs to ensure the preservation of scenic resources along designated highways.
- 8A-9.2** Interpretive Sites – Develop cultural, historic and natural interpretive sites situated on public lands in a way that non-motorized travelers can enjoy them.
- 8A-9.3** Coordination – Work with the state in implementing highway heritage programs in Skagit County, which integrate scenic resource preservation with the enhancement of access to historic, archeological and cultural resources along the County's highways.



■ Traffic Safety

Goal A-10, Traffic Safety

Provide a safe travel environment for county residents and visitors in all modes of transportation.

Recognize public safety, education, and law enforcement as integral to the development of non-motorized transportation opportunities in Skagit County.

Policies

- 8A-10.1** Safety Improvements – Include safety improvements as a priority in all capital projects and maintenance decisions relating to the County road system.
- 8A-10.2** Rules of the Road – Promote the safe use of transportation facilities and conformance with “rules of the road.”
- 8A-10.3** Education – Encourage educational programs that teach or encourage transportation safety for all non-motorized users. Encourage awareness among motorists of the rights and responsibilities of motorists and cyclists and the importance of “sharing the road.”
- 8A-10.4** Minimize conflicts – Encourage planning, design and educational programs that help minimize conflicts among users.

■ Road Maintenance and Monitoring

Goal A-11, Maintenance and Monitoring

Develop a systematic approach for monitoring and maintaining the transportation system in a cost-effective manner.

Provide a high level of maintenance to the County transportation system.

Policies

- 8A-11.1** Monitor (count and assess) traffic volumes on all arterial and major collector roads, and other selected roads as needed, to assist in planning and capital facility programs.

- 8A-11.2** Coordinate monitoring efforts with other County departments as appropriate, and with other state and local jurisdictions and agencies.
- 8A-11.3** Operate a road and bridge maintenance management program to ensure that roads and bridges are adequately protected from overloading, meet County and state standards, and are programmed for maintenance and repair on a regular basis.
- 8A-11.4** Maintain a program for addressing traffic safety problems through monitoring of high incident conditions.

■ Demand and System Management

Goal A-12, System Management

Increase the efficiency of the existing transportation system before major capital expenditures are made.

Policies

- 8A-12.1** Implement transportation system management techniques, such as the synchronization of traffic signals and provision of left-turn lanes, as a way to increase the efficiency and safety of the existing transportation system with a minimum of cost.
- 8A-12.2** Encourage the Skagit Council of Governments and the Metropolitan Planning Organization to implement transportation demand management strategies, such as increased transit service and flexible work schedules, to reduce the demand for travel in single-occupancy vehicles, especially at peak traffic periods.

■ Land Use and Development

Goal A-13, Land Use and Development

Incorporate transportation goals, policies, and strategies into all County land use decisions.

Policies

- 8A-13.1** Impacts of Growth – Growth and development decisions shall ensure that the short- and long-term public costs and benefits of needed



transportation facilities are addressed concurrently with associated development impacts.

- 8A-13.2** Directing Growth – Mitigate transportation impacts, wherever possible, by directing new development into areas where long term capacity exists on the arterial and collector system.
- 8A-13.3** Public Transportation Accessibility – Require new development and redevelopment to provide adequate motorized and non-motorized transportation facilities within and adjacent to the development, and to provide access to public transit, where available.
- 8A-13.4** Airport Expansion – In the vicinity of the Skagit Regional Airport, review development proposals to avoid future conflicts and the foreclosure of opportunities for future airport expansion.
- 8A-13.5** Coordination with County Engineer – Following major amendments to the Comprehensive Plan, the County Road Engineer shall review the Functional Classification, the Priority Array, and the road standards for consistency and compliance with the Comprehensive Plan. Recommended changes shall be forwarded to the Planning Department and the Planning Commission for comments prior to their submittal to the Board of County Commissioners for action. The review shall take place within the first year after major Comprehensive Plan updates.
- 8A-13.6** Support for Existing Development – Coordinate efforts to develop infrastructure that improves the efficiency of existing major industrial and commercial areas.
- 8A-13.7** Right-of-Way Dedication – The County shall require dedication of right-of-way for needed roads in conjunction with the approval of development projects.
- 8A-13.8** Land Use Compatibility – The planning, design, location and construction of new transportation projects and facilities shall consider and be compatible with adjacent land uses, as indicated in the Comprehensive Plan and development regulations, including natural resource activities and rural residential areas.
- 8A-13.9** Arterials and Collectors – When arterials and collectors traverse residential areas, appropriate traffic controls shall be employed to balance the needs of both the local residents and the traveling public.
- 8A-13.10** Transportation Facility Standards – Incorporate standards within the land development regulations to ensure that new development



and redevelopment provide adequate motorized and non-motorized transportation facilities within and adjacent to the development.

■ Concurrency

Goal A-14

Ensure that suitable mitigation measures for addressing the impacts of growth are fair and equitable, and that transportation impacts at the project and system levels are mitigated concurrently with the project.

Policies

- 8A-14.1** When a development project has a particular impact on the safety, structure or capacity of the County's road system, suitable mitigation shall be required in the form of improvements or through the use of adopted impact fees.
- 8A-14.2** The County may, in cooperation with a city, collect impact fees on behalf of that city or town for development within its Urban Growth Area, and may enter into cost sharing arrangements where each shares impact fees collected by the other for impacts to their respective roads.
- 8A-14.3** As an alternative, the County may agree to participate in joint planning, funding, and construction of mutually beneficial transportation improvement projects for the unincorporated portion of a city UGA and the adjacent area in the county with a city willing to enter into a Joint Transportation Planning, Funding, and Construction Agreement with the County.
- 8A-14.4** The County may consider the use of impact fees as a means to ensure that adequate facilities (including but not limited to transit, pedestrian, bikeways, or roadways) are available to accommodate the direct impacts of new growth and development.
- 8A-14.5** If an impact fee ordinance is not in place, the County may require large developments to make traffic impact contributions if the development significantly adds to a road's need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation facility improvements required in the immediate area for access to and from the development.



- 8A-14.6** The County, in cooperation with the development community, may consider alternative means to address transportation impacts of growth, so long as such alternatives comply with the GMA and the State Environmental Policy Act, and provide a practical solution that meets the intent of Goal A14 above.

■ Implementation and Intergovernmental Coordination

Goal A-15, Implementation and Intergovernmental Coordination

To jointly plan, prioritize, and finance transportation improvements with federal, state, regional, and municipal partners for the greatest public benefit.

Policies

- 8A-15.1** Future Plans – Coordinate transportation plans with local, state, and tribal jurisdictions through the Regional Transportation Planning Organization and the Metropolitan Planning Organization to identify and provide solutions for anticipated transportation challenges identified over the 20-year life of the Comprehensive Plan.
- 8A-15.2** SR 20 – Encourage the state to provide facilities for non-motorized transportation as part of improvements to SR 20.
- 8A-15.3** Joint Development – Cooperate with the cities and towns in planning for joint development of road improvements that support mutual objectives.
- 8A-15.4** State Highway Improvements – In order to ensure that local efforts to meet GMA concurrency requirements are not undermined by inadequate state highways, support efforts at the state level to adequately fund legitimate highway improvement needs.
- 8A-15.5** Public Involvement – Encourage the Washington State Department of Transportation to continue to develop closer coordination with the local jurisdictions and with the Metropolitan Planning Organization and Regional Transportation Planning Organization in transportation planning and in the transportation project decision-making process. In support of this, the County encourages the State to continue enhancing its public involvement programs for state transportation decisions.



- 8A-15.6** Americans with Disabilities Act – The County shall comply with the “Americans with Disabilities Act of 1990.”
- 8A-15.7** Traffic Impacts – In determining traffic impacts of development projects, the County should consider the impacts to all jurisdictions (county, city/town, and state) and condition such projects as necessary to mitigate the impacts.

■ Capital Improvement Programs

Goal A-16, Capital Improvements

Integrate the Six-Year Transportation Improvement Program (TIP) and the 20-year long range transportation needs assessment with the Capital Facilities Plan consistent with the goals and policies of this Comprehensive Plan.

Policies

- 8A-16.1** Evaluation Criteria – Evaluate proposed projects according to the Comprehensive Plan goals and policies as well as engineering feasibility, costs and benefits to the public, safety, impacts to the built and natural environment, community support, opportunities for staged implementation, system benefits and maintainability.
- 8A16.2** Funding – Make transportation capital investment decisions in consideration of capacity, safety, and growth management needs.



Transportation Profile

Introduction

This section is the companion to the Transportation Element goals and policies. It summarizes the key aspects of current and projected transportation conditions and needs that Skagit County is obliged to plan for. The Growth Management Act requires that transportation plan elements include the following:

- *Land use assumptions used in estimating travel;*
- *Facilities and services needs;*
- *Financing;*
- *Intergovernmental coordination; and*
- *Demand management.*

Each of these major requirements is described below. The method used by the County to comply with the GMA requirements involves managing a complex and inter-related group of complementary studies, plans, inventories, and standards. In addition to the analyses and documentation prepared by the County, the State of Washington, the cities and towns and the Skagit Council of Governments also maintain similar plans that need to be acknowledged. While the rural road network



is the primary transportation mode that the County is responsible for managing, the County through its Comprehensive Plan also acknowledges and addresses the needs for non-motorized transportation, public transportation, aviation, and marine transportation. A recent survey of County rural residents indicated a concern for increased traffic congestion within the urban areas of the County. The County should consider increasing investment in transportation projects within or connected to the urban areas, in partnership with the cities and towns, state, and federal governments.

Land Use Assumptions

The operation of the roadway network must be adequate to meet the travel demands created by residents, businesses, and visitors. The



comprehensive plan land use designations for all jurisdictions provide the basis for estimating. While each jurisdiction and transportation provider is responsible for developing its own transportation plan, there is also a need for consistency among them, to the extent that the need for facilities in one jurisdiction frequently is affected by the demand created from growth in neighboring jurisdictions. In this regard, regional coordination is the key. In the regional transportation model maintained by the Skagit County Council of Governments, the entire County is divided into transportation analysis zones (TAZs). These are geographic areas based on census tracts, city limits, physical features, and other boundaries. TAZs are smaller in urbanized areas than in rural areas due to the relative concentration of population. Land use, housing, and employment data for the TAZs are the building blocks for assessing the future transportation system demands that result from growth.

The analysis that creates the 20-year picture requires assumptions to be made about future travel behaviors as well as the realities for maintaining level of service standards within anticipated funding and the feasibility of implementing construction programs within the context of other public policies.

The Countywide Planning Policies allocate the adopted population and commercial/ industrial growth targets among the various Skagit County jurisdictions. Comprehensive plan policies distribute that growth to urban and rural areas using residential densities and non-residential land use intensities of each jurisdiction's adopted zoning. This provides the starting point for estimating how future residents and employees will use the roadway system.

Facilities and Service Needs

Along with the land use assumptions, the other building block of estimating the need for improvements to the transportation facilities and services is a cascading series of five steps.

Inventory of Existing Facilities and Services

The County maintains an on-going database of current conditions of the County roadway network and the Guemes Ferry, the two county-owned and operated modes. For the roadway network, the inventory includes extensive information on the condition, utilization, and shortfalls that exist. Similar information for the ferry vessels and terminals is included. In addition to supporting planning, this information is used to program on-going maintenance of the system.

Roadway Network

The County roadway network contains about 800 miles of roads, not including city streets, state and federal highways, and private roads. The network is categorized into a "functional classification system." This is based on federal and state guidelines for identifying roads first as to whether they are urban or rural in terms of the areas they serve and their design. Skagit County defers to the cities and towns in classifying their roads. Rural roads are classified as "Principal Arterials," "Minor Arterials," "Major Collectors," "Minor Collectors," and "Locals." This is a descending scale of function. Interstate 5 and SR 20 west of I-5 are the only Principal Arterials. Other state highways and segments are Minor Arterials. The County has 24.8 miles (3%)



of urban Minor Arterial roads. Major and Minor Collectors are the heart of the County system. These are the roads that connect the cities and towns and serve as farm-to-market roads in the rural area. The Locals are the other rural roads. Major Collectors constitute 19% or 152 miles of the system. Minor Collectors constitute another 20% (161 miles), and there are 384 miles of Locals (48%) as of 2006. The final 9% or 73 miles of roads are urban. While these amounts and proportions vary as road functions change or new roads are built, the general distribution does not change significantly.

Another aspect of the functional road classification system involves facilities that have been identified in the state Freight and Goods Transportation System (FGTS) as trucking routes. This classification system is based on the estimates of gross freight tonnage that is carried on the roads.

Most County Major and Minor Collectors carry between 100,000 and 5,000,000 tons per year.

Traffic on County roads outside of the highways and arterials is fairly moderate. Nearly half of the roads carry fewer than 250 vehicle-trips per 24-hour day on average (ADT). About 10% of the roads carry more than 2,000 ADT, and fewer than 2% carry more than 5,000 ADT.

Plan Key: What's a "TAZ?"

Growth and development have many implications for planning, and transportation is an important one. To make decisions manageable, the Skagit Council of Governments maintains a computerized transportation model divided into localized components called Transportation Analysis Zones, or TAZs, for short.

With TAZ modeling – informed by land-use assumptions, 20-year growth projections, system budgeting and more – Skagit County can forecast and plan for emerging service issues, making adjustments or setting new goals along the way.

Other Transportation Facilities

The Skagit County non-motorized transportation system is comprised of all streets and highways to which access by bicyclists and pedestrians is permitted, separated trails and pathways which have a transportation function as defined in the Non-Motorized Transportation Plan, and any system or design accommodations meant to serve non-motorized users. Segments of Bayview-Edison Road, LaConner-Whitney

Road, McLean Road, and West Big Lake Road are the only locations of signed bikeways. There are other off-road trails throughout the County. Skagit County owns and operates a ferry system including a vessel and terminals in Anacortes and Guemes Island. Skagit Transit is a public agency funded by the County and several of the cities that provides transit service in some portions of the County. Rail and marine transportation

facilities within Skagit County are owned and operated by the ports or private companies.

Level of Service

Capacity analysis results for roadways and intersections are described in terms of Level of Service (LOS). Roadway LOS is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. It ranges from A (very little delay) to F (long delays and congestion). Level of



service calculations for intersections determine the amount of ‘control delay’ (in seconds) that drivers will experience while proceeding through an intersection. The LOS/delay criteria for stop-sign controlled intersections are different than for signalized intersections because drivers expect that a signalized intersection is designed to carry higher traffic volumes and therefore result in greater delay. For signalized intersections the LOS ranges from “A” with a delay of less than 10 seconds, to “F” with a delay of more than 80 seconds. For stop-sign controlled intersections, LOS A also has a delay of less than 10 seconds, while LOS F has a delay of more than 50 seconds.

The Comprehensive Plan includes LOS standards that have been adopted as County policy. These standards are used to measure the performance of the system and identify the need for improvements. The County also works with the state and cities and towns to monitor the related LOS of their facilities.

The inventory of facilities includes an evaluation of current LOS for the roadway system, and Guemes ferry based on traffic counts for roads, and the capacity utilization of the ferry.

Actions to Address LOS Shortfalls

When the Priority Array evaluation identifies road segments, intersections, and other facilities that are performing below their assigned LOS, it must prepare improvement plans and funding strategies for addressing these needs. The Six-Year Transportation Improvement Program (TIP) is a financially-feasible project listing that must be updated every year to look out to the next six years. It includes cost estimates and funding for each project. The TIPs for all county jurisdictions are compiled into the regional TIP and coordinated with the State of Washington.

For facilities that may be threatened by projected growth beyond the six year TIP horizon, the County and other jurisdictions can update their plans and the regional plans to identify solutions that may include system improvements, different funding strategies, or changes to land use densities and intensities that are the basis for the demand forecasts.

Demand Forecasts

The land use assumptions, LOS policies, and facility inventories and planned improvements are used by the Skagit Council of Governments to model future County-wide conditions. The model is a computer program that is calibrated to existing baseline conditions using traffic counts and other information provided by the inventories. Each Transportation Analysis Zone is assigned trip generation forecasts for future years based on the land use assumptions, travel behaviors, and assumptions regarding system improvements and funding levels that are anticipated. The Regional Transportation Planning Organization and Metropolitan Planning Organization plans are based on this approach and have been prepared using a range of growth scenarios ranging from low to high growth. After evaluating these scenarios, the elected officials comprising the board of directors chose a low-mid range preferred alternative that produced the “financially constrained” plan for adoption. This is consistent with the adopted County-wide population forecast and with the level of local and state and federal transportation funding that is probable. For Skagit County, the regional plan includes the projects for implementation over the next 25 years listed below. It should be noted that this project list is dynamic – that is, it will change as conditions change, growth occurs, and the levels of funding change.



System Expansion Needs

Current Needs

The County determines current needs in several categories: resurfacing, restoration, rehabilitation, and reconstruction. This is a graduated scale of need ranging from “routine” maintenance to major work that is necessary to support significant changes in capacity or safety. Roadway segments that exceed 7,000 ADT measured on an annual basis may exceed the adopted LOS and therefore require improvements beyond normal maintenance and repair. This may include intersection improvements, widening, traffic controls, and other actions. Some of these projects fall into the six-year TIP and others are expected to be needed beyond the six-year horizon. The County generally looks ahead 15 years.

Future Needs

The needs for future improvements show up in the County’s analysis and also in the Regional Transportation Planning Organization (RTPO) and Metropolitan Planning Organization (MPO) modeling. Projects of regional significance, including state Department of Transportation projects, are coordinated for possible joint implementation and funding.

Finance

Transportation system funding comes from a wide range of sources from local property, timber, and fuel taxes, federal grants, and ferry tolls. Local tax revenues are allocated from the general fund. Fuel taxes are proportionate shares of the state’s collections. The state Legislature may identify specific projects funded by the fuel tax. The 2005 “nickel tax”

will fund improvements to state highways that will also support County goals. These include state/County roadway intersections, transit facilities, seismic upgrades to bridges, and water quality improvements. Forest and timber taxes come from federal, state and private timber sources. In recent years (1998-2002), the total revenues for all County transportation funding have averaged about \$16 million. Of this, about half is property tax revenue. Other sources fluctuate depending upon economic activity and outside influences. The volatile state of fuel costs and state tax rates appears to be a significant unknown in the next few years. The County has taken a conservative, financially-constrained approach to forecasting funding for the next 10 years, to 2017. Annual expenditures are expected to be in the range of \$21-29 million. These expenditures will be divided generally in equal thirds for



maintenance, construction and “general expenses” that include drainage, Guemes Ferry, and administration.

Intergovernmental Coordination

The Skagit-Island County Regional Transportation Planning Organization function was reorganized when Skagit County was also designated a Metropolitan Planning Organization due to the population count in the 2000 Census. As a result, the Skagit Council of Governments has become the lead agency for coordinating the transportation planning efforts of local jurisdictions. In this new role, the organization is responsible for maintaining a County-wide transportation plan that frames the policy basis for coordinating transportation planning and improvements within Skagit County, including County, city and town, and other public transportation service providers. The Skagit Metropolitan Plan and Sub-Regional Transportation Plan (MTP/S-RTP) is the product of this effort. The SCOG maintains the regional transportation forecasting model and facilitates discussion and decision-making among all of the stakeholders. The MTP/S-RTP includes performance measures that are being used to evaluate the following activities of the local jurisdictions:

- *Inter-modal connectivity;*
- *Relationships between the local and regional plans;*
- *Maintenance of the existing system;*
- *Technical support, private sector involvement, and financial support; and*
- *Public involvement.*

In addition to the coordination provided by SCOG described above, the County and the cities and towns coordinate transportation planning and improvements that affect common interfaces of roads, non-motorized facilities and transit. In particular, the 1992 Framework Agreement between the County and the cities and towns directs the jurisdictions to address LOS, concurrency, and related transportation system development in the UGAs.

Demand Management

Beyond the requirements related to anticipating how physical transportation facilities are capable of accommodating the demands of growth, the County and other jurisdictions are responsible for identifying possible optional means such as management of services in creative ways that leverage the capacities of the facilities. This includes increased use of non-motorized travel, transit and car-pooling, coordination of land use and transportation decisions, and encouraging major trip generators to plan their activities in such a way that peak hour travel demands are minimized.



Utilities Element

Introduction

The GMA requires the utility element to describe locations, capacities, and need for utilities. The policies in this element cover private natural gas, telecommunications, electric utilities; and public solid waste, sewer, water, and surface water utilities. The information relating to utility service providers contained in this Plan is a summary only. More detailed discussions of the topics covered in this chapter are found under separate cover in utility service provider capital functional plans and in the following documents:

- *The Skagit County Comprehensive Plan supplemental Map Portfolio. The portfolio includes maps illustrating the locations of major utility facilities, including water, sewer, electrical, natural gas, drainage and dike districts, telecommunications, and transit service areas.*
- *Skagit County Coordinated Water System Plan – Regional Supplement, 2000. This document provides information on existing water facilities, management and conservation strategies, a needs forecast through 2040, and the availability of water rights to meet those needs, all within the framework of growth management.*
- *Anacortes-Fidalgo Island Coordinated Water System Plan*
- *The Capital Facilities Plan (CFP) 2000-2005 – Goals and Policies, Capital Improvements, and Implementation Programs. This plan contains information and policies regarding financing, level of service and implementation of capital improvement projects.*
- *Comprehensive Economic Development Strategy (CEDS) for Skagit County (updated 2005). The plan contains specific information regarding various sewer service and treatment projects, surface water projects, and utility corridor improvements, as well as estimated costs and potential funding sources.*
- *Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for Instream and Out of Stream*



Purpose. Intended to ensure the establishment and maintenance of instream flows, and to provide mechanisms for interlocal cooperation with respect to specific existing agreements and water utilization.

- *Skagit County Comprehensive Solid Waste Management Plan Update and Environmental Impact Statement (April 1994). Summarizes actions to be taken regarding solid waste management and an implementation schedule showing recommendations and associated costs.*
- *Skagit County Draft GMA Puget Power Electrical Facility Plan and map updates (November 1992).*

GMA Mandate

Development of this chapter was guided in particular by the following GMA Planning Goal:

“Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”

— Washington State Growth
Management Act
Goal 12, RCW 36.70A.020

- *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

This Goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following CPPs that provide specific guidance to the analysis and policies developed in this chapter:

- *Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations. (CPP 12.1)*
- *All communities within a region shall fairly share the burden of regional public facilities. (CPP 12.2) (See the Capital Facilities Element for further information)*
- *Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. The County shall work with the state, cities, communities, and utility providers to identify areas of shared need for public facilities. (CPP12.4)*
- *Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere. (CPP 12.6)*
- *Public facilities and services needed to support development shall be available concurrent with the impacts of development. (CPP 12.7)*
- *Public water supply for new development shall conform to or exceed the Coordinated Water System Plan for public water systems. (CPP 12.10)*
- *Public drainage facilities shall be designed to control both stormwater quantity and quality impacts. (CPP 12.14)*



■ Utilities

Goal A

Ensure the provision of high quality, cost effective and environmentally sensitive utility services in cooperation with public and private providers.

Goal A-1, Systems Coordination

Coordinate and encourage timely, safe, and cost-effective planning and design of utility systems with providers and state and federal agencies.

Policies

- 9A-1.1** Utility Agreements – Agreements between the county and utility system providers shall provide for the coordination between functional plans and capital facility plans; address the joint use of corridors, installations, and rights-of-way; ensure that development permit reviews address all affected utilities; and mitigate impacts of utility improvement projects.
- 9A-1.2** Human Health and Power Facilities – In reviewing proposals for new power facilities, the county shall consider whether the latest conclusions of scientific research on extremely low frequency (ELF) electromagnetic fields (EMF) have been used to reduce exposure that might affect human health.

Goal A-2, Consistency of Plans and Standards

Ensure the consistency, compatibility, and concurrency of utility functional plans through periodic review.

Policies

- 9A-2.1** Utility Facility Planning – Utility system plans shall be reviewed for consistency with the County Comprehensive Plan.
- 9A-2.2** Vegetation Management – The county shall use standards for vegetation management in public rights-of-way in approving utility providers' proposals. Such standards shall be based on similar standards of the state Department of Transportation.



- 9A-2.3** Critical Areas – Any utility construction including maintenance and repair shall comply with county regulations including the Critical Areas Ordinance and vegetation management standards.

Goal A-3, Utility Facility Siting

Site facilities consistent with the policies of the Land Use Element.

Policies

- 9A-3.1** Siting at Critical Areas – The county shall ensure that utility facilities are not sited in designated critical areas unless feasible alternatives are unavailable, in which case suitable mitigation in accordance with the critical areas regulations shall be required.
- 9A-3.2** Siting of Major Facilities – Outdoor installations of transfer and distribution stations providing electrical power, communications, and natural gas, should, where practicable, be located in industrial or commercially zoned areas. Stations should be reasonably compatible with surrounding uses. Where system design or economics necessitate location of such installations in residential or rural areas, installations shall be suitably screened or enclosed so as to eliminate or substantially reduce the visual impact. This may be achieved through appropriate setbacks and screening, such as, buildings, natural topography, landscaping, and vegetation.
- 9A-3.3** Land Use – Utility facilities may be permitted in all land use zones when and where utility franchises exist and if they are in compliance with this Comprehensive Plan and related codes and standards.
- 9A-3.4** Wireless Communications – Siting of wireless facilities shall minimize visual and noise impacts, through the utilization of existing sites and structures where possible, adequate setbacks, and appropriate landscape screening.

Goal A-4, Undergrounding

Encourage underground utility distribution lines to reduce visual and safety impacts of overhead lines where economically feasible.



Policies

- 9A-4.1** Planning – Utility providers shall be encouraged to plan for underground installation of utility lines, and private developers shall be required to underground utilities as directed during permit review.
- 9A-4.2** Implementation – Existing overhead utilities shall utilize joint support structures at such time as the system is upgraded if the cost to place lines underground is not reasonable for the rate payer under the rate structure set by state and federal regulation. If a situation exists where undergrounding existing overhead utilities is desired and is technically feasible, a Local Improvement District or some other financial arrangement will be used to have the beneficiaries bear the cost, rather than the general rate payer.
- 9A-4.3** Design – Provisions for future undergrounding of other utilities should be made in the design of initial utility undergrounding projects.

Goal A-5, Energy Conservation

Encourage conservation of energy resources, including the reduction of energy consumption in county facilities.

Policies

- 9A-5.1** Non-Renewable Resources – Generating energy from non-renewable resources may be acceptable if proven to be economically feasible and environmentally sound.
- 9A-5.2** Conservation Methods – Energy conservation should conserve energy resources, minimize air pollution, and delay the need for additional electrical power generating facilities. This may be achieved through methods including, but not limited to: education of the public; insulation and weatherization as specified by building codes; and use of energy-efficient systems.
- 9A-5.3** Technology Solutions – Residential, commercial, and industrial development shall be encouraged to use energy-efficient, cost-effective, and environmentally sensitive technologies and resources in new construction.
- 9A-5.4** Alternative Energy Resources – The county shall encourage the use of alternative energy resources in the design and construction of new development..



