

Chapter 14.20

MASTER PLANNED RESORTS

Sections:

- 14.20.010 Purpose.**
- 14.20.020 Applicability.**
- 14.20.030 Allowable uses.**
- 14.20.040 Minimum Standards for Master Planned Resorts**
- ~~**14.20.040 Capital facilities, utilities and public services.**~~
- ~~**14.20.050 Open space.**~~
- ~~**14.20.060 Shorelines.**~~
- ~~**14.20.070 Master plan resort application requirements.**~~
- ~~**14.20.080 Master plan requirements.**~~
- ~~**14.20.090 Formal site-specific comprehensive plan amendment process.**~~
- ~~**14.20.100 SEPA environmental review.**~~
- ~~**14.20.110 Development permits.**~~
- ~~**14.20.120 Self-contained development.**~~
- ~~**14.20.130 Modifications and amendments to adopted master plans.**~~
- ~~**14.20.140 New master plan for an existing resort.**~~
- ~~**14.20.150 Decision-making authority.**~~
- ~~**14.20.160 Criteria for approval.**~~
- ~~**14.20.170 Time limits for approved developments.**~~

14.20.010 Purpose.

Skagit County has a wide range of natural features and amenities, including climate, vegetation, water, natural resources, scenic qualities, cultural, and geological features, which are desirable for a wide range of recreational users to enjoy. New master planned resorts authorized by RCW 36.70A.360 and existing master planned resorts authorized by RCW 36.70A.362 offer an opportunity to utilize these special features for enjoyment and recreational use, while bringing significant economic diversification and benefits to rural communities. The purpose of this Section is to establish a Master Planned Resort land use district to be applied to those properties the Board of County Commissioners determines are appropriate for development as a master planned resort consistent with the Comprehensive Plan and RCW 36.70A.360 through 36.70A.362. (Ord. O2005009 (part))

14.20.020 Applicability.

“Master Planned Resort” (MPR) is a land use designation established under the Comprehensive Plan. Master planned resorts are generally larger in scale, and involve greater potential impacts on the surrounding area, than uses permitted under the Small-Scale Recreation and Tourism designation. Master planned resorts in the County may be designated as either existing master planned resorts pursuant to RCW 36.70A.362 or new master plan resorts pursuant to RCW 36.70A.360. Designation of any master planned resort requires compliance with the provisions of this Section and a formal site-specific amendment to the Comprehensive Plan Land Use Map subject to Chapter 14.08 SCC. The requirements of this Section shall not apply to any development for which a permit has been granted or for which a complete permit application has been submitted prior to the adoption of this Code. (Ord. O2005009 (part))

14.20.030 Allowable uses.

- (1) Generally. Master planned resorts (MPRs) shall consist of predominantly short-term visitor accommodations and associated indoor and/or outdoor recreational facilities, and commercial, professional or conference facilities and activities that support and are integrated with the resort in a

setting of significant natural amenities. These facilities shall be primarily designed to serve the resort visitors, either day visitors or overnight visitors, but may also provide some goods and services for the surrounding permanent residential population. The master planned resort commercial facilities may be larger than those otherwise permitted in rural commercial areas but shall be incidental to the resort itself. ~~activities, but MPRs may include some other permanent residential uses, including caretakers' or employees' residences and some vacation home properties, provided they meet the requirements of this chapter and must be are integrated into the resort and consistent with the on-site recreational nature of the resort. MPRs may include indoor and outdoor recreational facilities, conference facilities and commercial and professional activities that support and are integrated with the resort. These facilities shall be primarily designed to serve the resort visitors, either day visitors or overnight visitors, but may also provide some goods and services for the surrounding permanent residential population. The master planned resort commercial facilities may be larger than those otherwise permitted in rural commercial areas. Residential and short term visitor accommodation units may be constructed above commercial facilities. Where supported by historic use of the property and where such historic uses are intended to be integrated into the overall master planned resort concept, master planned resorts may include some commercial or industrial uses not typically associated with resort or recreational activities, such as ongoing natural resource industrial activities, so long as those activities bear direct relation to the "setting of significant natural amenities."~~

