



Skagit County SMP

Planning Commission Meeting Focus Sheet: April 27, 2021

Outline:

1. Overview of proposed changes following Ecology's preliminary review
 - a. CAO Integration
 - b. Agriculture
 - c. Forest Practices
 - d. Docks
 - i. Standards table
 - ii. Alternative design
 - e. Administrative variance process

Summary:

1. CAO Integration (Part V)

Key Summary items:

- a. Existing CAO provisions have been brought into the body of the SMP as Part V, with a number of exclusions that are not allowed per the SMA (e.g. reasonable use exceptions, variances, allowed activities).
- b. Sections on forest practices and ongoing agriculture are excluded. These items are covered under their respective sections in the SMP (see below).
- c. Wetland impact minimization measures and mitigation ratios have been included instead of cross-referencing Ecology's guidance.

2. Agriculture (SCC 14.26.410)

Key Summary items:

- a. Revised for consistency with Ecology's rules. This includes clear definition of existing agricultural activities on agricultural land. Such existing activities are not regulated under the SMP.

3. Forest Practices (SCC 14.26.445)

Key Summary items:

- a. Revised for consistency with Ecology's rules and the 2017 legislative update. Specifically, this includes the clarification that a *"forest practice that only involves timber cutting is not a development under the SMA and this SMP and*

does not require a shoreline substantial development permit or a shoreline exemption.”

- b. Also added clarification that, *“clear cutting of timber that is solely incidental to the preparation of land for other uses is not considered a forest practice and is permitted subject to the use standards applicable to the proposed new use and development.”*
- c. Forest practices in the Natural environment require a conditional use permit per WAC 173-26-211

4. Docks (See Boating Facilities and Related Structures and Uses in SCC 14.26.420)

Key Summary items:

- a. Development standards table (Table 14.26.420-1) was modified to combine the columns for docks on lakes with and without anadromous fish. Per Ecology and WDFW recommendation to use consistent width requirements for freshwater docks and change width from 6’ to 4’ for piers on lakes without fish.
- b. Alternative design (see SCC 14.26.630)
 - 1) Ecology does not support the use of allowing alternative designs with federal and WDFW approval. However, Ecology will allow design flexibility for existing legally-established nonconforming structures as long as protection standards are used to ensure no net loss requirements are met.

5. Administrative Variances (SCC 14.26.735)

Key Summary items:

- a. The County has created an administrative variance for buffer reductions up to 50 percent. Such an administrative variance would be reviewed by the Administrative Official. Any buffer reductions greater than 50 percent would be reviewed by the Hearing Examiner. Ecology requires that both variance decisions have the same filing procedures as they will view these under the same variance criteria.