- 9A-5.5 Co-Generation – Commercial and industrial facilities shall be encouraged to incorporate co-generation whenever possible, if economically feasible and environmentally sound.
- 9A-5.6 Solar Energy – The use of solar energy for water and space heating should be encouraged and ordinances shall be developed to protect solar access.
- 9A-5.7 Design – The county should work with builders and developers through incentive programs to seek and implement alternative energy resources in building and site design, and land use.

■ Solid Waste

Goal A-6, Solid Waste Management

Protect environmental quality and public health in Skagit County through effective practices, education, regulations, and economic incentives.

Policies

- 9A-6.1 Waste Reduction – The county shall endeavor to reduce per capita waste production by changing consumer and industrial practices.
- 9A-6.2 Recycling – The county shall encourage recycling.

■ Sewer

Goal A-7, Sanitary Sewer

Encourage public sewer services in Urban Growth Areas and limit them in the rural area.

Policies

- 9A-7.1 Rural Community Systems – Community, and other innovative sewage treatment systems in Conservation and Reserve Development (CaRD) land developments and limited areas of more intensive rural developments (LAMIRDs), or to address rural public health problems, should be considered on a case by case basis.



■ Public Water

Skagit County Coordinated Water System Plan Summary

The Skagit County CWSP represents a significant element of the County's Comprehensive Plan. The CWSP was jointly developed by all of the major Skagit County water utilities, in cooperation with the County and State agencies, consistent with the Public Water System Coordination Act (RCW 70.116).

The CWSP is incorporated by reference by the Department of Ecology into the "Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for Instream and Out of Stream Purposes" (Skagit River MOA). The Skagit River MOA further links the CWSP and GMA together by cross-referencing the GMA Urban Growth Areas and the Place of Use definitions for water rights as defined in the CWSP.

The Urban Service Areas for the Skagit County water purveyors are defined, as well as the rural service areas. The CWSP incorporates a level of service standard for rural public water service and related fire protection. An agreement on level of service between the County, water purveyors, cities, and County Fire Marshal is also incorporated in the CWSP.

The water demand projections incorporated in the CWSP were based on state Office of Financial Management (OFM) population projections and further adjusted to reflect OFM and land use criteria to help ensure consistency with the GMA planning procedure.

The evolving land use and water resource management planning programs of Skagit County are reflected in the CWSP's Joint Operating Agreement (JOA) between the City of Anacortes and Skagit PUD. This JOA establishes the CWSP (and GMA) document as the framework for regional water supply and transmission development. It ensures that the two major water supply providers in Skagit County will work cooperatively to ensure that water supply will be available where and when required, in accordance with the County's Comprehensive Plan.

The CWSP, Skagit River MOA, and JOA, all combine to provide a comprehensive water supply and capital improvement plan for this



Comprehensive Plan. The individual Water System Plans are incorporated by reference and by law in the CWSP.

Water Rights Agreement Summary

The “Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for Instream and Out-of-Stream Purposes” (Skagit River MOA) provides an in-depth analysis of water rights for public water service in Skagit County. The Skagit River MOA was developed and signed by the City of Anacortes, Skagit PUD, Skagit County, Swinomish Tribe, Upper Skagit Tribe, Sauk-Suiattle Tribe, and the Departments of Ecology and Fish and Wildlife.

The Skagit River MOA incorporates both instream and out-of-stream water resource management objectives, water rights adequate to meet projected public water supply needs until at least the year 2046, and provisions for extending water supply to rural areas to protect public health, minimize impact on instream resources, and to support the States objectives for both the GMA and the management of the State’s water resources.

The Skagit River MOA also recognizes the continuing need to collect data and to undertake a comprehensive watershed management program. The first phase of the joint plan in the Skagit River MOA includes the Lower Skagit River area, including Cultus Mountain streams. The second phase will include the Upper Skagit River watershed.

Instream flow monitoring and management will help establish where rural public water systems will be required to achieve the local, State, and Tribal government’s water resource management objectives.

Countywide Planning Policies Regarding Water

All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban government services except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city (with regard to water, the City of Anacortes is the only municipal water purveyor) to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.



Comprehensive Plan Policies Regarding Water

This Comprehensive Plan recognizes that the need for the provision of piped water in rural areas may occur under limited circumstances such as: the transmission pipeline routing between Urban Growth Areas; where existing developments are providing rural public water service and fire protection in accordance with the CWSP; where groundwater does not meet Safe Drinking Water Act and State Health Department criteria for potable water use; where water quantity issues related to actual yield or where groundwater withdrawal will cause a conflict with instream resources as defined by the Skagit River MOA; and properties that are rural in nature and density and are adjacent to a piped water system.

The provision of piped water service in rural areas shall support the combined objectives of the Growth Management Act and the Skagit River MOA. The implementation of the Skagit River MOA and the update of the CWSP will better define the refinements to, and application of, the level of service criteria where there is a transition between urban and rural service zones, existing development in rural areas, and agricultural demands for piped water (i.e., dairies and container farming).

Objective A-8

To influence the development and use of the water resources of Skagit County in a manner that is consistent with the Countywide Planning Policies and the Comprehensive Plan.

Policies

- 9A-8.1** Cooperation with water districts and other water providers shall be extended to support them in their responsibility to provide a reliable service to assure an adequate quality and quantity of potable water and high quality water supply within their service areas.
- 9A-8.2** Water supply infrastructure expansion shall be designed to meet local needs and urban or rural levels of service standards, and comply with this Comprehensive Plan's land use densities.
 - a) *Urban Water Service shall mean service provided by a water system(s) that has been designed to provide service throughout the designated urban growth area. The water service shall be designed to meet the water supply needs of the residential, commercial, industrial, and other water needs as defined by the*



Skagit County or City Comprehensive Plan, the Coordinated Water System Plan, and the designated water utility's Water System Plan.

- i) The Utility's Water System Plan shall document a plan to meet urban water service using the design criteria outlined in Section 4 and on Table 4-1 of the Coordinated Water System Plan and in accordance with the schedule required by this Comprehensive Plan.*
 - b) Rural Water Service shall mean water service provided by an individual well, a stand alone public water system, or extension of a water system from within an urban growth area that is designed to provide rural water service. The water service shall be designed to meet the rural water supply needs of the rural area users as defined by this Comprehensive Plan, the Coordinated Water System Plan, and the criteria established for the water service in Section 4 and on Table 4-1 of the Coordinated Water System Plan.*
 - i) The design shall be guided by the projected rural area water supply and fire protection associated with the requirements of this Comprehensive Plan, and based on the physical or hydraulic capacity requirements as outlined in the Coordinated Water System Plan and the designated water utility's water system plan.*
- 9A-8.3** Interlocal agreements shall be developed with the cities, towns, and water suppliers in the coordination of water service to urban growth areas.
 - a) The Skagit County Public Utility District #1, the cities, the Swinomish Tribal Community, and the County shall meet and enter into an interlocal agreement that provides for an increasing local and/or tribal government role in the provision of public water within their designated jurisdictional urban growth areas.*
- 9A-8.4** Water supply development and service shall be consistent with all related plans, including but not limited to, the Coordinated Water Systems Plan, the Anacortes-Fidalgo Island Coordinated Water System Plan, this Comprehensive Plan, and related purveyor plans as they are developed.
- 9A-8.5** New capital facilities for water-system compliance with state and federal safe-drinking-water rules, and water treatment standards shall be based on rural area densities and a level of service that is consistent with the existing character of the environment.
- 9A-8.6** Skagit County shall enforce all county, state and federal laws regarding potable water, well head protection and the installation of water systems.
- 9A-8.7** Connection to a public water system should be encouraged in those areas of low flow streams.



- 9A-8.8 Limitations on uses and densities should be considered within designated low flow stream corridors where necessary to limit individual wells and protect base flows.
- 9A-8.9 The Coordinated Water Systems Plan should be reviewed to assure consistency with the adopted Comprehensive Plan.
- 9A-8.10 Necessary expansion of existing public facilities may require urban level of water service due to existing development regulations.
- 9A-8.11 Water conservation measures shall be incorporated into water supply development and service plans as a method of addressing future water needs.

■ Storm Water

Goal B

Protect and enhance natural hydrologic features and functions by: maintaining water quality and fish and wildlife habitat; incorporating natural drainage patterns into measures to protect the public from health and safety hazards and property damage; maintaining a sustainable ground-water discharge/recharge budget; and by promoting beneficial uses as well as water resource education and planning efforts.

Goal B-1, Risk Avoidance

Reduce risks to public health and safety and the loss of, or damage to, public and private property.

Policies

- 9B-1.1 Solutions – Nonstructural storm water measures should be preferred over structural measures.
- 9B-1.2 Priority protection of existing development should take preference over the protection of undeveloped lands.
- 9B-1.3 Planning – Strategies for surface water management should balance engineering, economic, environmental and social factors in relationship to stated comprehensive planning goals and policies.
- 9B-1.4 Community Awareness – The county shall promote community awareness of the importance of water quality and flood hazard



protection through education and outreach in conjunction with planning for water programs.

- 9B-1.5** Surface Water Management Plan – The county shall implement a surface water management plan using master drainage plans, subarea plans, and UGA plans by 2012.
- 9B-1.6** Structural Flood Protection – Dikes, levees, and other structural flood protection facilities should be designed to allow fish passage, protect flows in riparian zones, and complement or enhance the surrounding landscape.
- 9B-1.7** Habitat – Flood protection measures should not result in a long-term net loss of, or damage to, fish and wildlife resources, and wherever possible, should result in increased diversity of habitat.
- 9B-1.8** Natural Drainage – Natural drainage shall be preferred over the use of pipelines or enclosed detention systems, where possible.
- 9B-1.9** Best Management Practices – Storm water runoff from impervious surfaces should be treated by utilizing best management practices (treatment BMPs) before the storm water is allowed to enter the natural drainage system, infiltrate into the ground or enter Puget Sound. Examples of treatment BMPs are, but not limited to: detention ponds, oil/water separators, biofiltration swales and constructed wetlands.
- 9B-1.10** Coordination of Regulations – The county shall work with other jurisdictions and agencies toward standardization and monitoring of regulations that affect storm water management.



Utilities Profile

Introduction

The Growth Management Act requires comprehensive plans to include utilities elements. Skagit County has elected to describe all public and private utilities in this element. This includes public water, sanitary sewer, surface water management, and solid waste, as well as private electrical power, natural gas and telecommunications utilities. The GMA requires comprehensive plans to address these facilities and services in the following manner:

- *Inventory the general location of existing utilities.*
- *Establish the proposed location of proposed utilities.*
- *Examine the capacity of existing and proposed utilities.*

Water

Under state law, water utilities are required to establish procedures for coordinated planning under the framework of a “coordinated water system plan” (CWSP). Skagit County’s CWSP was updated in 1999 and describes the characteristics of the public water service providers in the county. These include “Group



A” systems that serve 15 or more connections or 25 or more people per day for 60 or more days per year. They must meet state and federal Safe Drinking Water Act requirements. In addition, there are a number of “non-expanding” and “Group B” water systems that serve smaller areas and are not required to meet federal standards. The federal and state statutory requirements for water system planning and coordination overlap the GMA. It is important for the County to engage in active planning for water supply as the state Department of Ecology examines water rights issues in the Surface Water Source Limited (SWSL) basins (formerly known as low flow basins). Limitation of these water rights could result in the suppression of water supply, particularly for individual wells in the rural area and therefore limit future development.



Sanitary Sewer

Public sewer service is not provided in rural areas. The Skagit County Health Department and the Skagit Public Utilities District (PUD) have considered the feasibility of providing sanitary sewer service to some areas where public health issues have been raised due to failing on-septic systems, although so far, sewer service has been found to be prohibitively expensive. The Health Department works with these communities to find solutions that utilize improved septic treatment. That process involves testing existing systems and determining solutions to problems, most of which have been resolved.

Within the UGAs, sanitary sewer service is provided by the cities and towns and the PUD. Expansion of these services is implemented as part of the development process.

Drainage

Surface water management within the county includes regulation of new development; county planning, design, construction, and maintenance of facilities; and other facilities such as drainage ditches that are the

responsibility of special districts. Surface water management is necessary for both water quantity and quality. The state requires that the County ensure that surface water is managed in compliance with the Stormwater Management Manual for the Puget Sound Basin and related federal water quality standards. The County's surface water utility collects annual assessments from property owners to pay for some of its operations. However, most drainage projects are the result of road funds and therefore tend to be included in road improvement projects. This includes culvert replacements and "salmon enhancement" projects that are also funded by state and federal programs.

Solid Waste

The County's solid waste management system consists of the collection and delivery of waste including recyclable materials to transfer stations, from which these materials are shipped to remote landfills and processing centers.



Electrical Power

Puget Sound Energy (PSE) is an investor-owned utility providing electrical service to approximately 1,000,000 residential, commercial, and industrial customers in a nine-county, 4,500 square mile service area in western Washington. To provide reliable service, PSE builds, operates, and maintains an extensive electrical system consisting of generating plants, transmission lines, substations, and distribution systems. PSE is regulated by the Washington Utilities and Transportation Commission (WUTC) and is obligated to serve its customers subject to WUTC rates and tariffs.

Utilities Issues

Other than water rights in the low-flow stream basins and isolated instances of septic failures, the public utility services in Skagit County's rural areas have sufficient capacities to accommodate projected growth. Distribution of these services is addressed concurrently with growth and development. The provision of services within the UGAs is coordinated with the cities and towns. The private utilities have not indicated any capacity or distribution issues that have an effect on forecasted growth in the rural area.



Natural Gas

Cascade Natural Gas transmits and distributes natural gas to more than 227,000 residential, commercial, and industrial customers in Washington and Oregon. It also distributes gas to approximately 200 large customers, mostly industrial users buying their supplies from third parties. Cascade Natural Gas owns 5,100 miles of distribution mains, 200 miles of transmission mains, and 3,500 miles of service lines. Subsidiary CGC Resources manages the company's pipeline capacity. The utility obtains its gas mainly from Canadian suppliers.

Telecommunications

Telephone and cable services are provided throughout the county by a number of private utilities. As with electrical power, these providers are regulated by the state. Skagit County coordinates provisions of these services through the development permitting process.



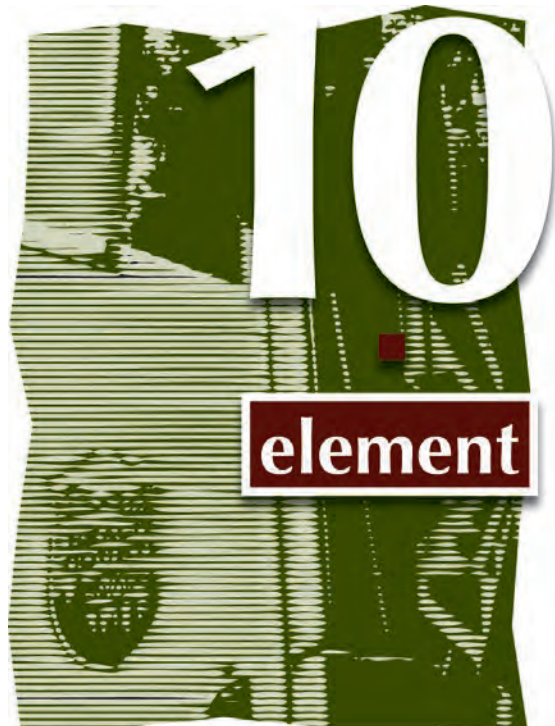
Capital Facilities & Essential Public Facilities Element

Introduction

This Chapter, and the six-year Capital Facilities Plan (CFP), constitute the Capital Facilities Element of the Comprehensive Plan. The CFP is a technical extension of this Chapter and includes: an inventory of County capital facilities; a forecast of future needs; and a six-year financing plan. These policies are designed to ensure that the public facilities necessary to support the County's current and future population and economy are planned for and fully funded. This chapter guides and implements the provision of adequate public facilities as required by the Growth Management Act. Level-of-service (LOS) standards are included for certain public facilities, along with policies to ensure that these facilities are planned for and available to serve growth. Finally, the element includes goals and policies for the establishment of regional, or difficult-to-site facilities referred to under state law as essential public facilities.

Planning for major capital facilities enables Skagit County to:

- *Demonstrate facility needs through adopted level of service standards.*
- *Anticipate capital improvement needs and plan for their costs.*



- *Integrate community capital facility wants/needs into the annual budget process.*
- *Monitor growth and manage development.*
- *Qualify for revenue sources such as federal and state grants and loans, real estate excise taxes and impact fees. This level of planning also enables the county to receive a better rating on bond issues.*

Skagit County is responsible for capital facilities and service levels related to:

- *Public works – County roads/ferry (transportation), surface water management and solid waste disposal*
- *Justice – sheriff and jail facilities, youth & family services and superior and district courts*
- *General government – administration buildings and maintenance facilities*



- *Community – parks and recreation facilities, County fairgrounds and senior services centers*

Capital Facilities Element Source Documents

The source documents primarily used in preparing the Capital Facilities Element are the six-year capital improvement plans prepared routinely and updated annually as required by the State, and which are necessary for obtaining funding from the State. These individual capital improvement plans define projects and proposed funding for those projects required first to rehabilitate existing facilities and secondly to provide level of service (LOS) capacity to accommodate new growth in Skagit County.

Generally, the proposed new capacity, replacement and rehabilitation of capital facilities, and financing for the next six years reflect the general planning goals and policies, as well as land use infrastructure requirements, identified in Skagit County's longer-range planning documents.

These documents include:

- *The Transportation Systems Plan;*
- *The Comprehensive Parks and Recreation Plan;*
- *The Skagit County Coordinated Water Systems Plan, wastewater facilities plans;*

- *Engineering reports for water and wastewater facilities; and*
- *Facilities plans for schools, city facilities, drainage districts, and other service providers.*

GMA Mandate

The GMA goal for capital facilities states:

“Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”

— Washington State Growth
Management Act
Goal 12, RCW 36.70A.020

- *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

Based on the goal, the county and the cities and towns have adopted the following policies:

- *Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations. (CPP 12.1)*
- *All communities within a region shall fairly share the burden of regional public facilities. (The GMA defines regional public facilities as streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities and schools.) (CPP 12.2)*
- *A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities. (The*



GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities and group homes.) (CPP 12.3)

- *Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. The County shall work with the state, cities, communities and utility providers to identify areas of shared need for public facilities. (CPP 12.4)*
- *Lands designated for urban growth by this Comprehensive Plan shall have an urban level of regional public facilities prior to or concurrent with development. (CPP 12.5)*
- *Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere. (CPP 12.6)*
- *Public facilities and services needed to support development shall be available concurrent with the impacts of development. (CPP 12.7)*
- *The financing for system improvements to public facilities to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees. (CPP 12.8)*
- *New development shall pay for or provide for its share of new infrastructure through impact fees or as conditions of development through the environmental review process. (CPP 12.9)*
- *Public water supply for new development shall conform to or exceed the Coordinated Water*



System Plan for public water systems. (CPP 12.10)

- *Future development of land adjacent to existing and proposed schools and other public facilities shall be compatible with such uses. (CPP 12.11)*
- *Library service within the county should be developed and coordinated to assure the delivery of comprehensive services throughout the County, with the county, cities and towns fairly sharing the burden. (CPP 12.12)*
- *A county-wide recycling program shall be developed. (CPP 12.13)*
- *Public drainage facilities shall be designed to control both stormwater quantity and quality impacts. (CPP 12.14)*
- *Skagit County shall provide results of the required six-year capital facilities plan, including a financing plan, and these shall be*



consistent with land use designations. (CPP 12.15)

- *Citizens shall have the opportunity to participate in and comment on proposed capital facilities financing. (CPP 12.16)*
- *The Washington State Boundary Review Board for Skagit County should be disbanded pursuant to RCW 36.93.230 provided that the following tasks are accomplished: (a) that ALL cities and the County have adopted comprehensive plans and development regulations consistent with the requirements of these Countywide Planning Policies and RCW 36.70A, including appropriate urban levels of service for all public facilities and services; (b) that ALL cities and the County have adopted a concurrency ordinance that requires the adopted urban levels of service addressed in (a) above be accomplished in time frames that are consistent with RCW 36.70A.; (c) that special purpose districts that serve UGAs have adopted urban levels of service standards appropriate for their service areas; (d) that ALL cities and the County have an adopted capital facility plan for urban levels of service that indicates sources of revenue and a timeline for meeting such service; and (e) that ALL cities and special purpose districts have in*

place adopted “interlocal agreements” that discuss arrangements for transfer of assets and obligations that may be affected by transference of governance or annexation of the service area consistent with the requirements of applicable RCWs. (CPP 12.17)



■ Capital Facilities

Goal A

Ensure that adequate public facilities are provided to accommodate the needs of Skagit County citizens for the next 20 years by:

- *maintaining level of service standards for capital facilities;*
- *providing consistency among functional plans;*
- *ensuring timely provision and financing of facility improvements; and*
- *taking advantage of revenue sources such as impact mitigation, grants, and loans.*

■ Capital Facility Needs

Goal A-1, Facility Needs

Establish the baseline for the types of capital facilities to be addressed, levels of service, needed capital improvements to achieve and maintain the standards for existing and future populations, and to repair or replace existing capital facilities.

Policies

10A-1.1 Capital Facilities – Capital facilities are publicly-owned lands, buildings, and infrastructure that have an expected useful life of at least 10 years, not including county-owned vehicles, materials and furnishings that are funded through the County’s annual operating budget.

10A-1.2 Capital Facilities Categories –

- a) *Capital facilities owned or operated by Skagit County and subject to the requirement for concurrency including roads, Sheriff’s facilities, and county-owned drainage facilities.*
- b) *Capital facilities owned or operated by federal, state, or city governments, independent districts, or private organizations and subject to the requirement for concurrency including water, fire and sewer, and drainage facilities where applicable.*
- c) *Capital facilities owned or operated by Skagit County but not subject to the requirement for concurrency including parks and recreation, general government, fair, senior services, public safety and solid waste.*



- d) *Facilities owned or operated by Federal, State, or City governments, independent districts, or private organizations but not subject to the requirement for concurrency including schools.*

10A-1.3 Application of Standards – The following application of the LOS standards shall be used by the county in assessing facility needs and financing:

- *Category A facility standards shall apply to development permits issued by the County and shall be used in evaluating future capital improvement programs and budgets.*
- *Category B standards shall apply to development permits issued by the County but shall not apply to the County's annual budget or its Capital Improvements Program.*
- *Category C & D standards shall be the basis for annual reporting but not for development permit review.*

10A-1.4 Urban Water Service Standards – Urban water service provided by a utility and designed to meet the needs of the designated service areas consistent with the Skagit County or City Comprehensive Plan, the Coordinated Water System Plan, and the designated water utility's Water System Plan shall meet the design criteria of the Coordinated Water System Plan.

10A-1.5 Rural Water Service Standards – Rural water service provided by individual wells, community systems, or extensions of urban water systems shall be designed to meet the rural water supply needs of the rural area users consistent with the Skagit County Comprehensive Plan and the Coordinated Water System Plan for rural domestic water supply and fire protection.

10A-1.6 Sanitary Sewer Standards – Except as determined by the County Health Department, urban sanitary sewer service shall only be provided in urban growth areas by cities or county-approved special districts.

10A-1.7 Fire Service Standards – The county shall ensure that adequate fire and emergency medical service facilities are located or planned to accommodate current and future population. Standards for urban levels of fire service shall be consistent with Countywide Planning Policy 1.7. Non-urban fire level of service shall be as follows:

- a) *Fire facilities shall maintain a Washington Survey and Rating Bureau (WSRB), public protection classification No. 8 or better, and fire flow in accordance with the Coordinated Water System Plan (Section 4 – Minimum Design Standards).*

10A-1.8 Park Standards – The county shall use the following standards to determine the need for parks, open space, and recreation facilities as part of its on-going planning:

Regional Parks:	10.45 acres per thousand population
Community Parks:	0.77
Neighborhood Parks:	0.08
Open Space & Undeveloped:	7.70
Special Use Park Land:	N/A
Total:	18.75 acres per thousand population

10A-1.9 Determining Public Facility Needs – Facility needs shall be calculated using current and estimated future demand based on the adopted LOS minus the existing capacity.

10A-1.10 LOS Exceptions – Factors in addition to LOS for calculating needs include:

- a) Repair, renovation, or replacement of existing facilities;*
- b) Provision of facilities exceeding LOS;*
- c) Use of non-capital solutions such as programs that reduce needs or substitute for facilities; reduce demands;*
- d) Replacement of traditional LOS;*
- e) Creation of additional capacity within existing facilities; or*
- f) Support for the provision of services at the end users' locations.*

10A-1.11 Prioritizing Improvements – Capital improvement decisions shall be based on the following criteria:

- a) Safety – elimination of hazards;*
- b) Efficiency – reduction of operational costs;*
- c) LOS – achievement of adopted standards;*
- d) Community – satisfaction of expressed desires; and*
- e) Funding – use of non-county funds.*

10A-1.12 Coordination – All facilities scheduled for construction or improvement in accordance with adopted policies shall be coordinated with any plans of the State, other local governments or junior taxing districts that may have an effect on the County's proposed capital improvement.



- 10A-1.13** Review of Other Providers' Plans – The County shall acknowledge and incorporate the Capital Facilities Plans of other public facility and service providers that are consistent with this Comprehensive Plan.

■ Financial Feasibility

Goal A-2, Financial Feasibility

Provide means to balance needs with available funding.

Policies

- 10A-2.1** Financial Feasibility – The estimated costs of identified capital improvements shall not exceed dependable revenue sources that are available to the County.
- 10A-2.2** Financial Responsibility – Funding for capital facilities shall be from both current and future users depending upon the timing of need.
- 10A-2.3** Current Needs – Capital improvements that reduce or eliminate existing deficiencies; some or all of the replacement of obsolete or worn out facilities; and/or pay a portion of the cost of capital improvements needed by future growth shall be funded by user fees, service charges, special assessments and/or taxes.
- 10A-2.4** Future Needs – New growth shall pay its fair share of capital improvements cost necessary to support its demands. This may include voluntary contributions for the benefit of any capital facility, impact fees, mitigation payments, capacity fees, dedications of land, provision of public facilities, and future payments of user fees, charges for services, special assessments and taxes. These revenue sources shall not be used to pay for the portion of any public facility that reduces or eliminates existing deficiencies.
- 10A-2.5** Financing Policies – Enterprise Funds. Capital improvements financed by County enterprise funds (i.e., water, sanitary sewer, solid waste, stormwater drainage) shall be financed by:
- a) *debt to be repaid by user fees and charges and/or connection or capacity fees for enterprise services;*
 - b) *current assets (i.e., reserves, equity or surpluses, and current revenue, including grants, loans, donations and interlocal agreements), or a combination of debt and current assets.*



- 10A-2.6** Financing Policies – Non-enterprise Funds Capital improvements financed by non-enterprise funds shall be financed from either current assets: (i.e., current revenue, fund equity and reserves), debt, private sources, or a combination thereof. Financing decisions shall include consideration for which funding source (current assets, debt, or both) will be the most cost effective; consistent with prudent asset and liability management; appropriate to the useful life of the project(s) to be financed and efficient use of the County's ability to borrow funds.
- 10A-2.7** Funding by Referendum – If projects requiring voter approval of funding remain unfunded for more than one year after listing in the CFP, the CFP shall be revised at the next annual amendment to adjust for the lack of such revenues. Adjustments can be made by reducing the level of service for one or more public facilities; increasing the use of other sources of revenue; decreasing the cost, and therefore the quality of some types of public facilities while retaining the quantity of the facilities that is inherent in the level of service standard; decreasing demand for and subsequent use of capital facilities; or by combining any of the above alternatives.
- 10A-2.8** Uncommitted Revenue – All development permits issued by the County, which require capital improvements that will be financed by sources of revenue which have not been approved or implemented (such as future debt requiring referenda) may be conditioned on the approval or implementation of the indicated revenue sources, or the substitution of a comparable amount of revenue from existing sources.
- 10A-2.9** Available Revenue and Capital Facilities to Support Land Use – The county shall finance the six-year Capital Facilities Plan within the its financial capacity. If the projected costs exceed the financial capacity the county may elect to adjust level of service standards; revise the land use element; consider other sources of revenue; or select any combination of the preceding, to achieve a balance between available revenue and capital facilities needs.
- 10A-2.10** Alternative Resources – The county shall consider alternative funding sources such as outside service contracts and joint use of capital facilities to supplement capital funding.
- 10A-2.11** Implementation Schedule Changes – Amendments to the schedule of capital facilities may be made in conjunction with Comprehensive Plan amendments or may be concurrent with adoption of or amendment to the County budget where the Board determines that such changes are warranted, and adequate public notice is given.



