



Skagit County Planning & Development Services

DALE PERNULA, AICP *Director*

JACK MOORE, CBCO *Building Official*

Memorandum

To: Planning Commission
From: Betsy Stevenson
Date: March 11, 2014
Re: Updates to draft for review on March 18

Staff has made the following changes to the portions of the SMP Update that you are scheduled to review next week. Staff suggests bumping Part VI to the following meeting.

- Part III: General Regulations (cont'd)
- Part V: Critical Areas
- Comp Plan 6H-2 Critical Areas
- ~~Part VI: Legally Established Pre-Existing Uses and Structures~~
- Part VII: Administration

1. Add new 14.26.500(2):

Consistent with WAC 173-26-191(2)(b), if SCC Chapter 14.24 is amended in the future, the edition in Appendix 3 will still be the operative regulation for this SMP until this SMP is amended to reflect the changes to SCC Chapter 14.24.

2. Revise 14.26.510(2) to read

“Variances for critical areas within shoreline jurisdiction” ...

3. Delete 14.26.520(1) and (2) as unnecessary and redundant.

The Critical Areas Ordinance already requires use of Ecology’s manual to delineate wetlands, although the date of the manual may need to be updated simultaneous with adoption of the SMP. Compliance with SCC 14.32 is already required and does not need to be repeated.

4. Delete 14.26.540(1)

Channel migration zone issues are properly managed by SCC Chapter 14.34, Flood Damage Prevention.

5. Delete 14.26.550(1)

Revise 14.24.530(1)(b) to also address measurement of lake and marine shoreline buffers using the existing standards.

6. Revise 14.26.550(2)

Add sentence: “Critical saltwater habitats are fish and wildlife habitat conservation areas.”

7. Delete 14.26.550(6)

This section was adapted from the CAO, but doesn’t actually translate well.

8. Delete CP 6H-2.10

Redundant with CP 6H-2.12a

9. Add to 14.26.700

(3) Pursuant to the Shoreline Management Act at RCW 90.58.080 and the Growth Management Act at RCW 36.70A.130, local governments must periodically review, and where appropriate, amend their Shoreline Master Program. Consistent with state laws, Skagit County has established a process to evaluate and consider amendments to this Master Program.

10. Insert into 14.26.725:

(3) An application for a limited utility extension, or the construction of a bulkhead or other measure to protect a single-family residence and its appurtenant structures from shoreline erosion must be processed consistent with the special time periods and procedures in WAC 173-27-120.

11. Change all “letter of exemption” to “written statement of exemption”

12. Change 14.26.720(3)(b)(i):

“the specific exemption provision from the WAC or RCW that is being applied to the development;”

13. Insert 14.26.730(5):

Notice. Pursuant to WAC 173-27-200, upon receipt of Ecology's decision, the Administrative Official must notify those interested persons who requested notification of such decision.

14. Revise 14.26.735

Delete “or unique” as encompassed within “extraordinary”

15. Delete 14.26.735(a) as duplicative of 14.26.735.

16. Revise 14.26.735(3)(a)(ii):

Change “unique” to “extraordinary”

17. Move 14.26.770 to insert as new section (5) in 14.26.200

Rename to “Boundary Line Determination”

18. Insert into 14.26.795:

(2) Types of Amendments

(a) Limited Master Program Amendment. An amendment to this SMP that addresses specific procedural and/or substantive topics and that is not intended to meet the complete requirements of a comprehensive master program update.

(b) Comprehensive Master Program Update. A periodic update to this SMP that fully achieves the procedural and substantive requirements of Ecology's shoreline master program guidelines.

19. Renumber existing section 14.26.795(2) to (3)

Rename as “Limited Master Program Amendment Process and Criteria”

20. Next Steps

We also plan to propose changes to SCC 14.06 to reflect the WAC-required comment periods for each application type.