



PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

OSCAR GRAHAM, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

BILL DOWE, CBO
Building Official

MEMORANDUM

To: Planning Commission
From: Kirk John
Date: January 3, 2007
Re: Deliberations on 2005 GMA Update - Rural Resource-NRL and OSRSI Map Proposals

This memorandum is intended to help guide the Planning Commission through deliberations on Comprehensive Plan map amendment proposals addressing the Rural Resource-NRL and Open Space of Regional/Statewide Importance (OSRSI) designations. Additional memos will be provided in advance of Planning Commission deliberations on map amendments in the following categories:

1. ~~Rural~~
2. ~~Urban Growth Areas (UGA)~~
3. ~~Agricultural NRL (Ag NRL)~~
4. ~~Open Space of Regional/Statewide Importance (OSRSI)~~
5. ~~Rural Resource NRL (RRe NRL)~~
6. Forestry
7. Mineral Resource Overlay (MRO)
8. Master Planned Resort (MPR)

As with previous memos, this memorandum supplements the individual map amendment pages in the *Integrated SEPA/GMA Report*. It provides additional information and analysis, as necessary, to address issues raised in public testimony and correspondence during the public comment period. This report seeks to identify and elaborate on the key factors that result in a recommendation either for approval or denial.

The proposals are not divided into Group 1 and Group 2, as has been done with some other map memos.

Please note: All Comprehensive Plan citations below correlate to the *Draft Comprehensive Plan*.

RURAL RESOURCE-NRL

The following general description of the Rural Resource-NRL land use designation is provided in Chapter 4, p. 24, of the draft Comprehensive Plan:

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.

The designation criteria are then listed in policy 4C-1.1. As those criteria describe, land designated Rural Resource-NRL are those that:

- Possess certain farm or forestry soil grades;
- Are typically comprised of parcels 40 acres or larger that are found in contiguous blocks of 160 acres or larger, unless the parcel is adjacent to another resource land, in which case a 40-acre parcel may be designated RRC-NRL;
- Have use, taxation, and public services characteristics that tend to support resource use rather than non-resource use.

As with other resource land designations, parcels or areas that meet or do not meet those characteristics may be included or excluded to provide logical boundaries to the Rural Resource-NRL area and avoid islands or peninsulas of conflicting land uses.

CPA05-25 - This 850-acre area meets the soils criteria (Private Forest Land Grade or PFLG 1-3) and the parcel size criteria for Rural Resource-NRL and should retain its current designation. The request for MRO designation on selected parcels will be addressed during the MRO map deliberations.

CPA05-26 - This parcel meets the Rural Resource-NRL designation criteria both in terms of parcel size (.12 acres shy of 40 acres, according to Assessor's data, and adjacent to other resource lands) and soil characteristics (PFLG 1-3). On this basis it should remain designated Rural Resource-NRL.

The applicant submitted public comments (public comment volume, pages 58-62) suggesting that the property had been proposed for redesignation to Rural Reserve in 1999/2000. In the year following adoption of the 1997 Comprehensive Plan and map, the Board of County Commissioners identified the Birdsvie area as a study area for review at some point in the future, based on acknowledged problems with the designation of some properties in the area. As part of the 2000 Comprehensive Plan update, the Birdsvie area was identified as one of several rural study areas deserving of more detailed community planning, with the potential for creation of a new Rural Village. As described in the Comprehensive Plan, the anticipated level of more intense planning would require initiation of a subarea plan by the Board of County Commissioners. As part of this current Comprehensive Plan update, the Department has recommended redesignation to Rural Reserve of a large area of land (see SC05-31) in the Birdsvie area that clearly does not meet the Rural Resource-NRL designation criteria. However, the subject property does not fit in that category. The Department does not recommend redesignation, except possibly as part of a community planning process initiated by the Board of County Commissioners.