- 10A-2.12** Project Delays – Project implementation delays that affect concurrency provisions shall only be allowed if other projects can substitute for addressing the need, or the adopted LOS can be reduced to be consistent with the shortfall.
- 10A-2.13** Evaluation of Buildings and Space Improvements – The annual review of the six-year CFP should include the evaluation of buildings and space improvements needed to provide workspace for projected staffing levels.
- 10A-2.14** Ensuring Concurrency – Impacts of development on capital facilities occur when development is authorized. The county shall issue development permits only after it has determined that there is sufficient capacity of Category-A and Category-B public facilities to meet the LOS standards concurrent with the proposed development.
- 10A-2.15** Concurrency Determination – Concurrency of public facilities for new development shall be determined if the facilities and services are, or will be, in place, at the time of permitting, or if the conditions of the permit are that the facilities or services will be in place or the County has a binding commitment for the cost of the facility or service.
- 10A-2.16** Capital Facilities and Concurrency in Municipal UGAs – Capital facility requirements and concurrency within municipal Urban Growth Areas shall be governed by the Capital Facilities Plan and concurrency requirements of the respective municipality.
- 10A-2.17** Capital Facilities and Concurrency in Non-municipal UGAs – Capital facility requirements and concurrency within county-governed, non-municipal UGAs shall be developed for the specific urban growth area using a combination of county- and non-county-provided services at adopted urban levels of service appropriate to the planned urban development.
- 10A-2.18** Land Use Compatibility of Category-A and Category-C Capital Facilities: Public capital facility improvements should be consistent with the adopted land use map and the goals and policies of other elements of this Comprehensive Plan.
- 10A-2.19** Other Capital Facilities Plans – For informational and coordinating purposes the capital facilities plans of cities and special purpose districts, including water purveyors, fire districts, port districts, public utility districts, and others as appropriate are resources for county planning.



■ Citizen Involvement

Goal A-3, Citizen Involvement

Ensure that capital facility planning involves citizens.

Policies

- 10A-3.1** Public Participation in Capital Facility Proposals – A public process that informs, notifies and encourages participation in formulating significant capital facility proposals shall be part of the on-going comprehensive plan amendment or budget processes.
- 10A-3.2** Capital Facilities Financing – Citizens shall have the opportunity to participate in and comment on proposed capital facilities financing.

■ Essential Public Facilities

Introduction

Essential public facilities are capital facilities “typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, and group homes” (RCW 36.70A.200). The County and the cities may also identify additional public facilities that are essential to providing services without which development cannot occur.

These policies guide the process of identifying and siting of essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities.

Goal B

Establish siting criteria and procedures for Essential Public Facilities to ensure that they will not be excluded from Skagit County as long as their siting conforms with this Comprehensive Plan and the County-wide Planning Policies.



Policies

- 10B-1.1** Acknowledgement of County Responsibility – These Comprehensive Plan policies shall not prohibit or exclude the siting of essential public facilities.
- 10B-1.2** Siting Procedures – The County shall use regulations and procedures to identify and site essential public facilities as established by the State Office of Financial Management as follows:
- a) *The state or local government proposing to site an essential public facility shall provide a justifiable need for a public facility and for its location in Skagit County based upon forecasted needs and a logical service area;*
 - b) *The state or local government proposing to site an essential public facility shall establish a public process by which the residents of the County and affected communities and “host” municipalities have a reasonable opportunity to participate in the site selection process.*
- 10B-1.3** Local Compliance – Essential Public Facilities shall be required to meet adopted federal, state, and county land use regulations and be in conformance with this Comprehensive Plan.
- 10B-1.4** SEPA and Concurrency – All State Environmental Policy Act provisions and concurrency of supporting capital facilities shall be addressed as part of any project approval by Skagit County.
- 10B-1.5** Public Process – The review, location, land use, and intensity of a proposed facility, including siting, acceptance, modification or rejection shall be done with public participation.
- 10B-1.6** Review and Comment – Affected jurisdictions, agencies and utilities shall be consulted during project planning and shall provide effective reviews.
- 10B-1.7** Review Criteria – The following criteria shall be considered in the siting of essential public facilities:
- a) *Specific facility requirements for each essential facility are to be determined and identified for the following:*
 - *Minimum acreage;*
 - *Accessibility;*
 - *Transportation needs and services;*
 - *Supporting public facility and public service needs and the availability thereof;*



- *Health and safety;*
 - *Site design;*
 - *Zoning;*
 - *Availability of alternative sites;*
 - *Community-wide distribution of facilities;*
 - *Capacity and location of equivalent facilities.*
- b) *Impacts of the facility:*
- *Land use compatibility;*
 - *Existing land use and development in adjacent and surrounding areas;*
 - *Existing zoning of surrounding areas;*
 - *Existing Comprehensive Plan designation for surrounding areas;*
 - *Present and proposed population density of surrounding area;*
 - *Environmental impacts and opportunities to mitigate environmental impacts;*
 - *Effect on agricultural, forest, or mineral lands, critical areas, and historic, archaeological and cultural sites;*
 - *Effect on areas outside of Skagit County;*
 - *Effect on the likelihood of associated development;*
 - *Effect on public costs, including operating and maintenance.*



Capital Facilities & Essential Public Facilities Profile

Introduction

This section is an overview of the “universe” of capital facilities and services that are necessary to support growth and development in Skagit County. The County’s primary responsibility is to ensure that adequate facilities and services are, or will be, in place to support forecasted growth. This includes county-owned and -operated facilities as well as those of other providers. Within the unincorporated area, the County is primarily responsible for facilities and services supporting community activities, law and justice, solid waste, surface water management, and transportation. Water supply, fire and emergency medical service, schools, sanitary sewer collection and treatment, diking and drainage, transit, and port services are the responsibility of other providers outside of the ownership and management of Skagit County. However, the GMA requires the County to coordinate with these other facility providers’ plans and to recognize them within the Comprehensive Plan.

Skagit County is not responsible for the provision of planning and land use regulation services within the municipal UGAs. However, the County must ensure that public facilities and services are available, adequate



and concurrent with development within unincorporated UGAs and unincorporated municipal UGAs prior to annexation. The Framework Agreement between the County and the cities and towns requires that those jurisdictions plan and implement capital facilities improvements adequate to accommodate growth within their respective UGAs so that concurrency with adopted levels of service is maintained. This requirement provides for the transition of government from the County to the cities, as intended by GMA.

Capital Facilities Planning Process

The GMA lays out the statutory requirements for planning capital facilities to ensure that they are, or can be, available when needed to



accommodate forecasted growth. This includes the regular maintenance of the inventory of existing facilities; assessment of current and future needs based on adopted LOS standards; and plans (including financing) for meeting the needs. The specificity of the needs assessments and plans varies, with more specificity necessary for the immediate future and less for the later years of the 20-year GMA horizon.

Level of Service

For the capital facilities under its authority, Skagit County plans in two ways. The needs-driven approach anticipates capital projects and related financing strategies. This is sometimes called a “wish list.” The revenue-driven approach starts by determining the County’s financial capacity, and then anticipates capital projects that do not exceed available revenues. This is called “financially constrained.” The needs-driven approach may exceed the County’s capacity to pay for the projects it needs to achieve adopted level-of-service standards, and to provide those facilities concurrent with development. On the other hand, the revenue-driven approach may limit the County to capital projects that provide a lower level of service than the community desires.

A hybrid approach that overcomes these problems is the scenario-driven approach. In this approach, two or more scenarios are developed using different assumptions about needs (levels of service) and revenues. The scenarios help to identify the best combination of level of service and financing.

Levels of service are measures of the amount of public facilities that are provided to the community. Levels of service may also measure the quality of public facilities. Typically, measures of levels of service are expressed as ratios of facility capacity to demand (i.e., actual

or potential users). Table 1 lists examples of levels of service measures for some capital facilities. Each level of service standard uses the specific unit quantity that measures the current or proposed level of service. For example, the adopted standard for parks might be 5 acres per 1,000 population, but the current level of service may be 2.68 acres per 1,000, indicating a shortfall of facilities.

Table 10.1 – Sample Level of Service Measurements

Type of Capital Facility	Sample Level of Service Measure
Corrections	Beds per 1,000 population
Fire and Rescue	Average response time
Hospitals	Beds per 1,000 population
Law Enforcement	Officers per 1,000 population, Average response time
Library	Collection size per capita, Building square feet per capita
Parks	Acres per 1,000 population
Roads and Streets	Ratio of actual volume to design capacity
Schools	Students per Classroom
Sewer	Gallons per customer per day, Effluent quality
Solid Waste	Tons (or cubic yards) per capita or per customer
Surface Water & River Levees	Design storm (e.g., 50-year storm), Runoff water quality
Transit	Ridership

Setting The Standards for Levels of Service (LOS)

Because the need for capital facilities is largely determined by the adopted LOS standards, the County has engaged in extensive research and analysis and community outreach to select the standards that are included in the Comprehensive Plan and the Capital Facilities Plan. Level of service standards are measures of the quality of life of the community. The standards should be based on the community’s vision of its future and its values.



When community expectations and desires for facilities and services exceed the County's financial capacity to deliver, the level of service for some facilities may need to be adjusted periodically in order to fully fund existing and planned capital facilities. Ideally, the specific adopted level-of-service standards should be generated in the following process:

- 1) The current actual levels of service are calculated.
- 2) National/regional standards or guidelines and examples of local LOS from other local governments are reviewed.
- 3) Local standards from County studies, master plans, ordinances and development regulations are examined.
- 4) Preliminary recommendations for standards are formulated.
- 5) Scenarios of needed capacity and cost implications of the recommendations are derived.
- 6) The Board of County Commissioners reviews the results.
- 7) Specific capital improvements projects to support the LOS are prepared.

- 8) A draft CFP is prepared using the current LOS as the basis of proposed capital projects, their costs, and a financing plan necessary to pay for the costs.
- 9) The draft CFP is reviewed by the Board of County Commissioners, followed by public hearing(s) and deliberation of the Planning Commission. The Planning Commission then forwards its recommendation to the Board of County Commissioners.
- 10) The Board of County Commissioners adopts levels of service standards as part of the CFP.

The final standards for levels of service are specified in the Capital Facilities policies. These standards are the basis for determining the need for capital improvements and are the benchmark for testing the adequacy of public facilities for each proposed development pursuant to the "concurrency" requirement. The standards can be amended, if necessary, once each year as part of the annual update of the Capital Facilities Plan or amendment of the Comprehensive Plan



Financing Strategies

The process of identifying revenues for the capital facilities financing plan involves:

- 1) Calculating the total costs for each type of public facility.
- 2) Matching existing restricted revenue sources with the related facility types.
- 3) Subtracting existing restricted revenues from costs to identify the unfunded “deficit.”
- 4) Applying additional restricted revenues to the related facility types.
- 5) Allocating unrestricted revenue to unfunded deficits.
- 4) Updating public facilities requirements and capacities analysis (actual levels of service compared to adopted standards).
- 5) Updating revenue forecasts.
- 6) Updating capital improvements project needs for the next six fiscal years.
- 7) Updating the analysis of financial capacity.
- 8) Amending the CFP, and Comprehensive Plan (if necessary), including level of service standards, capital projects, and/or the financing plan sources of revenue.

Implementation of the Capital Facilities goals and policies is dependent upon the constant monitoring of needs, LOS, and concurrency as growth occurs. The County’s annual budget includes appropriations for subsequent fiscal year projects, contained in the schedule of capital improvements. The Capital Facilities Plan is reviewed and updated periodically in conjunction with the budget process, the release of official population estimates and projections by the State Office of Financial Management, any revisions to the County-wide Planning Policies and population allocations. The update is integrated with the Comprehensive Plan update process and includes:

- 1) Revision of population projections.
- 2) Updating the inventory of public facilities.
- 3) Updating the costs of public facilities.

Concurrency System

The County maintains concurrency implementation and monitoring systems that include:

Annual Report on Facility Capacities and LOS

The report summarizes the actual capacity of public facilities compared to the adopted standards for levels of service and forecasts the capacity of public facilities for the six succeeding fiscal years. The annual report provides the initial determination of the capacity and levels of service of public facilities for the purpose of issuing development permits during the next year. Each permit application is analyzed separately for concurrency.

Public Facility Capacity Review of Development Applications

The review of permit applications in the UGAs is conducted according to the terms of the Framework Agreement(s) between the County and the cities and towns. Records of the cumulative impacts of all development permits approved during each fiscal year on the



capacity of public facilities are maintained. The county development regulations provide that permit applications may be denied because of insufficient capacity of public facilities, but that the applications may be resubmitted when the capital facility shortfalls have been addressed.

Review of Changes to Planned Capacity of Public Facilities

The County may amend the Capital Facilities Element goals and policies and the Capital Facilities Plan if the concurrency monitoring process reveals unforeseen issues or circumstances.

Concurrency Implementation Strategies

The County also reviews the concurrency implementation policies and strategies to determine if they are effective.

Impact Mitigation

The County may impose system impact fees or environmental impact mitigation fees on new development consistent with the proportionate impacts that the development may have on the LOS of any or all capital facilities.

Law and Justice

Sheriff Administration

The Sheriff Department provides a full range of law enforcement services, including jail services. The Department consists of 55 sworn Deputy Officers and 30 Sheriff/Jail employees. The Sheriff Administration has 12,000 square feet of office space and jail facilities equivalent to 158 beds. A new regional jail is planned to serve Skagit, Island, and Whatcom counties. Two proposed capital projects with an estimated cost

of \$4,100,000 include expansion of office space into the current County GIS facility (\$100,000), and Skagit County's share (\$4,000,000) of the construction cost of a regional jail facility.

Youth and Family Services

Youth & Family Services consists of the A.R.I.S. (At Risk Intervention Specialists) Administration Building (6,880 square feet) and the Juvenile Detention Center (14,000 square feet and 44 beds). There are no CFP projects proposed.

Courts

The court system consists of four Superior Court courtrooms and three District Court courtrooms located at the County Courthouse in Mount Vernon. There are no current CFP projects but the County is considering the addition of another court which would require additional facilities.

Public Works

Public Works Administration

In addition to its administrative offices, the Public Works inventory includes 21,200 square feet of working area space used for various shops and storage areas for a total of 39,200 square feet. A proposal for construction of a 2,500 square feet salt and bunker shed at a cost of \$150,000 is included.

Solid Waste

The County provides solid waste collection and recycling services through three facilities. No solid waste capital facilities projects are included in the CFP.

Surface Water Management

Surface water management within unincorporated Skagit County includes a





combination of regulations, physical structures, planning efforts, special assessment districts, and quantity and quality control facilities. The ownership, maintenance, and stewardship of drainage facilities take place through a variety of means including:

- 1) Administrative and regulatory measures such as regulations, drainage districts, the Skagit County Drainage Utility, and sub-flood control zones;
- 2) Flood Control measures that include dike districts and the Skagit River Feasibility Study for flood damage prevention;
- 3) Fish passage facilities; and
- 4) Water quality actions that include watershed planning and implementation of state and federal water quality standards.

Community

Capital facilities for community uses include County fairgrounds, senior services, and parks and recreation (trails and open space).

Fairgrounds

The County Fairgrounds consists of a total of 14.0 acres, 2,400 square feet of administrative office space, and 53,092 square feet for other building/exhibition entries. The Plan includes one capital project for various facilities Improvements at an estimated cost of \$600,000.

Senior Services

Senior Services consists of five senior centers located throughout the County, totaling just over 40,000 square feet of space. These centers have a total capacity of about 318,000 visits per year, which is utilized about one-third of the time. No additional facilities are planned.

Parks And Recreation

Skagit County's park system consists of a total of 1,700 acres (developed and undeveloped) of regional and community parkland, playfields and playgrounds, trails, open space, and boat launches. The current inventory does not include any indoor facilities – one is proposed in the CFP. This proposal is for a 40,000 square feet indoor sport court facility. The total proposed parks and recreation facilities include 11 capital projects at a total estimated cost of \$5,538,000, including \$1,970,000 for two recreation facility capacity projects and \$3,568,000 for non-capacity development and improvements projects. Additional information from the Comprehensive Parks and Recreation Plan, adopted in 2004, is provided below.



Table 10.2 – Park Classification Needs

Park Classifications	Standard (acres/1000 people)
Regional Parks	10.45 /1000
Community Parks	.77 /1000
Neighborhood	.08 /1000
Open Space & Undeveloped	7.7 /1000
Special Use Park Land	N/A

Parks and Recreation Plan Summary

The Comprehensive Park and Recreation Plan (CPRP) represents an extensive effort to redefine county policy and establish the vision for the recreational needs of the citizens. The CPRP fulfills a GMA requirement and meets grant funding eligibility criteria required by the State Interagency for Outdoor Recreation (IAC). The CPRP goals and objectives provide the County Parks and Recreation Department with direction for the implementation of strategies and actions for property acquisition, park development, capital improvement planning, and programs for the next six years.

Skagit County Parks and Recreation (SCPR) owns or manages 1,700 acres of parkland, both developed and undeveloped. SCPR-operated parks come in an range of configurations and sizes and provide a variety of activities and functions. They range from small neighborhood parks to large areas of open space and offer many unique recreational

opportunities available to the citizens of Skagit County.

County park land is classified according to size, service area and types of use. These categories are as follows:

Regional Parks

Generally larger sites that offer a variety of unique features or recreational experiences that serve the entire county population and beyond. These may include one-of-a-kind natural, cultural, or historic features, water access, or a concentration of facilities that can accommodate large-scale events.

Community Parks

Generally larger than neighborhood parks and smaller than regional parks. They contain a range of sport fields and facilities and accommodate a variety of features and activities such as open space, swimming, BBQs and picnic areas for larger gatherings.

Neighborhood Parks

Generally small, pedestrian oriented and situated to serve residents of a neighborhood or walkable community. Recreational activities may include both passive and active uses such as basketball or tennis courts and play equipment. Passive uses include open play areas. Passive recreational facilities may include nature trails, picnicking facilities, shelters, park benches, environmental, cultural, or historic interpretive facilities, and parking.

Open Space Parks and Undeveloped Parks

Identified as available for passive outdoor recreation, offering trails for viewing, parking and other limited improvements. Open space and undeveloped parks often allow for passive recreation opportunities in the form

Table 10.3 – Park Inventories

Existing Inventory Park Classifications	Year 2010 Demand*		Need 2010
	Acres	Acres	Acres
Regional Parks	540	1,295	755
Community Parks	49	95	46
Neighborhood	1	9.9	8.9
Open Space & Undeveloped	1,085	954	09
Total	1,675	2,354	679

** Based on a 2010 population of 123,900*



of sightseeing, picture taking, picnicking, beachcombing and other activities.

Special Use Park Lands

Acquired to provide for activities that have specific needs that may or may not be compatible with other uses. Examples include golf courses, off-road vehicle facilities, or shooting ranges.

Level of Service

Table 10.4 – Demand and Need for Park Facilities

Regional Parks	
Current Situation (acres/pop.)	5.14/1,000
Aggregate LOS (acres/pop.)	10.45/1,000
Aggregate acres/105,000	1,097 acres
SCPR Existing Acreage/105,000	540 acres
Need/Difference in Acreage (2003)	557 acres
Projected SCPR Need (2010)	755 acres
Community Parks	
Current Situation (acres/pop.)	.45/1,000
Aggregate LOS (acres/pop.)	.60/1,000
Aggregate acres/105,000	63 acres
SCPR Existing Acreage	49 acres
Need/Difference in Acreage (2003)	14 acres
Projected SCPR Need (2010)	25 acres
Neighborhood Parks	
Current Situation (acres/pop.)	.01/1,000
Aggregate LOS (acres/pop.)	.04/1,000
Aggregate acres/105,000	4.2 acres
SCPR Existing Acreage	1 acres
Need/Difference in Acreage (2003)	3.2 acres
Projected SCPR Need (2010)	4.3 acres
Open Space	
Current Situation (acres/pop.)	10.3/1000
Aggregate LOS (acres/pop.)	7.70/1000
Aggregate acres/105,000	808.5 acres
SCPR Existing Acreage	1085 acres
Need/Difference in Acreage (2003)	(276.5) acres



Economic Development Element

Introduction

The Economic Development Element of the Skagit County Comprehensive Plan is a companion to the Comprehensive Economic Development Strategy (CEDS) that is maintained by the Skagit Council of Governments. The Council is a regional government body charged with a number of activities including the coordination of local economic analysis and planning. The Comprehensive Economic Development Strategy is updated periodically by the Skagit Council of Governments in partnership with the Economic Development Association of Skagit County to address requirements of the Growth Management Act (GMA) and the U.S. Economic Development Administration. The Community Economic Development Strategy provides information on trends, needs, problems and opportunities, and identifies strategies for implementing the goals in this Element. The Economic Development Profile contains a summary of that material.



Growth Management Mandate

The GMA goals are highly interrelated with respect to economic prosperity. For example, transportation is crucial to ensuring the free flow of goods and employees, as discussed further in the Transportation Element. The two GMA goals related most directly to Economic Development are:

- 5) *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention of existing businesses and recruitment of new businesses, recognize regional differences*



impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

- 8) *Maintain and enhance natural resource-based industries including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.*

These goals led to the following Countywide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this Element:

- *The development of environmentally sensitive industries shall be encouraged. (CPP 5.1)*
- *Home occupations that do not significantly change or impact neighborhood character shall be permitted. (CPP5.2)*
- *Economic diversity should be encouraged in rural communities where special incentives and services can be provided. (CPP5.3)*
- *Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource*

areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4)

- *A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations. (CPP 5.5)*

“Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.”

— Washington State Growth Management Act
Goal 5, RCW 36.70A.020

■ *Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles. (CPP 5.6)*

■ *Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long term commercial significance of natural resources and critical areas or rural life styles. (CPP 5.7)*

■ *Agriculture, forestry, aquatic resources and mineral extraction shall be encouraged both within and outside of designated resource lands. (CPP 5.8)*

■ *The primary land use within designated forest resource lands shall be commercial forestry. Residential development shall be strongly*

discouraged within designated forest resource lands. (CPP 5.9)

- *Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial*



agricultural operations and production. (CPP 5.10)

- *Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas, where the principal and preferred land uses will be long term commercial resource management. (CPP 5.11)*
- *Value added natural resource industries shall be encouraged. (CPP 5.12)*
- *Skagit County shall increase the availability of renewable resources and encourage the maximum attainable recycling of non-renewable resources. (CPP 5.13)*
- *Commercial and industrial activities directly related to or dependent on local aquatic resource areas should be encouraged in shoreline areas provided they are shoreline dependent and/or related. (CPP 5.14)*
- *The Comprehensive Plan shall support and encourage economic development and employment to provide opportunities for prosperity. (CPP 5.15)*

Countywide Planning Policies for natural resource industries are included in the Natural Resource Lands Element.

The GMA was amended in 2002 to require local comprehensive plans to contain economic development elements. While this requirement will not be enforced until state funding is made available, Skagit County has included within the Comprehensive Plan an element consistent with the following GMA language:

An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, work force, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs.

The following goals and policies are supported by the analyses and strategies included in the Economic Development Profile.



■ Economic Development

The following goals and policies are supported by the analyses and strategies included in the Economic Development Profile.

Goal A – Employment

Encourage the creation and retention of diverse employment opportunities.

Goal A-1, Industry

Encourage resource-based industries as a major part of Skagit County's economy.

Goal A-2, Living Wage Jobs

Encourage the creation and retention of living wage jobs to meet the needs and demands of Skagit County households.

Goal A-3, Entrepreneurs

Encourage diverse job options and entrepreneurial opportunities for persons interested in full-time and part-time employment or desiring to own their own business.

Goal A-4, Skill Building

Encourage educational opportunities for residents of all ages to develop and upgrade skills required for employment, advancement and entrepreneurship.

Policies

- 11A-1.1** Encourage local business investments that provide economic and employment opportunities for all county residents.
- 11A-1.2** Work cooperatively with local jurisdictions, the Economic Development Association of Skagit County, and federal and state agencies to promote economic development and employment opportunities consistent with countywide economic development policies.



- 11A-1.3** Accommodate home-based businesses that are compatible with the character of adjoining properties and neighborhoods.
- 11A-1.4** Cooperate with education providers and employers to ensure the availability of facilities and programs necessary to meet the needs of K-12, college, vocational and continuing education levels.

■ Commercial and Industrial Development

Goal B – Economic Viability

Promote the continued economic viability of Skagit County's natural resources and encourage related value-added production of agricultural, fishery, and forestry resources.

Goal B-1, Diversity

Complement Skagit County's natural resource industries by encouraging a diversified base of non-resource businesses and industries.

Goal B-2, Capacity

Plan for sufficient buildable industrial lands with access to infrastructure and services to meet the evolving needs of industry.

Goal B-3, Redevelopment

Encourage the re-use of existing industrial sites that have potential for re-use or redevelopment.

Goal B-4, Telecommunications

Encourage low cost, easily accessible, state of the art telecommunications services throughout the county with linkages to nearby counties that are economically tied to Skagit County.

Goal B-5, Recruitment

Promote business recruitment and development of firms that will diversify the local economy and compete effectively in local, national and international markets.



Goal B-6, Retention

Promote the retention and expansion of existing local businesses as a first priority while also promoting the start-up of new businesses, particularly those providing living wage jobs.

Goal B-7, Marine Industry

Recognize the importance of the marine-based economy of Skagit County in the County's Comprehensive Economic Development Strategy.

Goal B-8, Upper Skagit Valley

Strive to stimulate the economy of the upper Skagit Valley through protection of resource-based industry, compatible tourism, and community development strategies.

