



Skagit County SMP

Planning Commission Meeting Focus Sheet: March 9, 2021

Outline:

1. Continued discussion of post-2016 amendments
 - a. Legally Established Pre-Existing Uses and Structures (Part VI of the SMP)
 - i. Residences and appurtenant structures
 - b. Administration (Part VII of the SMP)
 - i. Applications
 - ii. Shoreline permits
 - iii. Exemptions
 - c. Definitions (Part VIII of the SMP)
 - d. Shoreline environment designation mapping

Summary of post-2016 amendments:

1. Legally Established Pre-Existing Uses and Structures (Part VI of the SMP)
 - a. **Pre-Existing Single-Family Residences and Appurtenant Structures** (SCC 14.26.620)
Key Summary items:
 - 1) Subsection (3)(a), Minor Enlargement or Expansion. Per the 2016 Planning Commission recommendation, (iii) was added to specify that enlargement may be allowed [if it also complies with the other minor expansion rules] if the structure's height limit is not exceeded, or in the case of an existing over-height structure, the enlargement does not increase the structure's existing height.
2. Administration (Part VII of the SMP)
 - a. **Applications** (SCC 14.26.710)
Key Summary items:
 - 1) Subsection (2), Application Level. Per County staff, since SCC 14.06, Permit Procedures, has not yet been updated, several clarifications were added regarding noticing requirements for shoreline exemptions, shoreline substantial development permits, shoreline conditional use permits, shoreline administrative variances, and hearing examiner variances.

b. Shoreline Permits (SCC 14.26.715)

Key Summary items:

- 1) Subsection (1), Permit Required. This subsection was added by County staff and consultants for clarification as to when a shoreline permit review is required, specifically pointing to SCC 14.26.720, Exemptions, Developments Not Required to Obtain Shoreline Permits or Local Review and Developments Not Subject to the Act.

c. Exemptions, Developments Not Required to Obtain Shoreline Permits or Local Review and Developments Not Subject to the Act (SCC 14.26.720)

Key Summary items:

- 1) Per County staff and consultants, revised section title to include not just exemptions, but also when shoreline permits or local review is not required.
- 2) Subsection (5), Developments Not Required to Obtain Shoreline Permits or Local Reviews. Updated per 2017 legislative update to specifically reference those developments listed in WAC 173-27-044, which are not required to obtain a Substantial Development Permit, Variance, Letter of Exemption, or other review conducted by the County.
- 3) Similarly subsection (6), Developments Not Subject to the Act, was added per the 2017 legislative update. This subsection references those developments listed in WAC 173-27-045, which are not required to comply with the requirements of the Shoreline Management Act.

3. Definitions (Part VIII of the SMP)

a. Definitions (SCC 14.26.820)

Key Summary items:

- 1) The following definitions have been modified:
 - a. Agricultural activities, Agricultural land, Agricultural products (modified for consistency with WAC 173-26-020)
 - b. Development (modified per 2017 legislative update)
 - c. Floating home (modified per 2011 legislative update)
 - d. Floodway (modified per County staff for consistency with FEMA definition)

4. Shoreline Environment Designations (Part II of the SMP)

a. Overview (SCC 14.26.200)

Key Summary items:

- 1) Subsection (3), Map. Per the 2016 Planning Commission, five changes to the proposed Shoreline Environment Designation map have been made on Guemes Island to revert back to the current designation. Proposed map from 2016 is located at <https://www.skagitcounty.net/Departments/PlanningAndPermit/SMPMain.htm>.

- 2) Judy Reservoir is proposed for removal from shoreline jurisdiction.
- 3) The 2016 Planning Commission recommended extending the Rural Conservancy-Skagit Floodway designation on the map to cover all Rural Conservancy upstream on the Sauk River and on the upper Skagit River, to the limit of the FEMA floodway, and make the designation criteria (policy 6B-5.1) consistent.
- 4) The 2016 Planning Commission recommended adding definitions in Part VIII for each of the Shoreline Environment Designations that include cross-references to SMP Part II, Shoreline Environment Designations. This adds redundancy and potential for future inconsistency. County staff and consultants do not recommend this change.