CPA05- 27 - The applicant seeks redesignation of this 17-acre parcel to Rural Intermediate. As the Department has discussed in detail with the Planning Commission, the Rural Intermediate designation is intended for areas of historic (generally pre-1990), higher-density development where the average parcel size is 2.5 acres or smaller. The applicant has explained to Department staff that there have been a large number of land divisions in the area, many from pre-GMA vested subdivisions, resulting in small parcel sizes more in keeping with the Rural Intermediate designation. The Department agrees that the parcel sizes in this area are more consistent with Rural Reserve than Rural Resource-NRL and has recommended redesignation of a sizable area to Rural Reserve through SC05-31. However, the situation does not support redesignation to Rural Intermediate.

CPA05- 28 - This 37.5-acre parcel has both “Prime upland farmland” and PFLG 1-3 soils, and is bordered on two sides by resource land (Secondary Forest-NRL and Rural Resource-NRL). Although it is slightly less than the 40-acre parcel size called for in policy 4C-1.1(a), it can and should be retained in Rural Resource-NRL because of its soil characteristics and on the basis of maintaining logical boundaries under 4C-1.1(d).

CPA05- 30 - The proposal seeks to redesignate this approximately 5-acre parcel from Rural Resource-NRL to Rural Reserve. The Department agrees and recommends similar treatment for adjacent lands through SC05-40. These parcels in the 5-acre range clearly do not meet the parcel size test for Rural Resource-NRL.

CPA05-33 - The proposal seeks to redesignate this 10-acre parcel from Rural Resource-NRL to Rural Reserve. The Department agrees, based on the fact that this parcel and the three, 10-acre parcels to the east of it do not meet the parcel-size requirement for Rural Resource-NRL designation, and do meet the criteria for Rural Reserve. The County proposes to address the 3 adjacent parcels through SC05-33.

CPA05- 35 - The proposal seeks to remove this 8.44 acre parcel from Rural Resource-NRL and redesignate it to allow four lots of 2 acres each. This equivalent of RI zoning is not a viable option on this parcel. Through SC05-10, the Department recommended that the subject property and adjacent parcels be redesignated to Rural Reserve based on the absence of mineral deposits and parcel sizes of generally 10 acres or smaller. However, this would constitute an increase in density on Fidalgo Island and the Department now believes this is not a legally available option because of the compliance order in Western Washington Growth Management Hearings Board Case No. 00-2-0046c.

SC05-10 - See CPA05-35 immediately above. This proposal should be re-considered as part of the Fidalgo Island subarea plan.

SC05-17 - Additional time is needed to evaluate public comments on this proposal. Additional information and a recommendation will be provided during Planning Commission deliberations.

SC05-19 - Adjacent property to the north and west was changed from Rural Resource-NRL to Rural Reserve designation through the 2001-2002 Comprehensive Plan/Zoning Map

amendments. The County made a commitment at that time to make surrounding designations consistent in a future map amendment cycle, when adequate notice could be given to affected and surrounding property owners. This proposal would complete that action by taking land out of Rural Resource-NRL that does not meet minimum parcel size and soil type designation criteria.

SC05-20a - Through the 2001-2002 Comprehensive Plan Map/Zoning Map amendments, the area outlined in red on the map was identified for future redesignation from Rural Resource-NRL to Agricultural-NRL. This proposal would implement that recommendation now that the public and affected and adjacent property owners have received sufficient notice.

SC05-20b - Again, the area outlined in red on the map was identified for redesignation as a result of the 2001-2002 Comprehensive Plan/Zoning Map amendments, from Rural Resource-NRL to Rural Reserve. This proposal would implement that recommendation.

SC05-20c - This is another property recommended for redesignation as a result of the 2001-2002 map amendments. Department research has identified two existing businesses that have operated on the site since 1994 and 1976 respectively and that both meet the Cottage Industrial/Small Scale Business designation criteria (proposed to be renamed Small Scale Business). The proposal would redesignate the property outlined in red to Small Scale Business.

SC05-31 - A large swath of land designated Rural Resource-NRL does not meet the designation criteria due to predominance of less-than-40-acre parcel sizes. A more consistent designation for the majority of the area is Rural Reserve.