Policies

- 11B-1.1** Long term commercially significant natural resource industries and operations shall be protected from encroachment by incompatible uses.
- 11B-1.2** In cooperation with the cities, ports, tribes, and users, conduct an inventory of buildable lands suitable for urban and rural commercial and industrial development.
- 11B-1.3** Lands designated for industrial use should be located where they will have ready access to appropriate infrastructure, where environmental constraints will be minimized, and where permitting can be expedited.
- 11B-1.4** Land designated as industrial shall accommodate a mix of uses, and include public and private ownership consistent with market demands and trends.
- 11B-1.5** Maintain cooperative working relationships with local, tribal, regional, statewide, federal and international organizations that pursue economic development activities consistent with the goals and objectives of this economic development element.
- 11B-1.6** Participate in seeking grant funding for the following:
 - *Clean-up of contaminated sites;*
 - *Re-use and redevelopment of infill sites;*
 - *Improvement of infrastructure to support economic development; and*



- *Strategic investment in business recruitment and expansion.*

■ Visitor Services

Goal C – Destination

Support Skagit County as a visitor destination by preserving and enhancing the unique qualities of both rural areas and urban communities.

Goal C-1, Visitor Opportunities

Promote visitor opportunities that do not negatively impact the rural lifestyles of Skagit County residents, critical areas, or long-term commercial significance of natural resources.

Goal C-2, Tourism Attraction

Promote the county's excellent regional location, lodging and retail opportunities and local public transportation options as attractions for tourism.

Policies

- 11C-1.1** Encourage the establishment and maintenance of a countywide convention and visitors' bureau. The bureau would support city efforts to develop and market visitor services and promote the county's regional location, amenities, and services.
- 11C-1.2** Through adopted parks, transportation, and community plans, implement strategic efforts to develop and maintain scenic open space and cultural and heritage resources that are attractive to residents and visitors alike.
- 11C-1.3** Visitor facilities should be sited at locations that can be served with necessary public infrastructure and are compatible with surrounding uses.
- 11C-1.4** Plans for rural area visitor facilities and services shall not conflict with rural lifestyles, critical areas, and the long-term commercial significance of natural resources, and shall be coordinated with appropriate local, state, and federal agencies.



■ Human Services

Goal D – Service Support

Support a full range of human and social services necessary to encourage a strong local economy.

Goal D-1, Human Service Opportunities

Encourage the linkage of job creation needs and opportunities with human and social services including health care, education, transportation, employment assistance, and welfare.

Goal D-2, Access To Services

Encourage sufficient sites for human and social services, and improved access to those services, to meet the needs of Skagit County employees and employers.

Goal D-3, Facilities

Support development and maintenance of human and social service facilities through funding decisions and land use codes.

■ Conservation And Economic Development

Goal E – Quality Of Life

Encourage economic development that supports sustainable natural resource industry, protects valued open space and environmental quality and enhances Skagit County's overall quality of life.

Policies

- 11E-1.1 Encourage businesses to recycle, use, or manufacture products made from recycled materials and use innovative processes that conserve natural resources and protect or enhance environmental quality.
- 11E-1.2 The community planning process may be used to address conflicts between development and environmental objectives. These processes shall involve participants representing all interests and viewpoints.



■ Transportation And Economic Development

Goal F – Transportation Improvements

Acknowledge economic development needs in formulating recommendations for improvements to transportation facilities and services.

Goal F-1, Infrastructure

Work with ports, economic development organizations, cities, transportation providers, and agencies to provide the infrastructure necessary to facilitate a sustainable county economy.

Goal F-2, Marine Economy

Recognize the importance of the marine-based economy of Skagit County in the Comprehensive Economic Development Strategy (CEDS).

Goal F-3, Ports

Support the economic and job-creating activities of the port districts to ensure their long-term viability.

Policies

- 11F-1.1** Encourage the Washington State Ferry System to maintain ferry services from Anacortes to the San Juan Islands and Vancouver Island, B.C., in order to provide for commerce and tourist trade in and through Skagit County.
- 11F-1.2** Support the Port of Anacortes in its efforts to more fully utilize the Port's deep draft marine terminal for trade, commerce and related economic development.
- 11F-1.3** Strive to keep Highway 20 open to eastern Washington throughout the year, if economically feasible, in order to stimulate the economy of the economically distressed upper Skagit Valley.



■ Business And Investment Climate

Goal G – Public-private Partnerships

Foster a public-private cooperative partnership involving government and tribal organizations through the Skagit Council of Governments, and private stakeholders through the Economic Development Association of Skagit County, to support diverse business operations and investments throughout Skagit County.

Goal G-1, Public Investment

Encourage public investments aimed at maintaining a high quality of life and attracting business investment.

Goal G-2, Anticipate Change

Recognize the need for flexibility in promoting economic development to be responsive to unforeseen or changing economic conditions and community expectations.

Goal G-3, Intergovernmental Coordination

Implement permitting procedures that are understandable, predictable, and can be accomplished within time periods that meet or exceed statutory requirements. Procedures for permitting that require approvals of both the County and other jurisdictions should be consistent.

Goal G-4, Fiscal Impact

Encourage economic development that creates a net positive fiscal impact for Skagit County.

Policies

- 11G-1.1** Link County capital facility planning and programming to the Comprehensive Economic Development Strategy (CEDS) to sustain a high quality of life and attract business investment.
- 11G-1.2** Monitor and evaluate constraints to economic development caused by regulations and permitting procedures and implement revisions, if necessary, at least every seven years as part of the GMA update.



Coordinate with other (federal and state) permitting agencies to simplify procedures.

- 11G-1.3** Maintain a growth management indicators monitoring program to measure progress in economic development initiatives in coordination with the Skagit Council of Governments and the Economic Development Association of Skagit County. The indicators program report should be updated at least every 3 ½ years to coincide with the seven-year GMA update schedule.
- 11G-1.4** Consider as part of the County's budgeting process outside funding sources such as grants, as well as careful fiscal needs analyses in order to ensure that tax revenue generation is competitive with other jurisdictions.
- 11G-1.5** Support the work program of the Skagit Council of Governments to update the Comprehensive Economic Development Strategy as least every three years to identify needs and solutions for transportation, human services, environmental protection, community development and other elements that support improvements to the location economy.
- 11G-1.6** Implement the Comprehensive Economic Development Strategy to build local capacity for sustained economic development.



Economic Development Profile

Introduction

This profile includes a summary of analyses and strategies that support the goals and policies in the Economic Development Element. The source of this information is the Skagit County Comprehensive Economic Development Strategy, maintained by the Skagit Council of Governments. This profile, together with the economic development chapter containing goals and policies, fulfills the County's obligations under the GMA to include an economic development element in the Comprehensive Plan.

Background Summary

Demographic Profile

As of 2005, Skagit County's population was estimated at 110,900 by the state Office of Financial Management (OFM). This represents an average annual increase of 1.5% since the 2000 Census, significantly slower than the 2.6% average annual population growth rate the county realized during the 1990s. The county's largest cities are Mount Vernon (over 26,200 residents in 2000), Anacortes (14,600), Sedro-Woolley (8,700) and Burlington (6,800).



Growth projections for 2025 allocate the highest growth rates to Mount Vernon and Sedro-Woolley, and the significantly smaller East County towns of Concrete and Hamilton. Table 1 below shows average annual growth rate.

Average annual population growth is generally expected to slow for all jurisdictions after 2000. Annual projected growth rates from 2000 – 2025 range from around 1.0% (Anacortes, La Conner, and unincorporated regions of the County) to 2.1% for Mount Vernon and 3.1% for the County's unincorporated urban growth areas (UGAs). The County average annual growth rate is projected to be 1.5% through 2025. Table 2 below shows population projections through 2025 for Skagit County.



The county's housing costs have responded to its rapid 1990s growth rate, with median home values rising 88% in that decade (compared with 70% for the state as a whole). Rents have also increased dramatically, more than double the rate of any other I-5 corridor county. This is in part due to the county's low rental costs in 1990. More information on housing costs is located in the Housing Profile.

Incomes have also risen rapidly in comparison. In 2002, county median household income averaged \$42,400. This was 93% of the statewide median income, up from 91% in 1990. The largest household income gains were seen in Burlington, La Conner and Sedro-Woolley. Poverty declined in almost all Skagit County jurisdictions during the 1990s, with the exception of Concrete, Hamilton and La Conner. Table 3 below shows household income and percentage of households below poverty level.

Trends

Skagit County remains tied to the natural resource industries that were the basis of its early economic activity – today less so than in past years. This natural resource based legacy

led to high unemployment in the 1970s and 1980s, an era that saw downturns in the timber products and food processing industries.

Employment

The county has diversified since then, with the largest sectors now being retail, government and services. These sectors, along with finance, insurance and real estate, were also the fastest growing sectors during the 1990s. Jobs increased at an average annual rate of 3.2% during that period, down slightly from the 1980s rate of 3.6%. Both rates were higher than population growth rates.

In December 2004, county unemployment was 6.4%, above the average for the state and other I-5 corridor counties. However, the gap between unemployment in Skagit County and surrounding geographies has narrowed over the past several years. All non-agricultural employment sectors except wholesale trade had net increases in employment over December 2003.

When compared to surrounding Northern Puget Sound counties, Skagit County's manufacturing base has done well: 3.7% growth from 1990-2001, versus 0.9% for the

Table 11.1 – Skagit County Population Trends

Jurisdiction	1980	1990	2000	Average Annual Growth Rate	
				1980-1990	1990-2000
Cities and Towns					
Anacortes	9,013	11,451	14,557	2.4%	2.4%
Burlington	3,894	4,349	6,757	1.1%	4.5%
Concrete	592	735	790	2.2%	0.7%
Hamilton	283	228	309	-2.1%	3.1%
La Conner	660	686	761	0.4%	1.0%
Lyman	285	275	409	-0.4%	4.0%
Mt. Vernon	13,009	17,647	26,232	3.1%	4.0%
Sedro-Woolley	6,110	6,333	8,658	0.4%	3.2%
Unincorporated Area	30,292	37,841	44,506	2.3%	1.6%
Skagit County	64,138	79,545	102,979	2.2%	2.6%
State of Washington	4,132,156	4,866,663	5,894,121	1.6%	1.9%



Table 11.2 – Skagit County Population Projections

Jurisdiction	2000 Population	Location	Adopted 2025 Allocation	Increase by 2025	
				Number	Percent
Cities					
Anacortes	14,647		18,300	3,653	25%
Burlington	8,728		12,000	3,272	37%
Concrete	960		1,350	390	41%
Hamilton	309		450	141	46%
La Conner	761	I-5 Corridor	950	189	25%
Lyman	409		550	141	34%
Mt. Vernon	28,332		47,900	19,568	69%
Sedro-Woolley	10,358		15,000	4,642	45%
Subtotal Cities and UGA	64,504		96,500	31,996	50%
UGAs					
Snohomish	2,664	I-5 Corridor	3,650	986	37%
Bayview	1,700		5,600	3,900	229%
Subtotal UGAs	4,364		9,250	4,886	112%
Total Urban	68,868		105,750	36,882	54%
Total Rural	34,110		43,330	9,220	27%
Total Skagit County	102,978		149,080	46,102	45%

Northern Puget Sound, and a jobs decline of -1.0% for the I-5 corridor counties. In fact, the only sectors that grew more rapidly in surrounding counties were wholesale trade, construction and mining – also true for all of the I-5 corridor counties.

The largest factor affecting the Northern Puget Sound region is Boeing, given that transportation manufacturing jobs account for half of all manufacturing jobs in the Seattle metro area. Employee cuts due to the post-September 11 travel downturn and increased competition from Airbus ripple through the state at an estimated rate of 2.8 jobs for every Boeing job. The state's economic recovery is expected to be tied to manufacturing, high technology and international trade activities. Table 4 below shows Skagit County employment trends by industry from 1980 to 2001.

Agriculture

Agriculture is the county's largest industry, with an estimated 2001 production value of more than \$260 million. Historically, the county has generated 50% of the world's cabbage seed production, upwards of 85% of the nation's beet seed production, and 75% of the world's spinach seed production. Other significant crops include raspberries, strawberries, broccoli, potatoes, tulips, and daffodils. Skagit County ranks fourth in the state for number of dairy cows, and fifth for commercial broiler chickens.

Agricultural trends over the last two reported Censuses of Agriculture (1997 and 1992) indicate both continued strength and some threats to the industry. Total acreage in farmland increased over this time period, and while farms grew larger – resulting in a smaller total number of farms – Skagit County farms are still on average far smaller than farms



elsewhere in Washington (an average of 131 acres, versus 523). Farmland is also valued much higher, at an average estimated market value of \$4,600 per acre (for both land and buildings), versus the statewide average of \$1,200 per acre.

A troubling trend is the economic loss experienced by 50% of all farms between 1992 and 1997. In 2003, a drop in the market value of milk, below the break-even production price, threatens to prolong economic losses, and will likely result in the closure of some of the county's many dairy farms.

Forestry

In terms of land area, forest resources are the county's dominant natural resource (over 53% of county land). The county's timber harvest peaked in 1986; the 2001 harvest yield was 62% or 122 million board feet below the 1986 peak. Forest jobs have dropped by a lower percentage (43%) from their peak in 1989; 685 jobs were reported for 2001.

Fishing

Fishing is a third natural resource industry of importance to the county. However, commercial fisheries activity has declined significantly in recent years, due to low market prices, over fishing, and catch restrictions. Restoration of habitat cooperative projects has been on-going and will continue in the future.

Commercial and Industrial Activity

Ensuring sufficient available land for industrial development is a key objective of economic development and of the county's 2002 Growth Management Indicators Report. In 1996 – the most recent inventory available – there were 2,256 developable industrial and commercial acres, meaning the land is accessible, served by appropriate infrastructure, and lacking significant environmental constraints.

Primary industrial properties in the county include the Bayview Industrial Park (roughly 240 vacant acres), Bouslog Business Park, Skagit Air Industrial Development, Burlington Hill Industrial Park, the City of Anacortes Industrial Park, the former Crown Pacific Mill site (with up to about 60 acres near Hamilton),

Table 11.3 – Household Income & Households Below Poverty Level (1990, 2000)

Jurisdiction	Median Household Income			% HHs Below Poverty Level		
	1990	2000	Increase	1990	2000	Change
Anacortes	\$28,919	\$41,930	45%	11.6%	7.8%	-33%
Burlington	\$22,437	\$37,848	69%	12.8%	12.2%	-4%
Concrete	\$23,529	\$29,375	25%	13.4%	14.2%	6%
Hamilton	\$19,844	\$31,500	59%	16.1%	24.1%	50%
La Conner	\$25,054	\$42,344	69%	6.4%	8.8%	37%
Lyman	\$23,125	\$34,318	48%	13.6%	13.4%	-1%
Mt. Vernon	\$27,022	\$37,999	41%	13.2%	13.2%	0%
Sedro-Woolley	\$23,606	\$37,914	61%	13.7%	11.9%	-13%
Skagit County	\$28,389	\$42,381	49%	11.5%	9.5%	-17%
State of Washington	\$31,183	\$45,776	47%	10.9%	9.8%	-10%

Source: 1990 U.S. Census



Table 11.4 – Skagit County Covered Employment Trends, by Industry (1980, 2001)

Employment Sector	Actual Employment Totals				Average Annual Increase (%)		
	1980	1990	2001	Actual Change	1980-1990	1990-2001	1980-2001
	1980	1990	2001	1980-2001	(10 years)	(11 years)	(21 years)
Agriculture ¹	2,132	2,817	3,621	1,489	2.8%	2.3%	2.6%
Mining	17	28	34	17	5.1%	1.8%	3.4%
Construction	1,406	2,302	2,815	1,409	5.1%	1.8%	3.4%
Manufacturing	3,777	4,081	5,813	2,036	0.8%	3.3%	2.1%
TCPU ²	1,044	1,427	1,704	660	3.2%	1.6%	2.4%
Wholesale Trade	751	1,092	1,300	549	3.8%	1.6%	2.6%
Retail Trade	4,462	7,129	9,300	4,838	4.8%	2.4%	3.6%
Fire ²	661	945	1,298	637	3.6%	2.9%	3.3%
Services	3,218	5,408	8,789	5,571	5.3%	4.5%	4.9%
Government	4,536	5,782	9,296	4,760	2.5%	4.4%	3.5%
Total Employment	22,004	31,011	43,970	21,966	3.5%	3.2%	3.4%

and 400 commercial industrial acres in south Mount Vernon. As part of the 2005 Growth Management Update, the county and cities have updated the estimated land demand for commercial and industrial uses to the year 2025. These are described in the Land Use Element.

Infrastructure

Skagit County's sewer service is provided by six cities, three communities, and two sewer districts; all entities either have or are in the process of obtaining sufficient capacity through 2015. In 2005, the City of Sedro-Woolley instituted a building moratorium in parts of the city due to insufficient sewer capacity. The county's water supply is also generally good, in terms of groundwater quality; however, many of the county's independent water systems have insufficient fire flows. In 2005, the state Department of Ecology proposed draft rules for "low flow" water wells that may further affect water availability in the rural area. Many of the

capital improvement projects listed in the Capital Facilities Element address this issue.

Transportation infrastructure now serves higher traffic levels, especially of passenger vehicles, than in 1990. This increase is associated in part with new residential and commercial development, and the dispersed pattern of that development, as well as increased tourism. The most significant infrastructure needs are investments to I-5 and Highway 20, and increased bridge capacity over the Skagit River.

Strengths, Weaknesses, Opportunities and Threats

The Comprehensive Economic Development Strategy planning process included an assessment of factors that form the basis for the overall economic development strategy. This assessment produced the following conclusions:



Skagit County Strengths

Community characteristics that make Skagit County a good place to do business or invest, as well as to live, work and recreate, also are a good basis from which to achieve the community's vision for economic development. These include:

- 1) Diverse natural resources make Skagit County a good place to live and continue to provide economic opportunity.
- 2) Location midway between Seattle and Vancouver, B.C., has placed Skagit County at the heart of the Pacific Northwest's most dynamic growth corridor.
- 3) A skilled local workforce is available to support a wide variety of industrial, commercial and institutional activities.
- 4) Skagit County's commitment to environmental protection provides a quality of life not available elsewhere on the Puget Sound/I-5 corridor.

- 5) Strong inter-jurisdictional and public-private partnerships have been forged to facilitate coordinated delivery of public services.

County Weaknesses

Local conditions may limit the extent or speed with which countywide objectives for economic development can be realized. Six weaknesses or areas of concern are noted:

- 1) Housing is becoming less available and affordable as Skagit County faces increasing population growth pressures.
- 2) Despite strong growth in labor force and the local job base, out commuting has increased.
- 3) Educational attainment and social issues are growing sources of concern in the face of employer demands for a more skilled workforce.
- 4) Physical infrastructure remains inadequate to remedy existing deficiencies and address new needs from growth.



- 5) Faced with difficult and complex issues, it is more challenging to build consensus on a common course for the future.
- 6) Recent job growth has been concentrated in the lowest paying industrial sectors.

External Opportunities

The following include major characteristics of Skagit County's location and economic potential that are important in the larger region:

- 1) Puget Sound and Pacific Rim markets.
- 2) Footloose business and industrial firms.
- 3) Recreation, convention and resort development.
- 4) Value-added natural resource business.

External Threats

Five conditions or concerns that could undermine local economic stability are identified as posing potentially significant issues for Skagit County's economic development both short and long-term:

- 1) Federal, state and local regulatory requirements.
- 2) Urban sprawl.
- 3) Federal endangered species listing of Chinook Salmon.
- 4) Passage of Initiative 695 – reduction of automobile license tab fees.
- 5) National Frozen Foods relocation.
- 6) Diminishing public sector budgets.
- 7) Potential limitation of water rights.

Development Strategy

Skagit County's development strategy links the assessment of local economic potentials, goals and objectives with resulting programs,

Table 11.5 – Targeted Strategic and Joint Sponsorship Proposals

Project	Priority	Cost	Funding
Strategic Proposals			
1. Three-Bridge Corridor	Mid-Term		Federal, State, Burlington Northern Santa Fe, Local
2. Flood Protection/ Salmon Restoration	Mid-Term	\$8,345,000 Feasibility; \$221,000,000 Design & Construction	Federal, State, Local
3. Northern State Complex Development	Mid-Term	\$15,000,000 (Phase 1); Phase 2 to be determined	Federal, State, Local, Private
4. Josh Wilson Road	Long-Term	\$920,000	State, Local
5. Peterson Road	Mid-Term	\$2,500,000	State, Local
Joint Sponsorship Proposals			
1. South Bayview UGA Sewer Extension & McFarland Road Extension		\$1,946,168	Public Facility Grants, Private
2. WSU Mount Vernon Research & Extension Unit Revitalization		\$5,000,000	Public Facility Grants, WSU, Private



activities and projects described by the implementation plan. The development strategy also is an overall guide to future actions, recognizing that specific projects in the implementation plan may change on an annual basis in response to changing needs or opportunities.

This development strategy represents a multi-year course of action for economic development and diversification activities in Skagit County. This countywide development strategy also reflects a continuing planning process which seeks to balance governmental jurisdiction, private business and citizen interests.

This development strategy sets a multi-year course of action for meeting stated economic development goals and objectives as well as countywide planning policies. Growth and development occur in incremental steps, and there are only limited public and private resources to address economic needs and opportunities throughout Skagit County. Consequently, implementation of this strategy by governmental jurisdictions, the Skagit Council of Governments, the Economic Development Association of Skagit County, and private and community interests will also occur incrementally.

The 2003 Comprehensive Economic Development Strategy lists 222 economic development project proposals. This is more than twice the number of projects included in the 2000 update. All projects in this listing may be forwarded for further consideration by the U.S. Economic Development Administration (EDA), the Washington Community Economic Revitalization Team (WA-CERT) and other funding entities.

The County identified five strategic proposals and two joint sponsorship proposals, presented in Table 5. The other projects were submitted by the ports and cities.

The County, the Economic Development Administration, and the Skagit Council of Governments should work together to update the Comprehensive Economic Development Strategy and further engage in monitoring of progress.



Plan Implementation & Monitoring Element

Putting the Plan Into Action

The Skagit County Comprehensive Plan provides a legally recognized framework for making decisions about land use in the unincorporated areas of Skagit County. It is intended to aid a broad range of public and private users, including property owners, the general public, community groups, developers, Skagit County officials, and other government agencies in making choices and decisions that may affect the quality of life in Skagit County. Responsibility for putting the Plan's policies into action relies on an understanding of several characteristics of the Comprehensive Plan:

It is a declaration of the community's vision, standards and expectations for future growth and development. The Plan's general goals and policies inform the purpose and intent of more specific land use and development regulations, and contribute to a more stable and predictable setting for economic and community development.

It guides the development of additional community plans and implementing regulations. The Plan is the framework for more detailed plans and regulations for Rural



Villages and other limited areas of more intensive rural development. These more detailed community plans and regulations consider specific local circumstances that may be unique to certain areas of unincorporated Skagit County.

It guides the provision of public facilities and services by integrating land use, infrastructure and human service delivery. The Comprehensive Plan provides the framework for decisions about public facilities and services (such as where facilities should be located to support planned growth). The Plan directs public spending to areas where growth is targeted.

It provides regional coordination and consistency with other jurisdictional planning efforts. The intent is that other public agencies (local, regional, state, federal, and tribal),



in cooperation with Skagit County, use the Comprehensive Plan in conjunction with the Countywide Planning Policies as a regional perspective or guidepost when developing other plans and growth policies, and when making project decisions.

It allows for citizen participation and involvement. Comprehensive planning is an evolving process which allows for periodic review and updates in response to changing community goals and vision as articulated by citizens, businesses, and interested organizations.

Implementation Themes

The County's role in the overall regional growth management implementation process involves several major activities, all of which are discussed further in various sections of the Plan:

- *City/County coordination – Within an agreed-upon framework, the County works with the cities and towns to address growth and development in the Urban Growth Areas through the coordination of public infrastructure investment and permitting activities, and the forecasting and monitoring of growth to ensure that adequate land is available for future urban needs.*
- *Regional economic development – The County is a partner with the Skagit Council of Governments and the Economic Development Association of Skagit County in maintaining a program for retaining and attracting businesses that generate revenue and jobs.*
- *Regional transportation planning – The County is a partner in the Skagit Council of Governments Regional Transportation Planning Organization and the Metropolitan Planning Organization, charged with*

planning for public investment in highways and other facilities.

- *Community planning – The County works with the various rural communities within unincorporated Skagit County to establish planning priorities and timelines for developing more detailed community plans.*
- *Monitoring – Within the limits of available funding and technology Skagit County monitors and collects new data, or acquires existing data to establish meaningful benchmarks and indicators to assist in planning decisions. Public input plays a significant role in this process.*

Periodic Review of the Comprehensive Plan

Amendments to the Comprehensive Plan must retain the broad perspectives articulated by the community, and remain consistent with the intent of the Growth Management Act. Over time, changes in law, population and growth trends, economic conditions, and public perspectives and opinions may change. Periodic review of the Comprehensive Plan ensures, to the extent possible, that the Plan reflects and acts upon these changing circumstances.

The Comprehensive Plan is reviewed and amended periodically, according to several review cycles:

- *Seven-year Urban Growth Area Review: Beginning in 2006, and at least every 7 years thereafter, the County and cities and towns are to review designated UGA boundaries, densities, and patterns of urban growth, and revise the boundaries and permitted densities as needed to accommodate the urban growth projected in Skagit County for the succeeding 20 years.*



- *Seven-year Update: Beginning in 2005, and every 7 years thereafter, the Comprehensive Plan, the land-use/zoning map, and implementing development regulations are to be reviewed, and if needed, revised to ensure they comply with the Growth Management Act. This review incorporates new data, changes in law, or changes in local circumstances that come to light through early and continuous public participation.*
- *Annual Amendments: Incremental changes to the Comprehensive Plan may be necessary to address unforeseen circumstances, or to re-balance land-use designation criteria for a particular parcel or area of land. The Comprehensive Plan may only be amended once annually, except for exceptions allowed by the Growth Management Act.*

Comprehensive Plan Amendment Process

General Requirements

Amendments to the Comprehensive Plan must be supported by findings from monitoring of growth management and economic indicators, changes in law, omissions or errors, or declared emergency. Comprehensive Plan amendments may be initiated by the County or by other entities, organizations, or individuals according to the process and procedures specified in Skagit County Code.

The docketing cycle for these amendments is initiated by an official notice that specifies the requirements for public participation; submittal requirements; procedures for determining the docket of amendment proposals to be reviewed in a given amendment cycle; and the steps that will be taken to reach the final amendment decision.



Comprehensive Plan amendments will be considered no more frequently than once per year, except for the adoption or amendment of a shoreline master program pursuant to RCW 90.58, the initial adoption of a community plan (subarea plan), or other exceptions as may be allowed by law. The County may consider adopting amendments more frequently than once per year if a declared emergency exists. An emergency amendment may only be adopted if the Board of County Commissioners finds that the amendment is necessary to address an immediate situation of federal, state, countywide, or local concern, as opposed to a personal emergency on the part of the applicant or property owner, and if the situation cannot adequately be addressed by waiting until the annual comprehensive plan amendment process.



