



Planning & Development Services

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Staff Report

From: Dale Pernula, AICP, Director

Re: Permitting of Non-Motorized Trails in the Industrial Forest – Natural Resource Lands (IF-NRL)
Zoning Designation

Date: July 14, 2017

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Summary

Skagit County Planning & Development Services proposes to modify Skagit County Code Chapter 14.16.410: Industrial Forest – Natural Resource Lands (IF-NRL) to allow the construction of non-motorized trails to be an outright permitted use (no County permit required). SCC 14.16.410(4)(g) currently designates trails as being allowed pursuant to a Level I administrative special use development permit.

This proposed exemption would only apply to non-motorized trails within the IF-NRL zoning designation. Proposals for primary and secondary trailheads will still be processed as Level I administrative special uses requiring a Notice of Application and public comment period pursuant to SCC 14.06.150.

Skagit County has requested expedited review from the Washington State Department of Commerce, and reached out to partner SEPA agencies and community stakeholders for environmental and Growth Management Act (GMA) review of this non-project legislative action.

Background

The purpose of the IF-NRL zoning district pursuant to SCC 14.16.410 is to ensure that forest lands of long term significance are conserved and managed in order to provide jobs, ecological value, and contribute to the commercial forest industry of Skagit County. The IF-NRL zone also provides allowances for recreational uses, such as providing access to historic sites for the public, primitive camping, and the establishment of trails and trailheads. Staff proposes to allow the establishment of non-motorized trails

as an outright permitted use in the IF-NRL zone in order to mitigate conflict between public recreational opportunities and on-going commercial forestry.

Analysis and Consistency

The permitting of non-motorized trails in the Industrial Forest – Natural Resources Land (IF-NRL) zoning designation is consistent with the following State and local policies and regulations:

- The construction of a trail is not considered an act of forest conversion (a Class IV – General Forest Practices Application) by the Washington State Department of Natural Resources (DNR) and pursuant to the WAC 222-16-050.
- Policy 4B-5.4 in the Natural Resource Lands Element of the Skagit County Comprehensive Plan permits recreational opportunities on Forest Resource land when they are not in conflict with forest practice activities or when the impacts can be fully mitigated. The construction of trails is not categorized as a forest conversion activity by the DNR, and does not preclude the surrounding land from being utilized for commercial forestry.
- The development of a primary or secondary trailhead as defined by SCC 14.04.020 will still require a Level I administrative special use permit and be subject to the public noticing requirements of SCC 14.06.150, the performance standards of SCC 14.16.840, and all applicable elements of Titles 14 and 16, including but not limited to SEPA, stormwater mitigation, critical areas review, and concurrency.

Recommendation

Skagit County PDS recommends adoption of the proposed code amendment to allow trails as an outright permitted use in the Industrial Forest – Natural Resource Land (IF-NRL) zoning designation.

The Public Process

Public Notices

Skagit County published a Notice of Availability for this proposal on July 17, 2017.

SEPA Threshold Determination

The Skagit County SEPA Responsible Official has issued a Determination of Non-Significance for this non-project legislative proposal.

Public Comment

The proposal will receive at least one public hearing and written comment period before the Planning Commission, consistent with the process for adoption of land use regulations in SCC Chapter 14.08. The Board of County Commissioners must approve the final adoption.

For More Information

Please visit the project website at www.skagitcounty.net/planning.