However, the Department now questions its original recommendation regarding the four western-most parcels because of their size – two of them are 40 acres, and the two in between are 20 acres. The owner of the western-most, 40-acre parcel contacted the Department to indicate that he did not want his designation changed. The Department seeks the Planning Commission's guidance on this issue.

SC05-33 - See CPA05-33. These four 10-acre parcels do not meet the minimum size limit for Rural Resource-NRL (generally 40 acres, unless retained for logical boundary purposes). They are consistent with immediately-adjacent parcels that are designated Rural Reserve.

SC05-34 - This pre-GMA subdivision has been platted into 16 1-acre lots. A more appropriate designation than the current Rural Resource-NRL would be Rural Intermediate (RI), like the property immediate to north. The Rural Intermediate designation policy 3C-1.3 allows application of the RI designation to certain areas where lots were legally created since 1990 but prior to the adoption of the Comprehensive Plan and have vested rights to develop, or have developed, at those higher densities.

SC05-38 - Although this area has PFLG 1-3 soils, the small parcels – most smaller than 10 acres in size – meet Rural Reserve designation criteria, not Rural Resource-NRL. Redesignation will better match what is on the ground without creating a significant increase in development potential due to the existing small lot sizes.

SC05-40 - See CPA05-30, and SC05-38, above. These parcels are all 5 acres or smaller and do not meet the designation criteria for Rural Resource-NRL. The more appropriate designation is Rural Reserve.

OPEN SPACE OF REGIONAL/STATEWIDE IMPORTANCE

As described in Chapter 2 of the draft Comprehensive Plan, certain public open space lands are given the Open Space of Regional/Statewide Importance (OSRSI) map designation “because their recreational, environmental, scenic, cultural and other open space benefit[s] extend beyond the local area to be regional or statewide in significance.” (policy 2B-1.2)

CPA05-71 The Department recommends approval of this proposal to redesignate portions of Burrows Island that are in public ownership from Rural Reserve to OSRSI. The majority of the subject parcels are owned by the State of Washington Parks and Recreation department.

SC05-09 - Montgomery-Duban Headlands, adjacent to Sharpe Park, has recently been acquired by the County and added to the County parks system. These County parks, due to their size, setting, and features, qualify for OSRSI designation.

SC05-28 - This proposal would remove the OSRSI designation incorrectly applied to private property.

SC05-30 - This land owned by the Department of Natural Resources, State of Washington, contains group campsites that are a part of Rasar State Park. The property should be designated OSRSI like the Rasar State Park land immediately to the south.

SC05-41b-d - These properties are owned by the City of Seattle Real Estate Division or Seattle City Light, and should be designated OSRSI like the adjacent OSRSI-designated property.

SC05-44 - The area highlighted in red is part of a larger parcel designated Rural Resource-NRL that is owned by a private citizen, Sharon Stewart. The current OSRSI designation not only identifies a portion of her property as “public,” but also creates a split zoning situation on her property. The portion zoned OSRSI should be redesignated to Rural Resource-NRL, like the properties to the south and east.

Sharon Stewart was a member of the GMA Update and Public Outreach Steering Committee, and through that process and written correspondence (p. 1726, public comment volume), she raised concerns about the designation of her property and other properties in the Rural Resource-NRL designation. She wrote that her property should be designated Rural Reserve like those across Concrete-Sauk Valley Road. Her letter states that “I just want the use of my property...with two separate building opportunities.”

The Department has spent a great deal of time with Ms. Stewart completing lot certifications and boundary line adjustments to be sure that she has two development rights on her 22.5 acres of land, all of which will be designated Rural Resource-NRL with this proposed change. The property has PFLG 1-3 soils, is adjacent to other resource lands, and is separated from the Rural Reserve land to the south by the logical boundary formed by Concrete-Sauk Valley Road. The Department recommends that the property remain designated Rural Resource-NRL.