The boundaries separating the Urban Growth Area, Rural and Natural Resource Lands designations are intended to be long-term and unchanging. Amendments or changes to natural resource lands and critical area designations should be based on changes in law or local circumstances, errors in designation, or new information on natural resource lands or critical areas.

Seven-year Urban Growth Area Review

Urban Growth Areas (UGAs) include incorporated cities and towns, combined with whatever surrounding unincorporated area is necessary to accommodate urban growth projected to occur over 20 years. Beginning in 2006, and every 7 years thereafter, Skagit County and its cities and towns must assess the respective Urban Growth Area boundaries and densities, and revise their comprehensive plans and development regulations as necessary to accommodate the urban growth projected to occur in Skagit County for the succeeding 20-year period.

Skagit County and the cities and towns periodically review and update a 20-year population and employment forecast. Timing of this update may be adjusted as necessary to best utilize U.S. Census and Washington State Office of Financial Management data, and for the convenience and benefit of other update cycles requiring such data.

Procedures, timelines, and fees for requesting an amendment to an Urban Growth Area are specified in Skagit County Code. Generally, Skagit County requires that:

- *Proposals to amend an Urban Growth Area boundary may only be accepted once every 7 years. More frequent amendments to Urban Growth Areas may be requested by a city*

or town to address errors or omissions, or in response to a declared emergency.

- *Proposals must be submitted to Skagit County at least six months in advance of the regular annual amendment deadline specified in Skagit County Code. Skagit County will transmit petitions to the respective cities and towns for their review.*
- *Applicants for Urban Growth Area boundary changes must demonstrate compliance and consistency with the Land Use Element requirements for designating Urban Growth Areas.*

Seven-year GMA Update

The update of the Comprehensive Plan, map and development regulations is made official through legislative action of the Board of County Commissioners. However, the planning process leading up to the Board's action is ongoing – the next cycle beginning shortly after the last one ends.

Comprehensive Plan policies guide the establishment of more detailed facility plans, regulations, and programs, which may require periodic updates and review according to timelines that may not always coincide with the 7-year update. Between each 7-year update new laws and policies, legal decisions, implementation measures, data and other information may raise the need to amend or update certain portions of the Comprehensive Plan, the land-use/zoning map, development regulations, or supporting plans and studies to maintain consistency and relevance.

Amendments that occur between the 7-year updates, in effect, keep the Comprehensive Plan and development regulations continuously up to date. At the end of the 7-year cycle, these various amendments are reviewed and incorporated into the official action by the Board of County Commissioners to affirm



that the Plan and regulations are updated. Any actions that may be further necessary, but cannot be completed by the end of the 7-year cycle, are identified in a work program for the succeeding 7 years.

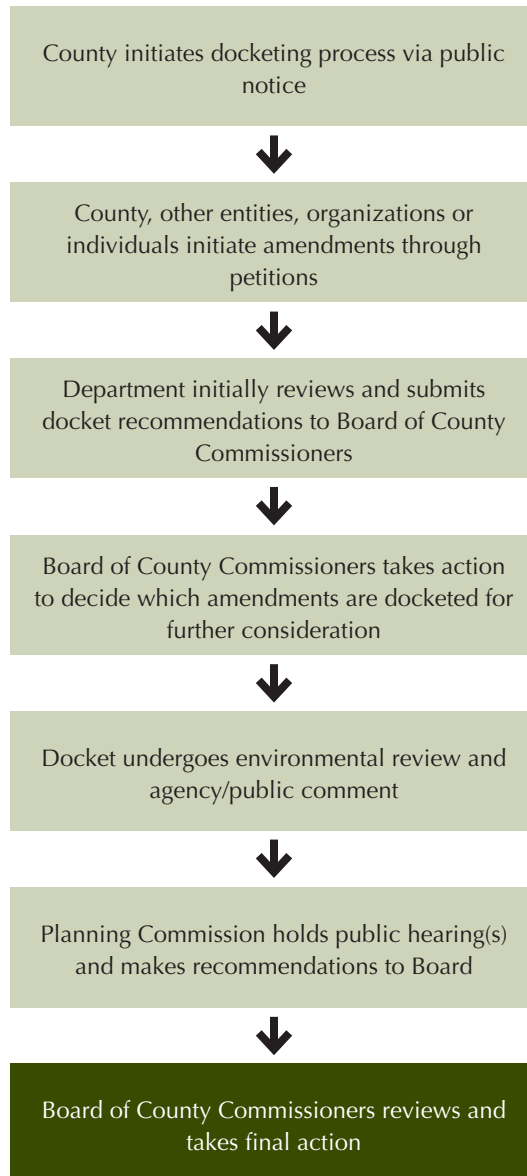
The final year of a 7-year update cycle may be combined with the coinciding regular annual amendment cycle to ensure cumulative review, consistency and convenience. Flexible submittal requirements, suspension of application fees and other measures may be used during this 7th year to encourage broad public participation. Such flexible requirements may not supersede State Environmental Policy Act (SEPA), Planning Commission and Board of County Commissioner public notification and other procedural requirements and deadlines. Depending on staffing and budget constraints, Skagit County may choose to not initiate other major planning projects or programs during this final year of the update cycle.

Annual Comprehensive Plan Amendments

The Comprehensive Plan may be amended once annually (with exceptions as allowed by law) to ensure consistency with development regulations and supporting plans, such as community, facility and other functional plans. Amendments may also be necessary to address changes in local circumstances, and to rebalance existing land-use designation criteria for a specific parcel or group of parcels in light of new information.

Figure 1 outlines the general steps in amending the Comprehensive Plan. These steps are discussed below, and are described in more detail in Skagit County Code.

Figure 12.1 – Annual Comprehensive Plan amendment process



General Amendment Process Requirements

■ *Fees. The petitioner shall pay the application fees specified in an adopted fee schedule, unless waived by the*

Board of County Commissioners during the 7-year update.



- *Petition. The petitioner shall submit a written application, on forms provided by the County, containing appropriate amendatory language and, if applicable, a map showing the proposed change. The petitioner shall also address how the proposal is consistent with Comprehensive Plan policies or land-use designation criteria.*
- *Timing. Petitions shall be submitted by the date specified in the docketing announcement. Petitions received after the deadline will be processed with proposed amendments in the following year.*
- *Docketing for Further Consideration. According to procedures and timelines specified in Skagit County Code, the Department will evaluate each complete application to determine whether the proposal, if included in the annual docket for further consideration, would adversely affect the County's budget; require additional amendments to policies or regulations; be more appropriately addressed as part of a separate work program; or not be approvable due to some legal or procedural flaw in the proposal. Following the Department's recommendation on these considerations, the Board of County Commissioners will conduct a public meeting or hearing to consider whether or not to include each proposal in the year's docket of proposed amendments. A decision by the Board to include or exclude an amendment from the annual docket is final, procedural only, and does not constitute a decision by the Board as to whether the amendment will ultimately be approved. Applicants whose proposals were not included in the docket are free to resubmit the same or modified proposals in a future year's amendment cycle.*
- *Environmental Review. If the Board approves for the docket the amendment proposal, the petitioner shall submit an environmental checklist, and fees as specified in an adopted fee schedule, within a time specified in*

Skagit County Code. After receipt of the environmental checklist, fees, and supporting documentation the County will issue an environmental threshold determination on the proposed amendment(s). If the threshold determination finds that there may be significant adverse environmental impacts, a Draft Environmental Impact Statement may be required.

- *Process. Amendment docketing, processing, public and agency review and participation, notification, public hearings, and final actions shall be as specified in Skagit County Code, and in accordance with other local and state laws, and this Comprehensive Plan.*



Monitoring Plan Effectiveness

The effectiveness or success of the Comprehensive Plan is measured or monitored in several ways, including through the collection and evaluation of land use development trends and policies. Certain data, such as population, age, family size, cost and number of housing units, school enrollments, building permits, and others, contribute to an understanding of how these factors relate to public policies and programs.

Regular collection, evaluation, and reporting of data assists County policy- and decision-makers, and the public, in identifying whether the Plan's policies are furthering their intended goals, and whether programs and public services are meeting the public's needs. When measured over time such data can become "indicators" that may signal changing trends, or reveal successes or needed adjustments in comprehensive plan policies.

The County is committed to working collaboratively with cities and towns to collect, monitor and evaluate meaningful and mutually beneficial data, particularly in the sizing and density of UGAs. The County is also committed to continued cooperation with other jurisdictions in data sharing, and maintaining a current database of growth management information.

Skagit County initiated the Growth Management Indicators (GMI) reporting program in 2002, resulting in a report describing the status of the Comprehensive Plan's performance up to 2001. The GMI report is renewed periodically to provide information in advance of each 7-year GMA update cycle. The GMI reporting program is based on or seeks to carry out the following:

- *Measure progress towards meeting the goals and objectives of the Skagit County Comprehensive Plan.*
- *Encourage public participation in the development and review of the growth management indicators data.*
- *Document data of countywide concern, including but not limited to: land capacity, density, permit processing, housing costs, economic strength and diversity, natural resource consumption, solid waste, transportation, open space, and water quality.*
- *Consider growth management indicators data as part of the County's annual budget review process.*
- *Identify alternatives to achieving those goals, objectives, or policies that are not demonstrating progress toward their implementation.*
- *Maintain a status report regarding the implementation of policies, including policies that have been implemented successfully.*

Community Plans: Their Relationship To The Comprehensive Plan

The Comprehensive Plan envisions a hands-on approach to how the Plan and its development regulations will be applied at the community scale. Community plans exemplify how the community vision statements, goals, objectives and policies of this Comprehensive Plan are applied to detailed and specific conditions. Community plans may indicate specific land use designations, appropriate densities, and the design standards that should apply in community planning areas. Preserving and building community character while ensuring an efficient and predictable development approval process is a central theme.



Subarea or community planning may be considered under the provisions of the Growth Management Act provided the community plan is consistent with the comprehensive plan (RCW 36.70A.080). During the development of the countywide comprehensive plan, many rural communities and residents expressed an interest in developing their own community plans. Policies within this element relate to administrative processes: initiation and development of community plans, and the relationship between each community development plan and the Comprehensive Plan.

Development of this chapter was guided in particular by the following GMA Planning Goal: “Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.”

This Goal, in the context of all of the GMA Planning Goals, led to the following Countywide Planning Policies that provide specific guidance to the analysis and policies developed in this chapter:

- *Skagit County shall encourage citizen participation throughout the planning process as mandated by state statute and codes for environmental, land use, and development permits. (CPP 11.5)*
- *Skagit County shall utilize broad based citizen advisory committees to participate and assist in the development of the Comprehensive Plan Elements, sub-area plans, and functional plans. (CPP 11.6)*

Function of Community Plans

The community planning process seeks to enhance community values and assure sensible growth and development. Community plans result from partnerships uniting the County, other jurisdictions, and citizens of a planning area. A community plan puts into action the general policies of the Comprehensive Plan at a much finer scale and level of detail. Community plans may address issues at the local level that are not covered in a general comprehensive plan. Patterns of land use, design, traffic circulation, and services expressed within the community plan are

a function of local economic, social, physical health, safety and welfare issues of the people who live and work within the community planning area. Community plans also consider compatibility and consistency with surrounding land uses and jurisdictions.

Community plans focus on enhancing individual communities in a manner that benefits the entire county. Citizens decide what they want to nurture and what they want to change at a level that they are knowledgeable about and comfortable relating to.

The Comprehensive Plan serves as an “umbrella” document and provides a foundation upon which community plans are developed. Community plans may vary considerably depending upon local issues, problems, and opportunities. They will generally include mapping, policy, and capital facilities amendments to the Comprehensive Plan.





Consistency Between the Comprehensive Plan and Community Plans

Community plans must be consistent with the Comprehensive Plan, Growth Management Act, and other federal and state laws. They may explore areas where flexibility exists in the application of Comprehensive Plan policies to a given community, or where the Comprehensive Plan is silent on an issue. Ensuring consistency requires analyzing proposed community plans against each policy of the Comprehensive Plan. If a proposed community plan or policy conflicts with the Comprehensive Plan, the proposed plan or policy is inconsistent. Modifications would need to be made to any such community plan, or to the Comprehensive Plan, through the amendment process described earlier in this chapter.



■ Plan Implementation

Goal A

Create opportunities for citizens to participate in developing community plans at a local level that protect and conserve community character while ensuring consistency and compatibility with the comprehensive plan.

Policies

12A-1.1 There are two fundamental steps in community planning: plan development and plan adoption.

- a) *The development of a community plan may be initiated by the County, by community groups in collaboration with the County, or by community groups or other entities working largely or entirely with their own resources. Groups that may initiate a community planning processes should consult with the County on timing, priorities, Comprehensive Plan policies and procedures, and other factors that may affect the development, consideration, and adoption of the proposed community plan.*
- i) *Skagit County is not obligated to provide financial support, staff support, or technical assistance to a community planning effort if the Board of County Commissioners has not determined it to be a priority per policy 12A-1.2 below.*
- b) *Adoption of a community plan proposal shall follow the legislative procedures described earlier in this chapter. A community group that has initiated and completed a community plan per this policy may submit the plan to the County for consideration through the annual Comprehensive Plan amendment process.*

12A-1.2 The County may initiate a community plan; provide assistance and guidance in the community planning process; or advance a community plan proposal through the legislative process, according to an annual determination of priorities by the Board of County Commissioners. In establishing priorities the Board may consider numerous factors, including:

- a) *legislative mandates;*
- b) *threats to public health and safety;*
- c) *major environmental or economic threats or opportunities;*
- d) *major development proposals;*



- e) *community initiatives;*
- f) *availability of staff and financial resources; and*
- g) *the need to update an adopted community plan.*

Goal A-2

Provide for early and ongoing citizen involvement in the development of community plans.

Policies

- 12A-2.1** Establish citizen advisory committees (CACs), consistent with the County's public participation program, to make recommendations on land use designations, development and design standards, transportation improvements, capital facility improvements, densities, and other land use matters within the community planning area which are consistent with the policies of this Comprehensive Plan and development regulations.
- 12A-2.2** Design and conduct public outreach and communication procedures to inform citizens interested in community plans of proposed policy decisions and land use matters that would affect the community plan or planning area.

Goal A-3

Use community plans to protect and conserve community character while maintaining consistency with the Comprehensive Plan.

Policies

- 12A-3.1** Community plans may identify design characteristics and design standards that, if adopted, will be used to review development and construction projects within the jurisdiction of the adopted community plan.
- 12A-3.2** Common elements of a community planning process and the resulting plan include the following:
 - a) *Preparation of a community vision statement;*
 - b) *Assessment of current adopted County Comprehensive Plan goals, policies and strategies and development code provisions as they apply to the subarea;*



- c) *Inventory, analysis, and mapping of current land uses, characteristics of the physical environment, and availability of utilities;*
- d) *Assessment of current community strengths, weaknesses, opportunities, and threats including special studies such as market and traffic analyses;*
- e) *Development and evaluation of area-specific recommendations for problem solutions; and*
- f) *Continuous public outreach and communication throughout the process tailored to the size, demographics, and interests of the community.*

12A-3.3 Community plans should develop a range of alternatives that are consistent with the Comprehensive Plan while protecting community property values; economic vitality; affordable housing; the natural and built environment; natural resource lands; historic buildings, districts, and sites; and character of the community.

12A-3.4 Community plans should include findings of fact to accompany the adoption of the plan that either:

- a) *Demonstrate that community vision statements, goals and policies, and land use designations are consistent with this comprehensive plan, or*
- b) *Identify inconsistencies between the Comprehensive Plan and the community plan which must be resolved by amending the Comprehensive Plan.*

Goal A-4

Implement and maintain an ongoing program of community planning to address the specific issues and concerns of Skagit County communities.

Policies

12A-4.1 Develop a long-term schedule for conducting community plans for the various Rural Villages designated in this Comprehensive Plan, and for other local areas of more detailed planning as identified herein. Community plans have been initiated and in some cases completed for the following areas, addressing the issues identified below and others:

- a) *Alger. A community plan for the Alger area had been developed with the assistance of a Citizen Advisory Committee and extensive public outreach by mid-2007. Some of the plan recommendations are to:*
 - *Maintain the rural character of the area with modest additions to the Rural Freeway Service and Rural Intermediate land use designations;*
 - *Maintain and enhance the open space areas;*



- *Minimize the impact of large-scale special uses;*
 - *Increase opportunities for small-scale businesses in the Alger Rural Village.*
- b) *Bayview Ridge. The Bayview Ridge Subarea is 4,011 acres, which includes a 3,633-acre non-municipal Urban Growth Area, located approximately one mile west of the City of Burlington. The remaining undeveloped properties are generally large, providing an opportunity for master planning. This planning will help to create a cohesive and more self sufficient urban community, while insuring compatibility with continued development of the Skagit County airport.*
- c) *Fidalgo Island. The community plan for Fidalgo Island should include the following: provisions for maintaining the existing rural character and lifestyles of the island; an assessment of the natural and built environment such as, but not limited to: shoreline environs, geologically hazardous areas, drainage, marine and upland water quality, suitability of soils and geology for development, fish and wildlife habitat, open space areas/corridors, transportation networks, and availability and cost of public facilities and services. The Fidalgo Island Community Plan should also consider previous land use studies and reports in determining whether additional rural density is appropriate to minimize large-lot sprawl and to create more logical boundaries incorporating the existing Rural Intermediate designations.*
- d) *Guemes Island. The community plan for Guemes Island, drafted in mid-2007, contains recommendations to protect the sole-source aquifer, shoreline environs, open space and natural resource lands, and transportation, among other topics.*
- e) *Town of Hamilton. The community plan is evaluating expansion of the Urban Growth Area for long term future growth of the Town of Hamilton, including relocation of existing Hamilton residences out of the floodway, purchase and transfer of floodway development rights from identified surrounding areas, restoration of the Skagit River floodway, and development of vacant industrial land.*

12A-4.2 The following areas and issues have been identified for future community planning, although no specific timing or order of priority has been established:

- a) *Big Lake Rural Village. The community plan for the Big Lake Rural Village shall include consideration and recommendations on logical Rural Village boundaries that preserve the character of the neighborhood and the community based on: existing development, land use patterns, and parcel density; natural land forms, contours, and topography; and infrastructure capital improvement plans that are intended to serve the community, including roads, sewer and water lines. The Big Lake Rural Village is unique in that it is the only Rural Village in Skagit County served by both public water and sanitary sewer. The community plan for the Big Lake Rural Village is to consider Sewer District No. 2's comprehensive plan and capital improvement plan and its service area*



as a way to allow for additional infill and more intensive rural residential development while protecting the Lake's fragile watershed, water quality and recreational activities. The Big Lake Rural Village Community Plan should develop residential densities that reflect these unique features of the Big Lake community. Clustering requirements for larger undeveloped properties shall be considered that create compatible rural densities and a non-expanding Rural Village boundary.

- b) Birdsview. The community plan for Birdsview shall include consideration of: appropriate land use designations for the existing camping resort properties and travel trailer parks; whether additional Rural commercial or industrial land use designations are appropriate and necessary to serve not only the rural residents in this area, but the traveling public; and whether additional rural density is appropriate to minimize large-lot sprawl in this area and to create more logical boundaries incorporating the existing RI designations.*
- c) Day Creek. The community plan for Day Creek shall consider possible expansion of the Rural Center designation beyond the existing Day Creek Store to include other adjacent parcels with existing non-resource development. This community plan shall recognize the relative isolation of this area and this Rural Center from any other retail or service uses. In addition, to help ensure long-term vitality of this Day Creek Rural Center, and to minimize the impetus for new, more scattered rural commercial or industrial development in this area of the County, this community plan shall also evaluate whether additional rural density is appropriate adjacent to this Rural Center, thereby minimizing the potential for large-lot sprawl in this resource area of the County. If not completed before this Community Plan, the MRO designations in this Day Creek area shall be reevaluated to be sure they match the actual locations of the mineral resource and take into account existing critical area characteristics including ancient landslides.*
- d) Upper Samish Valley. The community plan for the Upper Samish Valley shall include consideration of whether an area along Highway 9 north of Sedro-Woolley should be designated as a new Rural Center. This is one of the few populated areas of the County that is not included within a 2.5 mile radius service area of an existing Rural Village Commercial District or Rural Center. There are several existing public uses, including a school, fire station, and grange hall, that could serve as the core of a new Rural Center.*



Appendix A

Acronyms and Definitions

List of Acronyms

ADT	Average Daily Traffic
BMP	Best Management Practice
CAC	Citizen Advisory Committee
CAO	Critical Areas Ordinance
CEDS	Comprehensive Economic Development Strategy
CFP	Capital Facilities Plan
CIP	Capital Improvement Program
CaRD	Conservation and Reserve Development
CCR	Conditions, Covenants, and/or Restrictions
CTED	Department of Community, Trade and Economic Development (State of Washington)
CPP	Countywide Planning Policies
CWSP	Coordinated Water System Plan
DEIS	Draft Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
DNR	Department of Natural Resources (State of Washington)
DOE	Department of Ecology (State of Washington)
DSEIS	Draft Supplemental Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
EDASC	Economic Development Association of Skagit County
EES	Economic and Engineering Services (private consulting firm)
EIS	Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
ELF	Extremely Low Frequency
EMF	Electric and magnetic fields or electromagnetic field
FEIS	Final Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
FEMA	Federal Emergency Management Agency



FERC	Federal Energy Regulatory Commission
FGTS	Freight Goods Transportation System
FPA	Forest Practice Application
GMA	Growth Management Act
HCA	Habitat Conservation Area
IVM	Integrated Vegetation Management
JOA	Joint Operating Agreement
LOS	Level Of Service
MOU	Memorandum Of Understanding
MPO	Metropolitan Planning Organization
MPR	Master Planned Resort
MRO	Mineral Resource Overlay
NRL	Natural Resource Land
NWCAA	Northwest Clean Air Agency
OFM	Office of Financial Management (State of Washington)
OHWM	Ordinary High Water Mark
PCA	Protected Critical Area
PDR	Purchase of development rights
PFLG	Private forest land grade
PUD, Skagit	Skagit Public Utility District
PUD	Planned unit development
RCW	Revised Code of Washington
RTPO	Regional Transportation Planning Organization
SCC	Skagit County Code
SCOG	Skagit Council of Governments
SEIS	Supplemental Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
SEPA	State Environmental Policy Act



SRS	Scientific Resource Site
TDM	Transportation Demand Management
TDR	Transfer of Development Rights
TIP	Transportation Improvement Program
TSM	Transportation Management System
TSP	Transportation Systems Plan
UGA	Urban Growth Area
USDA	United States Department of Agriculture
V/PC	Volume over Planned Capacity
VMT	Vehicle Miles Traveled
VPH	Vehicles Per Hour
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation
WUTC	Washington Utilities and Transportation Commission



Definitions

Access Management

Regulations that limit the direct vehicle access that individual housing units and businesses onto major highways and other roadways.

Accessory

As applied to a use, building or structure, means customarily subordinate or incidental to, and located on the same lot with a principal use, building, or structure.

Act

The Growth Management Act as enacted in chapter 17, Laws of 1990, 1st Ex. Session, and chapter 32, Laws of 1991, 1st Special Session, State of Washington.

Adaptive Reuse

The conversion of outmoded buildings can provide the opportunity for new residential uses within a community. Buildings being converted are often large and vacant and were used for institutional or other non-residential activities. Adaptive reuse projects have traditionally been old school buildings, train stations, hospitals and other public buildings; inns and hotels and warehouses, factories and other industrial buildings. Hotels and schools have been converted to apartments, and industrial buildings have turned into live/work spaces.

Adequate Public Facilities

Facilities that have the capacity to serve development without decreasing levels of service below locally established minimums.

Affordable Housing

Housing where the occupant is paying no more than 30 percent of gross income for gross housing costs, including utility costs. In the case of ownership housing, the purchase costs of a housing unit is equal to or less than three times a household's annual gross income.

Agriculture

The use of land for commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees (not subject to excise tax imposed by RCW 84.33.100 through 84.33.140), or livestock.

Agricultural Advisory Board

A formally established board that reviews and monitors agricultural policies and programs, and advises the Skagit County Board of Commissioners, the Planning Commission, and the Planning and Permit



Center on issues regarding agriculture lands in Skagit County. This group will be the principle group responsible for developing and implementing the policies within the Agricultural Element of the Comprehensive Plan.

Agricultural Land

Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock and that has long-term commercial significance for agricultural production.

Agriculture – Non-soil Dependent

Any use which is included in the definition of agriculture, but which is not dependent on the use of native, indigenous soil or which does not allow continued and future use of the soil for growing crops.

Agriculture – Soil Dependent

Any use that is included in the definition of agriculture which is dependent on the use of native, indigenous soil and which allows continued and future use of the soil for growing crops.

Agricultural Support Services

Any non-agricultural use which is directly related to agriculture and directly dependent upon agriculture for its existence. These support services generally exist off-site and within districts that are intended to facilitate the production, marketing and distribution of agricultural products. Agricultural support services are separate and distinct from Farm-based businesses (see Farm-Based Business).

All Weather Road System

Roadway not normally subject to Winter Weight Restrictions.

Americans with Disabilities Act of 1990 (ADA)

Ensures access for the disabled for publicly used facilities, employment, public transportation and public communication.

Annual Program

This is similar to the six year program, except it covers only the projects that will be constructed within the next year (see Six Year Transportation Program).

Aquifers

Any geologic formation that will yield water to a well or other withdrawal works in sufficient quantity for beneficial use.



Aquifer Recharge Areas

Areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water.

Arterial roadways

A class of roadway serving major movements of traffic not served by freeways. Arterial roadways are functionally classed depending on the degree to which they serve through traffic movements verses access to land.

Available Public Facilities

Means that facilities or services are in place or that a financial commitment is in place to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development.

Average Daily Traffic (ADT)

This is the average amount of traffic (average number of vehicles) crossing one location of a roadway within a 24 hour period. Generally the ADT is a yearly average. ADT and other traffic level measurements differ from the VMT in that they measure traffic crossing at one point while VMT measures the total miles driven along a certain stretch of roadway within a given period of time. The confusion between these two terms stems from the fact that a specific ADT (a point location measure) is often assigned to a whole stretch of a roadway.

Benchmarks

A strategic planning tool to measure policy outcomes across time and space.

Best Management Practices (BMP)

Practices or structures designed to reduce the quantities of pollutants – such as sediment, nitrogen, phosphorus, and animal wastes – that are washed by rain and snow melt from farms into nearby surface waters, such as lakes, creeks, streams, rivers, and estuaries. Agricultural BMPs can include fairly simple changes in practices such as fencing cows out of streams (to keep animal waste out of streams), planting grass in gullies where water flows off of a planted field (to reduce the amount of sediment that runoff water picks up as it flows to rivers and lakes), reducing the amount of plowing in fields where row crops are planted (in order to reduce soil erosion and loss of nitrogen and phosphorus from fertilizers applied to the crop land). BMPs can also involve building structures, such as large animal waste storage tanks that allow farmers to choose when to spread manure on their fields as opposed to having to spread it based on the volume accumulated.

Buffer

An area contiguous with a critical area, natural resource land, or urban growth area that is required for the integrity, maintenance, function, and stability of the area or land.



Business Park

A development providing for a mix of light industrial distribution and related commercial retail, office and service uses.

Calibration

The procedure used to adjust travel models to simulate base year travel.

Capacity

The maximum number of vehicles that can pass over a given section of a lane or roadway in one direction (or in both direction for a two- or three-lane facility) during a given time period under prevailing roadway and traffic conditions. It is the maximum rate of flow that has a reasonable expectation of occurring.

Capital cost

Costs of transportation systems such as purchase of land, construction of roadways, and acquisition of vehicles. Distinguished from operating costs.

Capital facilities

As a general definition, public structures, improvements, pieces of equipment or other major assets, including land, that have a useful life of at least 10 years. Capital facilities are provided by and for public purposes and services. For the purposes of the capital facilities element, capital facilities are surface water management, solid waste disposal, law and justice, general government, parks and recreation, airport, transportation, education, fire protection, sanitary sewer and public water supply systems.

Capital Improvement Program (CIP)

A plan that matches the costs of capital improvements to anticipated revenue and a time line. CIPs are usually prepared for six or more years, updated annually, and coordinated with the comprehensive planning process.

City

Any city or town including a code city.

Clear Zone

That roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. Establishment of a minimum width clear zone implies that rigid objects and certain other hazards with clearances less than the minimum width should be removed, relocated to an inaccessible position or outside the minimum clear zone, remodeled to make safely traversal or breakaway, or shielded.



Coastal High Hazard Area

The area subject to high velocity and/or volume of waters, including but not limited to storm surge or tsunamis. The area is designated on a Flood Insurance Rate Map as Zone V1-30.

Collector System

In Rural Areas Principal Arterials, Minor Arterial Roads, Collector Roads, Local Roads. In Urbanized Areas Principal Arterials, Minor Arterial Streets, Collector Streets, and Local Streets. In Small Urban Areas Principal Arterials, Minor Arterial Streets, Collector Streets, and Local Streets.

Common Wall Construction

A wall shared by two different units. Often it would be required to be a firewall.

Commuter Rail

Rail service targeted for daily commuters traveling under 40 miles. The service tends to be frequent, at least every half-hour during rush periods, and stops are often spaced from 5 to 10 miles apart.

Compatible

Capable of existing together without discord or in a state of mutual tolerance.

Comprehensive Land Use Plan, Comprehensive Plan, or Plan

The policies and proposals approved and recommended by the planning agency or initiated by the Board of County Commissioners (the Board) and approved by motion of the Board (a) as a beginning step in planning for the physical development of the county; (b) as the means for coordinating county programs and services; (c) as a source of reference to aid in developing, correlating and coordinating official regulations and controls, and; (d) as a means for promoting the general welfare. Such plan shall consist of the required elements set forth in R.C.W. 36.70A.070 and may also include the optional elements set forth in R.C.W. 36.70A.080 which shall serve as a policy guide for the subsequent public and private development and official controls so as to present all proposed developments in a balanced and orderly relationship to existing physical features and governmental functions.

Comprehensive Plan Amendment

An amendment or change to the text or maps of the Comprehensive Plan.

Concurrency

Means that adequate public facilities are available when the impacts of development occur. This definition includes the two concepts of “adequate public facilities” and of “available public facilities” as defined above.



Concurrency Management System

An financial and accounting system that keeps track of cumulative impacts of developments, impact fees, level of service on impacted roads, and timing for road improvements in order to ensure that the concurrency requirements of GMA are met.

Congestion management

A process whereby multi-modal solutions to critical traffic congestion problems are identified, coordinated among affected jurisdictions, and programmed for funding or implementation. Solutions are wide-ranging and could involve physical improvements to the arterial network, traffic signalization, transit service enhancements, programs to reduce commuter travel and travel information systems. The affected jurisdictions would be the county, cities, Washington State Department of Transportation.

Conservation and Reserve Development (CaRD)

A technique of land division characterized by the placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to be developed.

Contiguous development

Development of areas immediately adjacent to one another.

Cooperative Home Ownership

An enterprise or organization owned by and operated for the benefit of those using its services. The basic six principles providing the framework for cooperative housing are open and voluntary membership, democratic control, limited rate of return on investment, return of surplus to members, cooperation among cooperatives and constant education. Housing cooperatives offer low-income families the opportunity to own a share of stock in a housing corporation that gives its members many advantages over rental housing.

Coordination

Consultation and cooperation among jurisdictions.

Countywide planning policies

Written policy statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted. (RCW 36.70.210)

Covenants

Private restrictions placed on land regulating land use activities.



Creative Financing

Creative financing revolves around simply maximizing your existing resources. The recognition and leveraging of these resources can actually be fairly conservation in nature.

Critical Areas

Areas of environmental sensitivity, which include the following areas and ecosystems:

- a) *Wetlands*
- b) *Areas with a critical recharging effect on aquifers used for potable water*
- c) *Fish and wildlife habitat conservation areas*
- d) *Frequently flooded areas*
- e) *Geologically hazardous areas*

Critical Facilities

Schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste.

Current Use Space Taxation

Current Use Open Space Taxation Program includes properties utilized for agriculture, timber and open space uses as provided in RCW 84.34.

Demand Management Strategies or Transportation Demand Management Strategies (TDM)

Strategies aimed at changing travel behavior rather than at expanding the transportation network to meet travel demand. Such strategies can include the promotion of work hour changes, ride-sharing options, parking policies, telecommuting.

Demand-response service

Transportation service designed to carry passengers from their origins to specific destinations (often door-to-door) by immediate request or by prior reservation. A form of Paratransit. (Also referred to as dial-a-ride.)

Density

The ratio between the number of families, individuals, housing units, or residential dwelling units per land surface area (usually expressed as square miles or acreage).



Density Bonuses

Where a proposed development is designed and constructed at a level of quality in excess of the minimum, additional development rights may be allowed in locations where added density can be accomplished while still providing appropriate protection to neighboring properties and the general public.

Development

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. Any action requiring a land use permit or approval regulated by Titles 14 and 15, SCC, including, but not limited to, subdivisions, binding site plans, site specific rezones, unclassified special use permits, variances, building permits, shoreline permits, or flood area development permits.

Development Code

Skagit County Code (SCC) Titles 14 and 15.

Development Regulation(s)

The controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

Ecological Functions

Those uses of land that are part of a larger related natural system. These functions include, but are not limited to, storm water detention; floodway/floodplain; drainway; sediment collection area; aquifer recharge area; fish and wildlife habitat conservation area; wind break; noise, sight, or dust barrier; shade; erosion control; waste disposal; and, maintenance of slope stability.

Erosion Hazard Areas

Those areas containing soils which, according to the United States Department of Agriculture Soil Conservation Service soil Classification System, may experience severe to very severe erosion.

Essential public facilities

Facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes. (RCW 36.70A.200)



Extremely Low Income

Income below 30% of median income.

Facilities

The physical structure or structures in which a service is provided.

Fair-Share Allocations

Seeks to answer what is a municipality's fair share of responsibility for affordable housing. The answer to this question will need to satisfy the political needs and interests of diverse communities, ranging from larger central cities to small rural communities with little infrastructure.

Farm-Based Business

An on-farm commercial enterprise devoted to the direct marketing of unprocessed and/or value-added and soil-dependent agricultural products that are produced, processed, and sold on-site. Farm-based businesses are intended to supplement farm income, improve the efficiency of farming, and provide employment to farm family members. Farm-based businesses are separate and distinct from Agricultural support services (see Agriculture Support Services).

Farm-Worker Housing

Permanent housing for seasonal and year around farm workers and their families.

Freight and Goods Transportation System (FGTS)

A system of streets, roads, and highways formally designated by the State as current truck routes.

Fish and Wildlife Habitat Conservation Areas

Fish and Wildlife Habitat Conservation Areas and their networks shall be classified as follows:

- a) *Areas with which endangered, threatened, and sensitive species have a primary association;*
- b) *Habitats and species of local importance that have been designated by the County at the time of application;*
- c) *All public and private tidelands suitable for shellfish harvest;*
- d) *Kelp and eelgrass beds, herring and smelt spawning areas;*
- e) *Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;*
- f) *Waters of the state as defined by WAC 222-16;*
- g) *Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;*



- b) Areas with which anadromous fish species have a primary association;*
- i) State Natural Area Preserves and Natural Resource Conservation Areas; and*
- j) Other aquatic resource areas.*

Fixed-route service

Transportation service operated over a set route on a regular schedule.

Floodproofed

Indicates that a structure is watertight (walls substantially impermeable to the passage of water) to one foot above the base flood elevation.

Forest Land

Land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140 and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered (a) the proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

Frequently Flooded Areas

Lands in the floodplain subject to a one- percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like.

Functional Classification

Functional Classification is the grouping of highways, roads, and streets that serve similar functions into distinct systems or classes. Functional Classification defines the primary role a road or street serves within the total existing or future highway network (see Collector System above).

General Comprehensive Plan Amendment

A general comprehensive plan amendment is a policy or land use designation which is applied to a broad class of situations and to a large number of parcels and persons that are not readily identifiable.



Geologically Hazardous Areas

Areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

Goal

A goal is a direction setter. It is an ideal future end, condition, or state related to the public health, safety, or general welfare toward which planning and implementation measures are directed. A goal is a general expression of community values and, therefore, is abstract in nature. Consequently, a goal is generally not quantifiable, time-dependent, or suggestive of specific actions for its achievement.

Gravity model

A mathematical model of trip distribution based on the premise that trips produced in any given area will distribute themselves in accordance with the accessibility of other areas and the opportunities they offer.

Gross Density

Gross density means the total number of dwelling units divided by the total land area of the site or area, excluding nothing.

Growth Management Act

See definition of Act.

Habitats of Local Importance

These include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alteration, such as cliffs, talus, and wetlands.

Highway Heritage

An expansion of the scenic highways concept to include highways with scenic, cultural, historic, archeological and/or other environmental resources.

Highway Oriented Commercial Uses

Food service, fuel and repair service for motorists, transient lodging.



Home Based Business

Home based businesses are home occupations that remain incidental to the use of a residence for general dwelling purposes and are compatible with rural character. Two categories of Home Based Businesses are³ allowed in Skagit County, Home Based Business I and Home Based Business II. Home Based Business I is generally a permitted use while Home Based Business II requires a Special Use Permit

Housing Opportunity Sites

Where land is zoned specifically for the development of affordable housing.

Impact Fees

Standard fees for development impacts on governmental facilities. Impact fees are often levied per housing unit and usually include transportation impacts.

Implementation Measure

Regulatory and non-regulatory measures used to carry out the plan.

Infrastructure

Facilities and services needed to sustain the functioning of an urban area.

Integrated Vegetation Management (IVM)

An approach to vegetation control that utilizes regular monitoring to determine if and when treatments are needed. The approach emphasizes physical, mechanical, cultural, and biological tactics to keep vegetation problems low enough to prevent intolerable damage, annoyance, or public safety hazards. When chemical controls are necessary they will be the least toxic available and will be used only when no other control methods would be effective or practical.

Joint Planning

Plans that address small geographic areas and focus on issues of local concern. Joint plans may be developed with other planning jurisdictions and communities for urban growth areas (UGAs), rural villages (RVs), and tribal community plans (Swinomish Tribal Community).

Land Bank

Land is acquired independently of a specific development project, for the expressed purpose of providing affordable housing at a future time.

Land Conservation

The placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of



property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to development.

Landslide Hazard Areas

Areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

Lot of Record

Any lot platted under a Skagit County Subdivision Ordinance on or after March 1, 1965; any tract of land divided by metes and bounds or fractional section description or platted and recorded with the auditor prior to March 1, 1965; or any tract of land defined by metes and bounds or fractional section description and conveyed by notarized deed prior to March 1, 1965 (SCC 14.04.030 (51)).

Lot of Record, Legal

A definition used prior to the adoption of the June 20, 2000 Unified Development Code referring to a lot of record meeting the aggregation requirements of SCC 14.04.190(5).

Level of Service

Means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need.

Link

A section of the highway network defined by a node at each end. A link may be one-way or two-way.

Local Improvement District (LID)

A quasi-governmental organization formed by landowners to finance and construct a variety of physical infrastructure improvements beneficial to its members. A Road Improvement District is a specific type of LID that is formed to finance road improvements.

Local road

A class of roadway with the primary function of providing access to abutting properties. Traffic control is usually limited with slow speeds and numerous driveways. This roadway class typically carries low traffic loads and is usually 1 to 2 lanes. They can be paved or gravel and don't often extend over much distance.

Long-term Commercial Significance

Includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.



Low-Income

Households whose income is between 51% and 80% of the median income for the area, as determined by the Department of Housing and Urban Development (HUD).

Manufactured Housing

A manufactured building or major portion of a building designed for long-term residential use. It is designed and constructed for transportation to a site for installation and occupancy when connected to required utilities.

Mass transit

The general term used to identify bus, rail, or other types of transportation that move large numbers of people at one time.

Multi-modal

Two or more modes or methods of transportation.

Middle Income

Between 96% and 120% of median income.

Mine Hazard Areas

Areas underlain by or affected by underground mine workings such as adits, tunnels, air shafts and those areas adjacent to steep slopes produced by open pit mining or quarrying, but excluding any areas where the mine workings have been properly stabilized and closed and made safe consistent with all applicable federal, state and local laws..

Minerals

Clay, coal, gravel, industrial mineral, valuable metallic substances, sand, stone, and other similar solid materials or substances to be excavated from natural deposits on or in the earth for commercial, industrial, or construction use.

Mineral Resource Lands

Lands containing mineral deposits, both active and inactive, that have known or potential long-term commercial significance for the extraction of minerals and which are in close, economic proximity to locations where the deposits are likely to be used.

Mixed-Use

Mixed-use buildings, typically with residential units above or beside a story or two of commercial spaces. This category provides for a mixture of uses where no single use predominates. The mixed-



use district allows for a mixture of residential housing types and densities; commercial, office, and institutional uses, parks and recreation uses; and public uses.

Mobile Home Park Preservation

Preserving mobile home parks allows a community to protect a valuable source of usually irreplaceable affordable housing. Existing mobile home parks continue to be threatened by the escalating value of land and accompanying development pressures.

Moderate Income

Between 81% and 95% of median income.

Multi-modal

Two or more modes or methods of transportation.

Mutual Housing Associations

Members share ownership of an association that owns housing cooperatives. Residents participate in the development, operation, and management of the property. (They do not build up equity in their housing but have the right to residency as stipulated by an occupancy agreement).

Natural Resource Lands

Lands designated on the official Skagit County Comprehensive Plan/Zoning Map as Agricultural (Ag-NRL), Industrial Forest (IF-NRL), Secondary Forest (SF-NRL), Mineral Resource Overlay (MRO-NRL), and Rural Resource (RRc-NRL) which have long-term commercial significance.

Network

A system of links and nodes describing a transportation system

Net Density

The total number of dwelling units divided by the net area of the lot or site. The net area excludes roads, public open spaces, community facilities, and critical areas (environmentally sensitive areas).

Nonconformance or nonconforming

Any use, improvement or structure established in conformance with Skagit County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the Code due to changes in the Code or its application to the subject property.

Non-Motorized Transportation

Bicycle, pedestrian and equestrian transportation modes.



Non-profit Community Based Housing Development

A community development corporation develops, and may continue to own or manage housing that has been tailored to community needs and resources.

Official Controls

Legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of a county or any part thereof or any detail thereof, and are the means of translating into regulations and ordinances all or any part of the general objectives of the Comprehensive Plan. Such official controls may include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and adoption of detailed maps.

One Hundred Year Floodplain

Land within a community subject to a one (1) percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

Open Space

Any land area, the preservation of which in its present use would conserve and enhance natural or scenic resources; or, protect streams or water supplies; or, promote conservation of soils, wetlands, beaches or tidal marshes; or, enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations; or, sanctuaries or other open space; or, enhance recreation opportunities; or, preserve historic sites. Public Open Space are public owned lands that have been or will be set aside for open space and recreational use. Private Open Space are privately owned lands that have been or will be set aside by operation of the Critical Areas Ordinance, by voluntary conservation, or by land reserve easements. Current Use Open Space Taxation Program includes properties utilized for agriculture, timber, and open space uses as provided in RCW 84.34.

Operating costs

Those recurring costs in a transportation system, such as salaries and wages, maintenance, energy, taxes, insurance, and supplies. Distinguished from capital cost.

Objective

An objective is a specific end, condition, or state that is an intermediate step toward attaining a goal. It should be achievable and, when possible, measurable time-specific. An objective may only pertain to one particular aspect of a goal or it may be one of several successive steps toward goal achievement. Consequently, there may be more than one objective for each goal.

Paratransit

Flexible transportation services that are operated publicly or privately, and are generally distinct from conventional transit and outside the conventional fixed-route, fixed-schedule systems. Vans and mini



buses are typical paratransit vehicles used. Demand-response transportation services are a form of paratransit.

Passenger Rail

Rail service for passengers traveling between cities for non-commuter trips. Service is generally provided from once to several times per day, and the distance between rail terminal stops is often 20 to 30 miles.

Pedestrian Friendly Development

Development designs that encourage walking by providing site amenities for pedestrians. Pedestrian friendly environments reduce auto dependence and may encourage the use of public transportation.

Performance Standards

These provide criteria for testing the degree of hazard, environmental damage, or nuisance from land use activities creating smoke, dust, noise, glare, odor, erosion and sediment, runoff, liquid, solid, or airborne wastes, fumes or traffic.

Policy

A policy is a specific statement that guides decision-making. It indicates a clear commitment of the local legislative body. A policy is based on a comprehensive plan's goals and objectives as well as the analysis of data. A policy is effectuated by implementation measures (such as zoning, land division, and environmental ordinances).

Private Open Space

Private Open Space are privately owned lands that have been or will be set aside by operation of the Critical Areas Ordinance, by voluntary conservation, or by land reserve easements.

Public Facilities

Include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

Public Open Space

Public owned lands that have been or will be set aside for open space and recreational use.

Public Services

Include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.



Public transportation

A wide variety of passenger transportation services available to the public including buses, ferries, rideshare, and rail transit.

Public water

Any system providing water intended for, or used for, human consumption or other domestic uses. It includes, but is not limited to... facilities where water is furnished to any community, or number of individuals, or is made available to the public for human consumption or domestic use, but excluding water systems serving one single family residence (RCW 70.116.030).

Ready-to-Build Industrial or Commercial Sites

Ready-to-build sites consist of immediately available vacant land of sufficient size that is properly zoned, served with adequate infrastructure, and free of land use and environmental constraints that would render a site non-competitive for development.

Regional Transportation Planning Organization (RTPO)

The voluntary organization conforming to RCW 47.80.020, consisting of local governments within a region containing one or more counties which have common transportation interests.

Regional Transportation Planning Organization

An organization of cities and one or more Counties (with representation from ports, tribes and the state) whose goal is to coordinate transportation decisions among those jurisdictions.

Roadway

An open, generally public way for the passage of vehicles, persons, and animals. Limits include the outside edge of sidewalks, curbs and gutters, or side ditches.

Rural Lands

All lands which are not within an urban growth area and are not designated as natural resource lands having long term commercial significance for production of agricultural products, timber, or the extraction of minerals.

Rural Villages

Predominantly residential unincorporated rural communities or centers supported by limited commercial and compatible industrial, and community services which typically include a post office, church, elementary school, fire hall, grocery store, service station, tavern, restaurant, or other small retail business catering to local rural needs. Compact development within designated boundaries distinguishes a village from surrounding undeveloped land.



Sanitary Sewer Systems

All facilities, including approved on-site disposal facilities, used in the collection, transmission, storage, treatment or discharge of any waterborne waste, whether domestic in origin or a combination of domestic, commercial or industrial waste.

Scenic Highways

A Washington State designation for highways that have particular scenic characteristics. This designation was originally initiated to control billboards.

Scenic Resources

Includes, among other things, the historical pattern of land use (including logging and farming activities).

Seismic Hazard Areas

Areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction.

Sensitive Species

A species native to the State of Washington, that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the State without cooperative management or the removal of threats as designated by WAC 232-12-011.

Self-Help Housing

Self-help, or sweat equity, housing enables potential homeowners to build up credit for a down payment on a home by contributing their labor to the construction or renovation. It can be a means for the low-income household to enter the housing market.

Shared Housing

Occurs when people reside together for social contact, mutual support and assistance, and/or to reduce housing expenses. This may range from two elderly persons sharing a small home to several disabled adults sharing a large single family home. A single mother with an extra bedroom may share her home with an elderly person who helps with childcare and/or living expenses. The degree of assistance can vary from none (other than from other members of the household) to live-in, full-time help. This matching can be accomplished through placing a newspaper advertisement or perhaps through a non-profit agency that prescreens applicants and matches needs and wants of participants.

Shoreline Master Program

A program adopted in 1976 to promote the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines. Definitions specifically addressing shorelines terminology may be located within the Skagit County Shoreline Master Program document.



Shoulder

That portion of the roadway contiguous with but outside of the traveled way.

Site-specific Comprehensive Plan Amendment

A site-specific comprehensive plan amendment is a policy or land use designation that is applied to a specific number of parcels that are in readily identifiable ownership. A proposal that formulates policy yet affects relatively few individuals will generally be characterized as a site-specific action.

Six-Year Transportation Improvement Program

A plan that shows road and other transportation projects planned for the next six years. Both cities and counties are required to update the six-year program each year.

Sole Source Aquifer

Sole Source Aquifer is an EPA definition. It defines those areas where more than 50 percent of the drinking water is obtained from the groundwater.

Species of Local Importance

Those species that may not be endangered, threatened or sensitive from a statewide perspective, but are of local concern due to their population status, sensitivity to habitat manipulation, or other educational, cultural or historic attributes.

Special Needs Populations

Populations with special needs in Skagit County include the mentally ill, with chemical dependency, developmentally disabled, persons with drug and/or alcohol addiction, victims of domestic violence, youth, the elderly and farmworkers.

Streamlined Permitting

For the expressed purpose of developing affordable housing, a municipality may take steps to eliminate excessive time, risk, and cost by providing “one-step” permitting.

Suburban

Blending or characterized by the blending of the urban and the rural. A land use development pattern that is dispersed as opposed to decentralized.

Sub-Area Planning

Subarea plans are detailed land use plans for smaller geographic areas within which water drains into a particular river, stream or body of water in the County. They are an integrated, collaborative management planning approach to sustaining economic development opportunities and protecting the natural environment by addressing issues within watershed basins.



Supportive Housing

Housing for groups or individuals that need assistance to be able to maintain independent living.

System-Wide Deviation

A percentage of the total vehicle miles traveled (VMT) on the road system that is allowed to be on roads which have traffic levels higher than planned capacity before the level of service standard is exceeded.

Traffic Demand Models (Traffic Models)

Software systems that use land use information to simulate the traffic patterns of an area. These models can convert future land use growth projections into future traffic volumes.

Transfer of Development Rights (TDR)

The transfer of the right to develop or build, expressed in dwelling units per acre, either on land within one zoning district under contiguous ownership, or from land in one zoning district to land in another district where such density/development is permitted.

Transit

A general term applied to passenger rail and bus service available for the use by the public and generally operated on fixed routes with fixed schedules.

Transitional Housing

Per the definition of Transitional Housing from the Federal McKinney Act, transitional housing is made available for up to 24 months to people who are homeless or are leaving emergency shelters.

Transportation Demand Management (TDM)

Methods or strategies aimed at changing travel behavior by reducing the demand for single occupancy vehicle travel rather than by expanding transportation facilities to meet travel demand. The strategies can include such things as expanding transit or ride-sharing options, changing parking policies, promoting work hour changes, and providing for telecommuting.

Transportation Improvement Program (TIP)

A plan or schedule showing specific expenditures for transportation capital projects over a specific time period, often for six years.

Transportation Facilities

Includes capital facilities related to air, water or land transportation.



Transportation Level of Service Standards

A measure that describes the operational condition of the travel stream and acceptable adequacy requirements. Such standards may be expressed in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility, and safety.

Transportation System Management (TSM)

The use of inexpensive capital expenditures and other methods to increase the efficiency and capacity of the transportation system. TSM strategies include such things as intersection signalization, synchronization of traffic signals, the provision of left turn lanes, and the designation of one way streets.

Trip

A one-direction movement, which begins at the origin at the start time, ends at the destination at the arrival time, and is conducted for a specific purpose.

Trip generation

A general term describing the analysis and application of the relationships between the trip makers, the urban area, and the trip making.

Urban Density

Density equal to or higher than four dwelling units per one acre.

Urban Governmental Services

Include those governmental services historically and typically delivered by cities, and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

Urban Growth

Refers to growth (commercial, industrial, and residential) that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. “Characterized by urban growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban.

Urban Growth Area

An area within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Regulatory control of land within the Urban Growth Areas remains with



the County until annexed into a city. The land and development controls within Urban Growth Areas, however, may be subject to joint county/city interlocal planning agreements and concurrency.

Urban Sprawl

Urban sprawl manifests it self in one or more of the following patterns (a) Leapfrog development which bypasses vacant parcels located closer to the urban area that are suitable for development and instead locates away from existing urban areas; (b) strip development which allows commercial, retail, and multi-family residential developments to locate in a linear pattern along both sides of a major arterial; and (c) large expanses of low density, single-family dwelling development.

Use

The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Utilities or Public Utilities

Enterprises or facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, and telecommunications services.

Very Low Income

Between 31% and 50% of median income.

Vehicle Miles Traveled (VMT)

This is a measure of the miles traveled by motorist in a specific period of time over a specific section of roadway. For instance, to calculate the average daily VMT over a 1.5 mile roadway section, you would multiply the ADT on that roadway section by 1.5 miles. To calculate peak hour VMT on that same roadway section, you would multiply the peak hour volume by 1.5 miles.

Visioning

A process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals.

Volcanic Hazard Areas

Areas subject to pyroclastic flows, lava flows, and inundation by debris flows, mudflows, or related flooding resulting from volcanic activity.

Volume over Planned Capacity

A congestion measure used in the Birdsall LOS methodology, which divides the traffic volume on a specific roadway by its planned capacity volume. When this ratio exceeds 1.0, an LOS deficiency occurs.



The “Planned capacity” of the roadway is generally less than the roadway’s “capacity” since the former takes into account the perceived safety of drivers as well as the safety of multi-modal users of the roadway.

Warrant

An indicator, as defined by the Manual on Uniform Traffic Control Devices (MUTCD), of a road intersection condition or conditions, which may justify further study and analysis of the intersection.

Wetland or Wetlands

Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

Zone and Zoning District

A legislatively defined and enacted policy, including standards, a detailed map and other criteria, all of which control and define areas of physical development of the county or any part thereof or any detail thereof and which are classified by the zoning ordinance as available for certain uses and unavailable for certain other uses.

Zoning

The demarcation of an area by ordinance (text and map) into zones and the establishment of regulations to govern the uses within those zones (commercial, industrial, residential) and the location, bulk, height, shape and coverage of structures within each zone.



Appendix B

Milestones in the Comprehensive Planning Process

Planning Timeline

Following is an overview of Skagit County’s comprehensive planning between 1965 and the adoption of its first comprehensive plan under the Growth Management Act (GMA):

March 1965	Skagit County adopts its first Comprehensive Plan.
September 1968	Comprehensive Plan is amended.
1970 – 1980	Sphere-of-Influence agreement passed. County/city cooperative efforts define lands surrounding city limits.
1973	Resource Management begins with adoption of large tract zoning requirements for agriculture lands.
December 1973	North Central District Plan is adopted.
September 1974	Northwest District Plan is adopted.
August 1975	Islands District Plan is adopted.
1976	First forestry large tract requirements are passed.
1979	Five acre rural zoning district is adopted.
July 1979	Southwest and South Central District Plans are adopted.
April 1981	Resolution 8854 is passed enabling Joint Sphere of Influence agreements with cities.
June 1981	Amendment to Resolution 8854 is passed.
June 1981	Resolution 9312 is passed adopting Joint Sphere of Influence areas.
May 1982	Eastern District Plan is adopted.
1987	Ordinance No. 11158 established a Memorandum of Understanding to initiate joint comprehensive planning with Swinomish Tribe.
February 1990	Board of County Commissioners direct Skagit County Department of Planning and Community Development to review and recommend changes to district policies, including the recommendation of county-wide Comprehensive Plan policies.
1990	Formal establishment of environmental review SEPA co-lead status in the interim urban growth areas.



April 1990	Growth Management Act passes House and Senate.
June 1990	Growth Management Act planning team established.
July 1990	Growth Management Act of 1990 formally adopted.
September 1990	<i>Vision for the Future, Vol. I</i> published. Beginning of educational media campaign encouraging citizen participation in the Comprehensive Plan updating process. Thirty thousand (30,000) tabloid copies carried by Skagit Valley newspapers.
October 1990 – March 1991	Comprehensive Plan Policy Review and Update. Twenty-six community-wide meetings generated approximately 1,500 community values, statements and proposed policies.
April 1991	<i>A Vision for the Future, Vol. II</i> published. Contained County's GMA Progress Report and update on watershed and shoreline plans, wetlands, natural resource areas, interim urban growth areas, and building permit information.
July 1991	Passage of re-engrossed House Bill 1025 requiring that policies be compatible with both city and County Comprehensive Plans.
October 1991	Public Hearing on proposed Draft Comprehensive Plan Policies.
October 1991	Planning Commission holds six policy study sessions over six months with
March 1992	County and city staff to review public comment and recommendations for changes to existing Comprehensive Plan policies as proposed on October 14, 1991 in draft form.
March 1992	Second Draft Comprehensive Plan County-wide Regional Policy document sent to all interested parties, 1,500 participants on the GMA mailing list, and outside agencies for review and comment.
April 1992	Public Hearing to take formal public testimony regarding proposed countywide Regional Comprehensive Plan policies.
April 1992	Citizen Participation Newsletter mailed. Provided an update on GMA and comprehensive planning policy development and discussed upcoming citizen participation opportunities.
July 1992	Adoption of the Skagit County Countywide Planning Policies by County and cities.



September 1992	Informational Update Public Meetings (September 21, 23 and 30th). To discuss the development of and encourage citizen participation in the Housing, Forestry, Rural, Utilities, and Mineral Elements for Skagit County's Comprehensive Plan. Citizen Advisory Committee (CAC) application forms made available through media and meetings.
October 1992	Citizen Participation Newsletter mailed throughout Skagit County informing readers of the Board of County Commissioner's appointments to the Skagit County Comprehensive Plan Element Citizen Advisory Committees.
October 1992	Citizen Advisory Committee Orientation meeting held.
October 1992 – August 1993	Ongoing Citizen Advisory Committee meetings for the Rural, Housing, Forestry, Agriculture, Utilities and Mineral elements.
December 1992	In the winter of 1992, county-city discussions began relating to the establishment of Interim Growth Areas.
July 1993	Adopting Temporary Interim Zoning for Unincorporated Skagit County which established 5 acre minimum lot sizes for multi-family residential, residential, residential reserve and rural intermediate zoning districts.
September 1993	Citizen Participation Newsletter mailed. Information on upcoming citizen participation opportunities. Update on County activities on urban growth areas, land use designations, CAC activities, additional comprehensive plan elements and the environmental review process on proposed Comprehensive Plan.
September 1993	Growth Management Act and State Environment Policy Act (SEPA) Comprehensive Plan informational meetings held in Concrete, Fidalgo Island and Mount Vernon.
October 1993	Passage of Ordinance 15038 adopting Interim Urban Growth Areas.
November 1993	Citizen Advisory Committee Open House for community review of proposed comprehensive plan element policies on rural, forestry, minerals, housing and agriculture.
December 1993	Planning Commission study session on proposed Comprehensive Plan Policies.
1994	County ordinance recognizes Swinomish Tribal Community, the Upper Skagit, and the Sauk-Suiattle Tribes as sovereign



governments which created a government to government relationship.

January 1994	<i>A Vision for the Future, Vol. III</i> published. Forty-five thousand (45,000) copies included in all newspapers within Skagit County. Provided an overview of the Draft Environmental Impact Statement (DEIS), a programmatic, non-project approach used to address the impacts of anticipated population increases in Skagit County consistent with Growth Management Act requirements. Department invites comments on the alternatives presented in the DEIS. Timeline outlined additional opportunities for public comment during the comprehensive plan adoption process.
January 1994	Draft Environmental Impact Statement (DEIS) is published.
January 1994	Planning Commission Study Session on Land Use Designation Element held.
January 1994	Planning Commission Study Session on Draft Environmental Impact Statement (DEIS).
January 1994	Planning Commission Public Hearing on Draft Land Use Element and DEIS.
February 1994	Planning Commission Study Session on review of Citizen Advisory Committee (CAC) draft Natural Resource Conservation Element.
February 1994	Planning Commission Public Hearing on Natural Resource Conservation Element.
March 1994	Adoption of Ordinance 15280 amending Ordinance 15038 regarding Interim UGAs.
March 1994	Planning Commission Study Session to review Public Hearing public comments and staff report.
March 1994	Planning Commission Public Hearing on Planning Commission proposed Natural Resource Conservation Element (Agriculture, Forestry and Minerals).
April 1994	Planning Commission Study Session for deliberations and recommendations on Agriculture, Forest and Mineral elements.
April 1994	Planning Commission Study Session to review Citizen Advisory Committee's Draft Urban Growth Areas, Rural and Housing Elements



April 1994	Planning Commission Public Hearing on Urban Growth Area, Rural and Housing Elements.
April 1994	Planning Commission Study Session to review Citizen Advisory Committee Draft Utility and Transportation Elements.
April 1994	Planning Commission Public Hearing on Citizen Advisory Committee Draft Capital Facilities, Utilities and Transportation Elements.
May 1994	Planning Commission Study Session to deliberate on public comments and testimony on UGA draft element policies and CAC proposed Rural and Housing policies.
May 1994	Passage of Ordinance 15372 extending Temporary Interim Zoning Regulations.
May 1994	Planning Commission Study Session on review of public comments and staff report.
May 1994	Planning Commission Public Hearing on Utility and Transportation Elements.
May 1994	Planning Commission Study Session on deliberations and recommendations on Forest Resource Element.
May 1994	Planning Commission Study Session to consider and begin deliberations on Capital Facilities Element.
May 1994	Planning Commission Study Session to review and deliberate on proposed Mineral Element.
June 1994	Planning Commission Study Session to review and deliberate on proposed Capital Facilities Element.
June 1994	Planning Commission Study Session for deliberations and recommendations on proposed Mineral Element.
June 1994	Publication of Final Environmental Impact Statement for the Land Use Element.
June 1994	Copies of the policies of the Natural Resource Conservation Element, Rural, UGA, Housing, Transportation, and Utilities Element available for comment.
June 1994	Planning Commission Study Session on UGA policy document.



June 1994	Citizen Participation Newsletter mailed. Informed public of upcoming dates on the Comprehensive Plan proposed element policy documents.
June 1994	Passage of Ordinance No. 15432 authorizing the collection of impact fees.
July 1994	<i>A Vision for the Future, Vol. IV</i> published. Forty-eight thousand (48,000) copies included in all Skagit County newspapers. Tabloid presented information on the proposed Land Use Element, plan concept, objectives and designations; the Environmental Impact Statement for the proposed Land Use Element; a summary of land use actions which are part of proposal, maps of proposed Urban Growth Areas and Rural Villages; and the Executive Summary of the Skagit County Planning Commission Proposed Comprehensive Plan Element Policy document. Invited public and agency comments on the Final Environmental Impact Statement.
July 1994	Planning Commission Study Session to discuss the process and timeline for reviewing public comments and written correspondence on proposed Comprehensive Plan Elements.
July 1994	Public Hearings on July 11 and 12 on the Final Environmental Impact Statement for the Land Use Element and the Planning Commission Proposed Comprehensive Plan Element Policy Document.
August 1994	All written correspondence on the Final Environmental Impact Statement for the Land Use Element of Skagit County's Comprehensive Plan and the Skagit County Planning Commission Proposed Comprehensive Plan Element Policy document are made available to the Planning Commission and public. Materials photocopied included all letters received during the extended comment period of June 17, 1994 through July 29, 1994.
August 1994	All exhibits submitted at the Skagit County Planning Commission Public Hearings on July 11 and 12, 1994 on the Final Environmental Impact Statement for the Land Use Element for Skagit County's Comprehensive Plan and Skagit County Planning Commission Proposed comprehensive Plan Element Policy Document made available to Planning Commission and public.
August 1994	Planning Commission Study Sessions on the Economic and Utility elements and on Urban Growth Areas.



September 1994	Planning Commission Study Sessions on Urban Growth Areas, and the Rural and Forestry Elements.
October 1994	Publication of the Skagit County Planning Commission Revised Comprehensive Plan Element Policy Document and Revised Land Use Element.
October 1994	Planning Commission Study Sessions on the Rural, Transportation, and Land Use Elements.
November 1994	Planning Commission Study Sessions on the Land Use Element.
December 1994	Planning Commission Study Sessions on Rural Villages.
January 1995	Planning Commission Study Session on Land Use Element, Goal B.
January 1995	Planning Commission Study Session on Environment and Capital Facilities Elements.
January 1995	Public Hearing on Environment, Economic Development and Capital Facilities Elements.
January 1995	Planning Commission Study Session to review public comments and written correspondence on Environment, Economic Development and Capital Facilities Elements.
February 1995	Planning Commission Study Sessions on the Environment, Capital Facilities and Economic Elements.
March 1995	Planning Commission Study Sessions on draft elements of the Comprehensive Plan.
April 1995	Planning Commission Study Sessions to review draft Comprehensive Plan and Final Environmental Impact Statement (FEIS) on Skagit County's Comprehensive Plan and Land Use Element.
May 1995	Review of the draft Planning Commission Review Copy of the Comprehensive Plan, Map Portfolio and Addendum to the Final EIS.
May 1995	Release of above documents for a 30 day comment period.
May 1995	Determination of Non-Significance and adoption of existing environmental documents (to consider draft elements of the Comprehensive Plan on Natural Resource Conservation)



May 1995	Notice of Availability on the Addendum to the FEIS for the Land Use Element of the Comprehensive Plan
July 1995	Planning Commission Study Session to review and discuss Skagit County's 6 year Transportation Improvement Plan
August – December 1995	Planning Commission reviews Public Comments of draft Comprehensive Plan
November 1995	Board of Commissioners' adoption of Revised IUGAs, moving boundaries to existing city limits.
December 1995	Planning Commission completes review of draft Comprehensive Plan
February 1996	Critical Areas Ordinance before Planning Commission
February – April 1996	Planning Commission review of Critical Areas Ordinance
April 1996	Draft Critical Areas Ordinance
May 1996	Board of County Commissioner public hearing on draft CAO
May 1966	Critical Areas Ordinance adopted
May 1996	Addendum to EIS issued on Skagit County classification and designation of Natural Resource Lands
June 1996	Board of County Commissioners and Planning Commission hold public hearing on Natural Resource Lands
June- July 1996	Planning Commission reviews public comments on Natural Resource Lands. Deliberates and forwards recommendation
July 1996	Planning Commission holds public hearing and recommends approval of Countywide Planning Policies
August 1996	Board of County Commissioners holds public hearing on draft Natural Resource Lands Ordinance and map
August 1996	Board of County Commissioners approves amendments to Countywide Planning Policies
August- October 1996	Interlocal Agreements re: Urban Growth Areas executed between County and cities of Anacortes, Burlington, Mount Vernon, Sedro-Woolley, and La Conner
September 1996	Natural Resource Lands Ordinance adopted



November 1996	Draft 1996 Comprehensive Plan and Draft Supplemental Environmental Impact Statement made available for public review and comment
December 1996	Planning Commission public hearing on Draft 1996 Comprehensive Plan and Draft Supplemental Environmental Impact.
January – March 1997	Planning Commission conducts twice a week study sessions to review public comment on the Draft Plan and DSEIS.
March 1997	Planning Commission forwards recommendation on Comprehensive Plan to Board of County Commissioners.
April 1997	In early April 1997, the Board of County Commissioners after review of the Planning Commission's recommendation identified several issues that warranted further public debate and remanded the draft Plan back to the Planning Commission for additional public review and comment. Later in April 1997, the Planning Commission conducted a public hearing on the draft Plan, reviewed public comment and written correspondence, deliberated and forwarded a revised Plan to the Board of County Commissioners for review and action.
May 1997	In May 1997, the county issued the FSEIS on the draft Plan. On May 19, 1997 the Board of County Commissioners reviewed the Planning Commission's recommended draft Plan, deliberated, made revisions and passed Ordinance No. 16550 initially adopting this Comprehensive Plan.



Citizen Advisory Committees in the Development of the 1997 Comprehensive Plan

Natural Resource Conservation

Agricultural

Andy Anderson, Earl Angevine, Cheryl Bishop, Allen Bush, Serena Campbell, Chuck Dynes, Carolyn Kelly, Roger Knutzen, Jim Koetje, Don Kruse, Carl Loeb, Danny Miller, Joe Von Moos, Marvin Omdal, Lyle Wesen, Don Wick, Chip Wiles (Staff: Rob Knable, Kraig Olason)

Forestry

Greg Arris, Donna Butler, Dave Chamberlain, Jim Chu, Don Van Etten, Jim Harris, James Karcher, Paul Kreigel, Doyle McClure, Ken Osborn, Tim Raschko, George Shelton, Gerald Steel, Keith Wyman, (Staff: Jim Cahill)

Mineral

Garth Anderson, Doug Argo, Mike Crawford, Doug Dillenger, Mark Hitchcock, Kenny Portis, Dick Threet, Rick Van Pelt, Shirley Viscalla (Staff: Pat Bunting)

Rural

Mike Adkinson, Gary Arentzen, Dr. Herbert Goldston, Dean Hayes, Sr., Willard Hendrickson, Gary Jones, Susan Meyer, Carol Oglesbee, Louis Requa, Ed Stauffer, Paul Taylor, Andrea Xavier (Staff: Gary Christensen)

Housing

Kathleen Brown, Susan Corsden, Cecelia Johnson, Al Jongsma, Brian McGuinness, Judy Montoya, Geneal Posey-Fox, Stephen Story, José Viscalla, Mike Youngquist (Staff: Edwyna Fong)

Utilities

Peter Avondo, Martin Corin, Gary Dickinson, Jerry Kaufman, Marianne Kooiman, Jim Loop, Kelley Molstad, Linda Storbakken, Craig Swenter, John Weiss (Staff: Pat Bunting)

Transportation

Bob Boudinot, Bill Carlisle, Robert Eakins, James Falk, Dale Fisher, Harland Forrest, Steve Hood, Donald Hoye, Chuck McConnell, Bruce Wells (Staff: Jim Cahill)

Economic

Ruth Aven, Peter Avondo, Dan Davis, Don Fero, Dave Hedlin, Stewart Jones, Patsy Martin, Kelley Molstad, Danielle Mullen, Ian Munce, Harry Ota, Pat Pearce, John Piazza, Don Slocum, Bill Taylor, Bob Vozar, Don Wick, Bert Williamson (Consultant: Eric Hovee, Staff: Edwyna Fong)



Environment

Dave Chamberlain, John Day, Woody Deryckx, Lorna Ellestad, Elsa Gruber, Ranger Kidwell-Ross, Anita Klein, Roger Knutzen, Bobbi Krebs-McMullen, George McFadden, Brian McGuinness, Ian Munce, Allan Olson, Bill Reinard, Jim Scott, Paul Taylor, Don Van Etten, Don Wick, Margaret Yeoman, Nancy Paine-Donovan (Facilitator: Claire S. Reiner, Staff: Gary Christensen, Oscar Graham, Edwyna Fong)

Environment Technical Advisory Committee

Jon Aarstad, Jim Beaster, Martha Bray, Dave Brookings, Kurt Buchanan, Jim Chu, Mike Davison, Terry Doran, David Fredrick, Noel Gilbrough, Jerry Heller, Carolyn Kelly, Steve Nissley, Terry Nyman, Bill Paleck, Britt Pfaff, Zoë Pfahl, Ann Remsburg, Alice Schisel, Brad Spangler, Art Stendal, Terry Stevens, Gary Voorman, Larry Wasserman



Appendix C

Descriptions of Related Plans, Studies & Regulations

1. Countywide Comprehensive Plan Policies

These adopted policies support the thirteen state mandated Growth Management Act (GMA) goals. GMA goals guide the development and adoption of Comprehensive Plans and development regulations of counties and cities planning under this act. The planning goals include the following: urban growth, reduce sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space and recreation, environment, citizen participation, public facilities and services and historic preservation.

A. Sub-Area Plans

This is where sub-area plans will be discussed when they are developed.

B. Special Purpose or Special Function Plans Adopted separately from the Comprehensive Plan

1. 1976 Skagit County Shoreline Management Master Program

This plan promotes the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines.

2. 1993 Skagit County Drainage Study, Draft Capital Improvement Plan (Vol. I)

Report includes a summary of the capital improvement plan that summarizes the recommended projects and costs for the study areas of South Burrow Bay, Jackman Creek, Hill Ditch and North Samish; a statement of the methodologies used to rank the problem areas, to perform the hydrologic and hydraulic analyses and to prepare cost estimates and the studies, alternatives and recommendations for each of the study areas.

3. 1995 Skagit County Drainage Utility Capital Improvement Plan, Draft Environmental Impact Statement

Environmental Analysis of the above four proposals.

1989 Skagit County Comprehensive Flood Control Management Plan

Purpose is to establish the need for flood control maintenance work, define structural alternatives, identify and consider potential impacts of in-stream flood control work on in-stream resources and identify the river's floodway.

1991 Flood Summary Report, Nooksack, Skagit and Snohomish River Basins, November, 1990 Events



Purpose is to document the flooding and related flood data of the two successive rain flood events in Western Washington that occurred during November 9-12 and 21-26, 1990.

1993 Skagit River Flood Damage Reduction Study, Draft Reconnaissance Report

Report presents the results of a reconnaissance study that was conducted under the authority of Section 209 of the Flood Control Act of 1962. Primary purpose of the study was to determine if there is a Federal interest in pursuing feasibility level flood damage reduction studies in the Skagit basin.

4. School Districts Capital Facilities Plans

Capital Facilities Plans for the following school districts: Anacortes, Burlington-Edison, Conway, La Conner, Mount Vernon, and Sedro-Woolley.

5. Fire Districts Capital Facilities Plans

Skagit County has 19 County Fire Districts. The service area for these districts is countywide, exclusive of the incorporated cities and towns of Skagit County. Each district is independent and has its own service area and as such has its own capital facility needs. Inventory and capital facilities projects for each district have been included in the Plan. Each district providing service within a non-municipal Urban Growth Area has been included in the Capital Facilities Plan for that UGA.

6. Port of Skagit County

Comprehensive Scheme of Harbor Improvement

Statutory requirements

Five Year Capital Improvement Plan

Identifies that capital improvement the port expects to make on its property over the ensuing five-year period.

Industrial Site Plan for the Bay View Industrial Park

Identifies the road structures and developable lots of port's property.

Airport Master Plan

Purpose is to maintain the airport and identify future improvements to the airport.

Comprehensive Master Plan for the La Conner Marina



Analyze the existing facilities and will develop what would be appropriate to do in the future.

7. Port of Anacortes

Comprehensive Plan for the Port of Anacortes

Statutory requirements

Port of Anacortes: Cap Sante Boat Haven Comprehensive Plan

A revision to the 1984 Cap Sante Boat Haven portion of the Comprehensive Plan

Anacortes Airport Master Plan

Developed a master plan update for the Anacortes Airport, taking into account the physical, social, environmental and economic concerns of how airport facilities should develop

8. Padilla Bay/Bayview Watershed Non-Point Action Plan (Draft) December, 1994

Provides the basis for controlling nonpoint source pollution problems and protecting the beneficial uses, such as drinking water supplies, fisheries habitat, wildlife habitat, and recreational opportunities. The watershed plans were developed through the cooperative efforts of representatives from state and local agencies, local citizens, tribal governments, special purpose districts and other local interest groups.

Nookachamps Watershed Non-Point Action Plan (Final Revised), April, 1995

Provides the basis for controlling non-point source pollution problems and protecting the beneficial uses, such as drinking water supplies, fisheries habitat, wildlife habitat, and recreational opportunities in the Nookachamps Watershed.

Samish Bay Watershed Plan (December, 1995)

The main purposes of the plan are to prevent and abate non-point source pollution within the watershed, and to protect the watershed's beneficial uses, such as drinking water supplied, shellfish growing, fish and wildlife habitat and recreational opportunities.

9. Skagit County Draft GMA Electrical Facility Plan and map updates (November 1992)

10. Skagit County Sewer District #2 Comprehensive Sewer Plan (1995)



2. Land Use Related Regulations and Ordinances

A. State Land Use Laws

Many of the following land use regulations and ordinances are bound by the following statutory laws and administrative codes: RCW 36.70A, RCW 36.70, WAC 365.195 and WAC 365.190.

B. Land Use and Development Regulations – Skagit County Code (SCC) Title 14, Unified Development Code

The purpose of Skagit County Code Title 14, Unified Development Code (UDC) is to implement the State Revised Code of Washington (RCW) and the Skagit County Comprehensive Plan on matters concerning land and building development and other related issues. Title 14 consists of the following Chapters:

SCC 14.02 General Provisions

Includes purpose and applicability of Title 14, rules of interpretation, vesting of applications, and fees.

SCC 14.04 Definitions

Contains definitions of technical and procedural terms used throughout SCC Title 14.

SCC 14.06 Permit Procedures

Describes how the County will process applications for development permits subject to review under SCC Title 14

SCC 14.08 Legislative Actions

Establishes roles and responsibilities relating to the adoption of and amendments to the Comprehensive Plan, subarea plans, functional plans and development regulations found in SCC Title 14.

SCC 14.10 Variances

Establishes regulations governing variances from the terms of SCC Title 14.

SCC 14.12 SEPA Ordinance

Ordinance contains the basic requirements that apply to the SEPA process; contains rules for deciding whether a proposal has a “probable significant, adverse environmental impact” which would require an environmental impact statement (EIS) to be prepared; contains rules for preparing an EIS; contains rules and policies for SEPA substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA and contains rules for agency compliance with SEPA;

SCC 14.14 Development Agreements



Establishes the mechanism under which the County may enter into development agreements as authorized by RCW 36.70B.170.

SCC 14.16 Zoning

The regulations are intended to carry out the goals and policies of the Skagit County Comprehensive Plan. SCC 14.16 is intended to benefit the public as a whole and not any specific person or. Applications for permits and approvals are subject to the provisions of SCC 14.16 and other ordinances and laws. SCC 14.16 classifies, designates, and regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial and public land uses for the unincorporated area of Skagit County.

SCC 14.18 Land Division

Purpose is to govern the division and re-division of land into lots for the purpose of sale, lease or other transfer by utilizing one of the following processes: Long Subdivision, Short Subdivision, Planned Unit Development (Reserved), and Binding Site Plan. The Conservation and Reserve Development (CaRD) process is included as an overlay process to allow alternate residential development designs in rural and resource areas and to help achieve larger open space areas in accordance with this Comprehensive Plan.

SCC 14.20 Master Planned Resorts

Skagit County has a wide range of natural features and amenities, including climate, vegetation, water, natural resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users to enjoy. New master planned resorts authorized by RCW 36.70A.360 and existing master planned resorts authorized by RCW 36.70A.362 offer an opportunity to utilize these special features for enjoyment and recreational use, while bringing significant economic diversification and benefits to rural communities. The purpose of this section is to establish a Master Planned Resort land use district to be applied to those properties the Board of County Commissioners determines are appropriate for development as a master planned resort consistent with the Comprehensive Plan and RCW 36.70A.360 through 36.70A.362.

SCC 14.22 Records of Survey

Administrative regulations relating to records of land survey and records of monument.

SCC 14.24 Critical Areas Ordinance

Purpose is to assist in orderly development, conserve the value of property, safeguard the public welfare, and provide for the protection of the quality and quantity of groundwater used for public water supplies and provide for protection of critical areas.

SCC 14.26 Shorelines

Includes by reference the Shoreline Management Master Program (see I-B-1 above).

SCC 14.28 Concurrency



Pursuant to the GMA (RCW 36.70A), Skagit County is required to ensure that transportation improvements or strategies to accommodate the impacts of development are in place at the time a project is first occupied, or that a financial commitment is in place to complete the improvements or strategies within 6 years. The County bound by the GMA to ensure that public facilities and services necessary to support development are adequate to serve the development at project occupancy. Concurrency for certain urban and rural public facilities and services is assured by the implementation of the Capital Facilities Plan, the County's monitoring and annual review of that plan and the County's response in the absence of concurrency. Certain public facilities and services also need to be analyzed before the County can issue a project permit for a specific development. SCC 14.28 addresses both the annual concurrency review process and the system whereby individual development projects are examined for concurrency and development permits are issued only after it is demonstrated that the levels of service will not be degraded below the adopted level-of-service standards for these facilities and services.

SCC 14.30 Public Facilities Impact Fees

The Board of County Commissioners finds and determines that new growth and development in Skagit County will create additional demand and need for public facilities, and that new growth and development should pay a proportionate share of the cost of new public facilities needed to serve the new growth and development. SCC 14.30 establishes regulations relating to the assessment and administration of public facilities impact fees.

SCC 14.32 Drainage Ordinance

Purpose is to set out the authority, regulatory requirements, submittal requirements, and procedures for stormwater drainage design, review, approval, construction, maintenance and management in Skagit County.

SCC 14.34 Flood Damage Prevention

Purpose is to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas.

SCC 14.36 Public Works Standards

Establishes by reference standard and/or regulations for the construction of public and private roads, stormwater management facilities, sanitary sewer facilities in certain areas, and water system improvements.

SCC 14.38 Right-To-Manage Natural Resource Lands

Purpose is to enhance and encourage Natural Resource Lands (NRL) operations within Skagit County, and to provide residents proper notification of the County's recognition and support of those persons and/or entities right to manage NRL lands. It is also the intent to reduce the loss to the County of its NRL operations by limiting the circumstances under which NRL operations may be considered a nuisance.

SCC 14.40 Open Space/Current Use Assessment Applications



Purpose is to outline the review procedures for the processing of open space land current use assessment applications as provided in RCW 84.34.037.

SCC 14.42 Accepting Grants of Real Property

Provisions relating to the acceptance, by the County, of grants of real property by a landowner.

SCC 14.44 Enforcement/Penalties

Provisions relating to the enforcement of violations of SCC Titles 14 and 15 and land use statutes or regulations.

C. Individual and Public Drinking Water Systems

SCC 12.48 Rules and Regulations of the Skagit County Board of Health Governing Individual and Public Drinking Water Systems

Purpose of ordinance is to define minimum regulatory requirements and to protect the health of consumers whether they drink from an individual or a public water system and to meet the intent of the Growth Management Act.

WAC 246-291 Group B Public Water Systems

Purpose of regulations is to define basic regulatory requirements to protect the health of consumers using Group B public drinking water supplies. These rules are specifically designed to ensure the provision of high quality drinking water in a reliable manner and in a quantity suitable for intended use. Covers 2-9 connections with less than 25 people.

WAC 246-290 Group A Public Water Systems

Purpose of these rules is to define basic regulatory requirements and to protect the health of consumers using public drinking water supplies. Covers more than 10 connections and more than 25 people.

WAC 173-160 Minimum Standards for Construction and Maintenance of Wells

Purpose is to establish minimum standards for the construction of all wells in the State of Washington. Regulations establish minimum construction standards for two classes of wells.

D. Septic Systems

SCC 12.05 Skagit County Rules and Regulations for On-Site Sewage Disposal

Purpose of regulations is to assure protection of public health by minimizing the public health effects of on-site sewage systems on surface and groundwaters and also to minimize the potential for exposure to sewage.



3. Intergovernmental Agreements

- a) 1982 Adoption of Joint Sphere of Influence Agreements, Resolution No. 9312
- b) 1987 Establishment of Memorandum of Understanding establishing comprehensive planning with Swinomish Tribe.
- c) 1990 Formal Establishment of Environmental Review SEPA co-lead status in their Interim Urban Growth Areas.
- d) 1990 County/City County-wide Regional Comprehensive Plan Policy Committee
- e) 1993 Adoption of Interim Urban Growth Areas, Ordinance #15038
- f) 1996 Interlocal Agreements with all Cities and Towns: An Urban Growth Management Agreement (*Draft*)

To establish general guidelines for orderly growth of the urban area; to promote inter-jurisdictional communications and participation in planning for the urban area; to provide certainty about the types of land uses for the short-term and certainty and timely response in the decision-making process to change those uses as areas urbanize; to provide a framework for the more detailed land use and public service plans and studies of the jurisdictions; to make jurisdictional planning more comprehensive; and to coordinate land use regulations and utility standards to minimize public and private costs.

- g) 2002 Framework Agreement Among Skagit County, the City of Burlington, the City of Mount Vernon, the City of Anacortes, the City of Sedro-Woolley, and the Town of La Conner (Skagit County Contract No. C20020423).

The purpose of the Agreement is to enhance the ability of the parties to improve the present health, safety, convenience and welfare of their citizens and to plan for the future development of the Cities and the County to the end that the governments achieve a county-wide pattern of community-building, land use, and conservation that reflects the environmental, economic, aesthetic, and social values of city and county residents.

4. Plans and Studies of Land Use Interest or for Resource

A. Economic Development

- 1. 2000 Overall Economic Development Plan for Skagit County

Prepared by E.D. Hovee & Company for the Skagit Council of Governments with the assistance of the Citizen Advisory Committee for the Economic Element of the Comprehensive Plan. Document serves as the comprehensive statement of plans for county-wide economic growth and development over the next twenty years. The OEDP is organized to address requirements of the U.S. Economic Development Administration and to supplement the economic development element of Skagit County's Comprehensive Plan.



2. 2003 Skagit County Comprehensive Economic Development Strategy (CEDS)

Skagit County's Comprehensive Economic Development Strategy (CEDS) is intended to serve as a comprehensive statement of plans for countywide economic growth and development. Like the prior Overall Economic Development Plan (OEDP) documents, this strategy is organized both to respond to the requirements of the U.S. Economic Development Administration (EDA) and to serve as the economic development element of the Skagit County Comprehensive Plan.

B. Housing

1. 1993 Skagit County Affordable Housing Needs Assessment

Prepared by Pacific Development Concepts for the Skagit County Department of Planning and Community Development with partial funding from Skagit County and the Washington State Department of Community Development. Document provides 70 pages of housing related data covering all information necessary to satisfy housing element requirements of the GMA. Policies are detailed in the Housing Element portion of the Comprehensive Plan.

C. Population Statistics and Forecasts

1. 1990 Census of the Population and Housing

Census information includes data on origin of population, citizenship, household type and relationship, income, etc.

2. 1994 Office of Financial Management Population Trends

Population trends provides current demographic data for the state, counties, cities and towns.

3. 1995 Skagit County Population Forecast and Growth Management Act

Economic and Engineering Services, Inc. (EES) was requested to review the recent findings of the Growth Management Act Board; the growth and development activity in Skagit County (County); and the basis on which EES prepared the 1991 Skagit County Population Forecast. Based on this review, EES has provided its evaluation of the consistency of the 1991 projection with the current GMA requirements. The report states EES's findings for the Skagit Council of Governments and its members.

4. 1995 Office of Financial Management Population Trends

Population forecasts providing high, medium and low GMA population projections



for five year intervals from 1995 through 2010, and annual projections from 2010 through 2020.

5. Skagit County Urban Growth Area Analysis, 1996

A report prepared by E. D. Hovee and Company that describes and quantifies the results of cooperative planning to allocate residential, commercial and industrial lands for each urban growth area in Skagit County.

6. Population & Employment Forecasting & Allocation, 2025

This report has two major divisions. The first part describes the results of the city/county population forecasting and allocation work, including the Skagit Council of Governments (SCOG) approach to the state Office of Financial Management (OFM) forecast ranges, the analysis of existing conditions and growth trends throughout the County, and the formulation of the allocation. The second part describes the results of the employment analysis. A “conclusions” section summarizes the current status of the population and employment allocation process. Behind the report, a chronological compilation of discussion papers and other work products of the assignment has been included to provide further detailed information.

D. Parks and Recreation

1. 1998 Comprehensive Park and Recreation Plan

Outlines a plan for improving park and recreation services in Skagit County. The plan is intended to meet the requirements of Washington State’s Interagency Committee for Outdoor Recreation as well as the GMA. The plan contains goals, objectives and policies intended to supplement those identified in the County’s Comprehensive Plan. The plan provides direction for long-term decisions on leisure services and meets State requirements for planning and grant requests.

E. Wetlands, Shorelines and Water Resources

1. 1978 Coastal Zone Atlas of Washington

Information contained in the Atlas displays seven different data categories considered essential for effective coastal zone management and land use decisions. These include a coastal geology survey, a coastal slope stability survey, a coastal flooding survey, sand and gravel resources, critical faunal and floral areas, coastal drift sector inventory and land cover/land use.

2. Skagit County Wetlands Protection Policies

Purpose of this study is to: (1) review existing local policies and regulations that



protect wetland resources in Skagit County and the jurisdictions of Burlington, La Conner, Mount Vernon, and Sedro-Woolley, (2) identify areas of inconsistency between the regulations of the County and the four jurisdictions listed above, and (3) recommend proposed SEPA wetlands policies to protect wetland resources within Skagit County.

3. Skagit County Shoreline Management Master Program

Purpose of this study is to: (1) promote the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines; (2) to implement program in a positive, effective and equitable manner; and (3) to further assume and carry out the responsibilities established by the act for Skagit County, and to foster by adoption the policy contained in RCW 90.58.020 for shorelines of the state.

F. Solid Waste

1. 1995 Skagit County Resource Recovery Facility

Report presents the final findings of research and analysis conducted by the Resource Recovery Facility Assessment committee regarding future alternatives to the usage of the Resource Recovery Facility. Objectives to the report are: evaluate environmental, technical, management and regulatory factors and related risks associated with each alternative; evaluate waste reduction and recycling options and the related affects on the Skagit County waste stream and conduct a financial analysis and assess financial and risk implications of proceeding with each alternative.

2. 1994 Final Skagit County Comprehensive Solid Waste Management Plan Update and Environmental Impact Statement

Report deals with the actions to be taken regarding solid waste management in Skagit County over the next seven years, an implementation schedule showing recommendations and their anticipated costs. Recommendations provide: (1) guidelines for the development of programs, policy and operating plans; (2) a basis for permitting decisions by the jurisdictional health department and other local government agencies; and (3) the support needed to obtain grants and funds for future programs and capital projects.

G. Water Supply

1. 1985 Anacortes – Fidalgo Island Coordinated Water System Plan

The Coordinated Water System Plan was prepared to plan for future water service on Fidalgo Island in a comprehensive and coordinated manner. It was prepared to meet the requirements of Chapter 248-56 of the Washington State Administrative Code –



Water System Coordination Act, Procedural Regulations.

The study area for the Anacortes-Fidalgo Island Coordinated Water System Plan (CWSP) consisted of Fidalgo Island plus the water service area of the Town of La Conner, which is on the mainland to the east and across the Swinomish Channel from Fidalgo Island.

Recognizing the need to plan for adequate water supply into the future, Skagit County's Board of County Commissioners authorized a preliminary assessment of water supply needs. Based on this Assessment the Board adopted a resolution declaring Fidalgo Island a Critical Water Supply Service Area (CWSSA) and initiated this coordinated water system planning process. A copy of this resolution is included in Appendix C (of the Anacortes-Fidalgo Island plan). The goals and objectives of the CWSP were to:

- *Establish future water service areas for the purveyors on Fidalgo Island*
- *Determine the best method to provide adequate water service to unincorporated areas of Fidalgo Island that currently have inadequate water supply*
- *Coordinate water system development with land use plans and policies*
- *Establish minimum design standards for water system development on Fidalgo Island*
- *On Fidalgo Island and other areas that may be served by the City of Anacortes in the future*
- *Identify opportunities for cooperation between water purveyors of mutual benefit to the future development of water supply on Fidalgo Island*

The success of the Anacortes-Fidalgo Island Plan and the need to protect Skagit River water for local use led to the 1993 Skagit County Coordinated Water System Plan (updated in 2000) and the Skagit River MOA (see page 10-11 of this Comprehensive Plan).

2. 2000 Skagit County Coordinated Water System Plan

Provides a process and strategy for the existing water utilities to define their role in a program to meet the adopted land use and projected growth strategy of the area. The regional water supply, transmission, and storage plan represents the collective views of the Skagit County Water Utility Coordinating Committee and integrates the documented views of other State and local governments. Although the document is not the total and final water resource management plan for the area, it represents a significant piece of the larger resource and growth management plan. The Plan is the Regional Supplement plus the Water Systems Plans of the public water systems in the planning area.



3. 1994 Hydrogeology and Quality of Ground Water on Guemes Island

Report covers: regional and local geologic history; areal distribution and physical properties of significant hydrogeologic units; basic principles of the hydrologic cycle and ground-water occurrence; precipitation; recharge and discharge of ground water on the island; water-level fluctuations and trends; water budget of the island; seawater intrusion; general chemistry of ground water; and the need for monitoring and additional studies.

H. Transportation

1. 2000 Skagit County Road Standards

Purpose of these standards is to provide standardized road design and construction elements for consistency and to ensure, so far as practical, that minimum requirements of the motorized, bicycle, and pedestrian public are met. These requirements include safety, convenience and economical maintenance.

2. 1991 Skagit County Public Works Department Capital Facilities Plan for the Guemes Island Ferry, Updated 1995

The Capital Facilities Plan for the ferry system fulfills the state requirements in order to apply for ferry related capital projects. The Growth Management Act requires that all future land development projects in the state be conditional on having adequately planned for transportation and other capital improvements needed to accommodate such development.

3. 1994 Skagit County Non-Motorized Transportation Plan, Draft

Plan focuses on non-motorized travel alternatives for Skagit County. The plan provides a basis for the non-motorized section of the Sub-Regional Transportation Plan and is a key component of the transportation element of the Skagit County Comprehensive Plan. Facilities and issues that involve travel by bicycle, foot, and to a lesser extent horseback are addressed and a number of key recommendations made. Plan's goal is to achieve a safe, convenient, cost-effective and countywide non-motorized transportation system.

4. 1997 Skagit County Transportation System Plan

The Transportation Systems Plan supplements the Transportation Element of this Comprehensive Plan. The plan includes land use assumptions, inventories, facilities and service needs, financing plan and capability, intergovernmental coordination efforts, and demand management strategies.



5. 2000-2005 Transportation Improvement Plan

This plan identifies specific capital improvement projects for the six-year period from 2000 through 2005.

6. 1996 Skagit/Island Regional Transportation Plan (RTP)

This document serves as the long range transportation plan for Skagit and Island counties. The RTP provides an inventory of existing regional transportation facilities, transportation systems forecasts, system deficiencies, and a financial analysis of the region.

7. 1996 Skagit County Sub-Regional Transportation Plan, Draft

The Plan addresses Skagit County transportation issues specifically, providing analysis and assessment of the Regional Multimodal Transportation System including forecasts to the year 2014. All modes of transportation in Skagit County are explored including highways, ferries, major petroleum pipelines, and airports.

8. 1996 County-wide Air, Rail, Water and Port Transportation System Study

This study provides: (1) transportation information, recommendations, and policy proposals for the Port of Skagit County and the Port of Anacortes, (2) the air, rail and water transportation element of the Skagit Sub-Regional Plan, and (3) transportation information, recommendations and policy proposals that can be incorporated into the Transportation elements of local municipalities and the County's Comprehensive Plan where appropriate.

9. 1995 Skagit Regional Airport, Master Plan Update

The Update replaces the 1989 Plan. The topics that are analyzed include: aviation demand forecasts, airfield requirements, landslide requirements, airport development alternatives, the airport layout plan, land use and environmental aspects and financial data.

10. 2003 Skagit County Transportation Systems Plan

The Transportation Systems Plan (TSP), together with the goals and policies of the Transportation Element of the Skagit County Comprehensive Plan, comprise a long-range plan for Skagit County's transportation. The TSP emphasizes the physical transportation systems and the future improvements that will be needed.



I. Natural Hazards

1. Potential Volcanic Hazards from Future Activity of Mount Baker, Washington, and Volcanic-Hazard Zonation for Glacier Peak Volcano

Primary purpose of report is to provide planners, emergency management personnel, and federal and state agencies with information regarding eruptive and other hazardous geologic processes that will likely occur at Mount Baker in the future.

2. 2003 Skagit County Natural Hazards Mitigation Plan

Natural hazard mitigation is the development and implementation of activities designed to reduce or eliminate losses resulting from natural hazards. This plan serves to establish a foundation for coordination and collaboration among local Indian Tribes, agencies, jurisdictions, and the citizens of Skagit County in addition to identifying mitigation strategies and future mitigation projects as a means to assist in meeting the requirements of various federal assistance programs.

J. Resource Lands and Critical Areas

1. 1992 Skagit County Resource Lands and Critical Areas Classification Program

Purpose of plan is to establish a process whereby resource lands and critical areas can be objectively and systematically identified by: classifying land areas within Skagit County based on available information applied to a structured evaluation process; determining the degree of justification for designation as a resource land of long-term commercial significance; and setting the foundation upon which performance standards, in the form of a site assessment evaluation, can be applied to resource lands and critical areas.

2. 1992 Farmland Preservation in Skagit County: Program Options and Recommendations

Prepared by Skagitonians to Preserve Farmland for the Skagit County Board of Commissioners. Report includes a review of farmland preservation in Skagit County and program recommendations, inventory of options for farmland protection programs, and a survey of farmers on farming in Skagit County.

3. Skagit County Draft Agricultural Rating System

Document is a land evaluation and site assessment rating system developed by County staff and the Agricultural Citizen Advisory Committee. Purpose of the Agricultural Rating System is for evaluating farmland productive quality and locale development pressure. This information is then used by county staff and Board of



County Commissioners in making land use decisions and mitigation measures related to agriculture.

4. 1996 Agricultural Land Protection Survey

A survey of 400 Skagit County citizens relating to the protection of agricultural land. Survey co-sponsored by the Economic Development Association of Skagit County and Skagitonians to Preserve Farmland.

K. Environmental Review

1. 1994 Draft and Final Environmental Impact Statements for the Land Use Element, Skagit County Comprehensive Plan

Describes the changes to the proposal made by the County since publication of DEIS. Includes policies to address water quality, drainage, flooding, and surface and stormwater runoff; includes revised urban growth area boundaries and the designation of two independent Urban Growth Areas; establishes residential land use densities for UGAs, Natural Resource Lands and Rural Areas; delineates boundaries for each Rural Village and modifies the list of communities designated at Rural Villages; and incorporates a revised Alternative 3, and proposes this alternative as the Preferred Alternative for the purposes of environmental review.

2. 1995 Addendum to FEIS Land Use Element of Comprehensive Plan

Addendum adds analyses and information to the June, 1994 FEIS, Land Use Element for the Comprehensive Plan. Major changes from the July, 1994 version are discussed. Addendum includes a Fact Sheet, background material on the development of the Land Use Element and prior environmental review, a summary of proposed changes to the Land Use Element, and discussions on supplemental information and amended data.

3. Determination of Non-Significance (DNS) and Adoption of Existing Environmental Documents

A non-project, legislative action to consider draft elements of the Skagit County Comprehensive Plan on Natural Resource Conservation (agriculture, forestry, and mineral), Rural, Urban Growth Areas, Housing, Transportation, Utilities, Capital Facilities, Economic Development, Environment, Community Development Plans, and Essential Public Facilities. The proposed goals, objectives, and policies suggest programs, strategies, or future actions for comprehensive planning in Skagit County through the year 2015.

4. Supplemental Environmental Impact Statement on revised draft Comprehensive Plan



The SEIS analyzes the current draft Comprehensive Plan as an alternative to the previous proposals included in the 1994 Draft and Final EIS. Environmental review contained in this document addresses the entire draft Comprehensive Plan unlike the previous document that limited review to the Land Use Element.

L. Historical References

1. Skagit Settlers: Trials and Triumphs, 1890-1920 by Margaret Willis, 1975
2. Chechacos All: The Pioneering of Skagit County, Margaret Willis, 1973
3. Indians of Skagit County by Chief Martin J. Sampson, 1972



Appendix D

Adopting & Amending Ordinances

Adopting and Amending Ordinances

The following is list of official actions taken to amend the Skagit County Comprehensive Plan policy document. Ordinances amending Skagit County development regulations are not listed.

May 29, 1997

Ordinance No. 16550 – An Ordinance Relating to Comprehensive Planning for Skagit County in Accordance with the Washington State Growth Management Act (RCW 36.70A); Repealing the Following: the 1982 Eastern District Comprehensive Plan; the 1980 South Central District Comprehensive Plan; the 1980 Southwest District Comprehensive Plan; the 1973 North Central District Comprehensive Plan; the 1975 Northwest District Comprehensive Plan; and, the 1976 Islands District Comprehensive Plan; Addressing Western Washington Growth Management Hearings Board Case No. 95-2-0065 Issues; Amending Natural Resource Lands Ordinance No. 16291 Map Designations; and Identifying Priority Items Requiring Further Studies, Reports and Recommendations

June 25, 1998

Ordinance No. 17029 – Adopting Planning Agency Recommendations Regarding Short-term Stipulated Issues in Western Washington Growth Management Hearings Board Case No. 97-2-0060c and Amending the 1997 Comprehensive Plan

February 3, 1999

Ordinance No. 17305 – Relating to the Comprehensive Plan Definition of “Legal Lot of Record”

July 24, 2000

Ordinance No. 17938 – An Ordinance Relating to Comprehensive Planning and the Unified Development Code for Skagit county in Accordance with the Washington State Growth Management Act (RCW 36.70A); Adopting Amendments to the County-Wide Planning Policies; Adopting Amendments to the Comprehensive Plan; Adopting a new Unified Development Code and Repealing the former; Adopting a Proposed Land Use/Zoning map and Revised Comprehensive Plan Portfolio Maps; Amending a portion of Title 15; Repealing sections of Ordinance No. 17568 as renewed by Ordinance Nos. 17804 and 17893; Adopting the Skagit County Coordinated Water System Plan Regional Supplement; Adopting an Amendment to the Skagit County Transportation System Plan; Adopting the Skagit County Capital Facilities Plan (2000-2005) Goals and Policies Capital Improvements and Implementation Program and Revenue Sources for Capital for Capital Facilities (2000-2005); Adopting the Skagit County Overall Economic Development



Plan (February 2000); Adopting the Concrete Urban Growth Area (“UGA”) and Land Use Designations; Adopting on an Interim Basis the Concrete Development Regulations within the Concrete UGA; Repealing Interim Ordinances 17888, 17889, 17890, 17891, 17892, 17894, and 17895; and identifying Priority Items Requiring further Studies, Reports, and Recommendations

December 4, 2000

Ordinance No. 18085 – An Ordinance Adopting the Skagit County Capital Facilities Plan 2001-2006, Replacing the Capital Facilities Element, and Adopting a New Appendix E to the Skagit county Comprehensive Plan

August 21, 2001

Ordinance No. 18375 – An Ordinance Relating to Various Findings of Noncompliance in Western Washington Growth Management Hearings Board Case Nos. 00-2-0046c, 00-2-0049c and 00-2-0050c; Adopting a Proposed Planning Process, Schedule and Tasks for Preparation of a Fidalgo Island Subarea Plan; Amending Comprehensive Plan Policies Regarding Annexations; Amending Certain Uses in SCC 14.16.400 Agricultural-Natural Resource Lands (Ag-NRL), SCC 14.16.410 Industrial Forest-Natural Resource Land (IF-NRL), SCC 14.16.420 Secondary Forest-Natural Resource Land (SF-NRL), and SCC 14.16.430 Rural Resource Lands (RRc-NRL); Amending SCC 14.16.400(2)(e) Regarding Composting in the Ag-NRL Zone; Amending SCC 14.10.020 Regarding Variances from Public Works Standards; Amending SCC 14.04 Definition of Side Setbacks; Amending Map 3d of the Comprehensive Plan Map Portfolio for the Town of Concrete UGA to Specifically Note the Minimum Density Requirement; Adopting Various Updates to City Codes for Application in Each City’s Urban Growth Area Pursuant to SCC 14.02.040 and Amending Appendix A Thereto; and Reconsidering Rural Freeway Services (RFS) Comprehensive Plan and Zoning Designations on Various Properties.

June 10, 2002

Resolution No. R20020194 – An Ordinance Adopting the Similk Beach Limited Area of More Intensive Rural Development (LAMIRD); Adopting and Amending Certain Comprehensive Plan Policies; Amending Map 3 of the Comprehensive Plan Map Portfolio; Amending SCC 14.16, Zoning, and Recommending Amendments to SCC 12.05, On-site Sewage Code.

May 13, 2003

Ordinance No. O20030012 – Addressing Big Lake Rural Village Growth Management Act Compliance Issues In



	Western Washington Growth Management Hearings Board Case No. 00-2-0046c.
May 13, 2003	Ordinance No. O20030013 – Addressing Growth Management Act Compliance Issues on Open Space Corridors and Greenbelts Within and Between Urban Growth Areas in Western Washington Growth Management Hearings Board Case No. 02-2-0005.
May 13, 2003	Ordinance No. O200330014 – Addressing Rural Marine Industrial (RMI) Growth Management Act Compliance Issues In Western Washington Growth Management Hearings Board Case No. 00-2-0049c.
May 13, 2003	Ordinance No. O20030015 – Addressing Rural Commercial and Industrial Acreage Compliance Issues Under the Growth Management Act in Western Washington Growth Management Hearings Board Case No. 00-2-0049c.
June 9, 2003	Ordinance No. O20030019 – An Ordinance Adopting the Skagit County Capital Facilities Plan 2003-2008, Amending the Capital Facilities Element, Repealing Appendix E to the Skagit County Comprehensive Plan, Amending SCC 14.28 Concurrency, and Amending SCC 14.30 Public Facilities Impact Fees.
December 22, 2003	Ordinance No. O20030033 – An Ordinance Adopting Portions of the 2003 Update to the Skagit County Transportation Systems Plan; Amending the Comprehensive Plan's Chapter 9, the Transportation Element; Amending Skagit County Code Chapter 14.28, Concurrency; and Remanding the Non-Motorized Portion of the Transportation Systems Plan to the Planning Commission for Further Consideration.
May 17, 2004	Ordinance No. O20040008 – An Ordinance Adopting 2001 and 2002 Comprehensive Plan Amendment Proposals, Amending the Skagit County Comprehensive Plan, Comprehensive Plan/Zoning Map, and Various Sections of Title 14 of the Skagit County Code.
May 17, 2004	Ordinance O20040009 – An Ordinance Adopting the Skagit County Non-Motorized Transportation Plan, which Shall become Chapter X of the Transportation Systems Plan
January 24, 2005	Ordinance O20050001 – An Ordinance Adopting Certain 2003 Comprehensive Plan Amendment Proposals to Add



	Properties to Municipal Urban Growth Areas and Amend the Skagit County Comprehensive Plan/Zoning Map
February 22, 2005	Ordinance O20050004 – An Ordinance Adopting a Comprehensive Plan/Zoning Map Amendment to Re-Designate the 2.6 Acre Property Known as Karma Gardens from Ag-NRL to Rural Business
February 28, 2005	Ordinance O20050005 – An Ordinance Adopting a Comprehensive Plan/Zoning 2/28/05 Map Amendment to Re-Designate the Property known As “12 Acres of RMI” and a Corresponding Language Amendment to Section 4A-15.6(a) of the Land Use Element of the Skagit County Comprehensive Plan
April 4, 2005	Ordinance O20050006 – An Ordinance Amending the Skagit County Comprehensive Parks and Recreation Plan to Address Findings of Non-Compliance in Hearings Board Case No. 04-02-0011
October 25, 2005	Ordinance O20050011 – An Ordinance Amending the Skagit County Capital Facilities Plan to Address Findings of Non-Compliance in Hearings Board Case No. 04-02-0011
April 10, 2006	Ordinance O20060005 – An Ordinance to change the land use designation on 10 acres of Mount Vernon School District property from City of Mount Vernon UGA to Ag-NRL in compliance with Western Washington Growth Management Hearings Board (WWGMHB) Final Decision and Order, Case No. 05-2-0012
December 5, 2006	Ordinance O20060007 – An Ordinance adopting the Bayview Ridge Subarea Plan and Development Regulations
September 10, 2006	Ordinance O20070009 – An Ordinance adopting Skagit County’s seven-year update as required by Washington State’s Growth Management Act (RCW 36.70A.130 (4)), including amendments to the County-wide Planning Policies; the Comprehensive Plan; Skagit County Code; and the Comprehensive Plan Land Use/Zoning Map.