- (2) Specific Allowable Uses. Specific allowable uses and their locations within a master planned resort are determined during the development of the resort master plan and are subject to final determination as a part of the master plan approval process. The following uses may generally be allowed within a Master Planned Resort classification authorized in compliance with RCW 36.70A.360 through 36.70A.362:
- (a) All residential uses including single-family and multifamily structures, condominiums, time-share and fractionally owned accommodations, provided such uses are integrated into and support the on-site recreational nature of the master planned resort; provided, that permanent residential uses shall constitute no more than twenty percent (20%) of the total resort accommodation units.
 - (b) Short-term visitor accommodations, including, but not limited to, hotels, motels, lodges, cottages, cabins, campgrounds and recreational vehicle (RV) sites and other residential uses, that are made available for short-term rental; ~~provided, that~~ Short-term visitor accommodations (not including employee housing units) shall constitute no less than 55-eighty percent (80%) of the total resort accommodation units.
 - (c) Indoor and outdoor recreational facilities and uses, including, but not necessarily limited to: golf courses (including accessory structures and facilities, such as clubhouses, practice facilities, and maintenance facilities), tennis and other sport courts, swimming pools, marinas and boat launches, alpine and/or cross-country skiing, hiking and nature trails, bicycle paths, equestrian facilities, sports complexes, ~~bowling alleys,~~ and other recreational uses deemed to be consistent with the on-site recreational nature of the master planned resort and its setting of significant natural amenities.
 - (d) ~~Campgrounds and recreational vehicle ("RV") sites.~~
 - (e) Visitor-oriented amenities, including, but not limited to, (1) eating and drinking establishments, (2) gaming establishments allowed by law, (3) meeting facilities, (4) on-site retail businesses and services which are designed to serve the needs of the resort users such as gas stations, espresso stands, bakeries, delicatessens, beauty salons and spas, gift shops, art galleries, craft sales, food stores, and real estate/property management offices, and (5) recreation-oriented businesses and facilities such as sporting goods, outdoor recreation guide services, helicopter and hot air balloon recreational flight services, and outdoor equipment rental and sales.
 - (f) Cultural and educational facilities, including, but not limited to, interpretative centers and exhibits, indoor and outdoor theaters and entertainment facilities, festival sites and museums.

- (g) Capital facilities, telecommunication and networking facilities, utilities and ancillary support services to the extent necessary to maintain and operate the master planned resort.
- (h) Temporary and/or permanent structures to serve as sales offices.
- (i) Signs consistent with the provisions of the sign code (SCC 14.16.820).
- (j) Any other similar uses deemed by the approving authority to be consistent with the purpose and intent of this Section, the Comprehensive Plan policies regarding master planned resorts, and RCW 36.70A.360 through 36.70A.362. (Ord. O2005009 (part))

14.20.040 Minimum standards for Master Planned Resorts (MPRs).

The following standards shall govern consideration of Master Planned Resorts (MPRs):

- (1) Self-contained development. All necessary supportive and accessory on-site commercial and other services shall be contained within the boundaries of the MPR, and such services shall be oriented to serve the MPR and be incidental to the resort itself, but may also provide goods and services for the surrounding population. MPRs may constitute urban growth outside of urban growth areas as limited by RCW 36.70A.360 and 36.70A.362. New urban development and land uses, however, are prohibited outside the boundaries of an MPR.
- (2) Compatibility. Based on associated impacts and an overall evaluation of the site based on the requirements of this chapter, an MPR may be limited in intensity, location and/or prohibited if found to measurably degrade adopted levels of service for capital facilities and public services, water availability, water quality and/or the rural character or economic viability of adjacent rural or resource lands and activities.
- (3) Settings of significant natural amenities. MPRs shall only be located in areas that have significant, predominantly natural area views and extraordinary landscape characteristics such as certain forests, shorelines, or mountains in a scenic, relatively remote rural setting. It is the County's intention that MPRs be located in settings of significant natural amenities--meaning settings that constitute rare and exceptional natural scenery and features of such quality as to be deemed significant, when compared to the generally scenic qualities of the overall Skagit County landscape. The setting of significant natural amenities together with the recreational activities and uses proposed for an MPR must be the primary attraction for visitors and guests to the resort. Examples of these potentially significant settings include but are not necessarily limited to: the Skagit River, salt water islands and/or bays, major lakes, and remote mountainous regions.
- (4) Location. MPRs shall not be located inside of or adjacent to designated urban growth areas. MPRs shall not be located on designated Ag-NRL lands. Generally, MPRs shall not be located along the I-5 corridor.
- (5) Size limits. MPRs shall not exceed three hundred (300) total accommodation units, including both short-term visitor accommodations and units intended for permanent residential occupancy.
- (6) Design standards. MPRs shall be developed with harmonious siting, architectural theme, landscaping and design standards that are compatible with the rural character and natural amenities of the site and surrounding area. The master planned resort shall be situated and designed in such a manner as to screen the development and its impacts from adjacent areas. The minimum lot area, width, frontage, landscaping, yard and screening requirements, setbacks, street and parking standards and building heights may be modified from those normally found in the Rural or Natural Resource Land designations consistent with the character of the MPR and necessary to meet the requirements of this chapter.
- (7) Capital facilities, utilities and public services. The capital facilities, utilities and services owned and operated by the resort, including those related to sewer, water, storm water, solid waste management, security, fire suppression, and emergency medical service, provided on-site shall be limited to meeting the needs of the resort. These facilities, utilities, and services may also be provided by outside service providers, such as the County or special purpose districts; provided, that the resort pays all costs associated with service extension capacity increases, or new services that are directly attributable to the resort; and provided, that the nature of the facilities and services provided are

adequate to meet the increased needs of the resort, based on the planned concentration of guests, structures and other facility, utility and service demands. Typical funding strategies for financing service, facility and utility extension costs may be considered to pay for costs attributed to the resort. All required public improvements including roads, utilities and public facilities that are part of the approved resort master plan shall be completed prior to the issuance of a certificate of occupancy by the building official or installation guaranteed by the posting of performance bonds or other surety acceptable to the prosecuting attorney in an amount of one hundred fifty percent (150%) of the estimated cost of the outstanding improvements, except that all life/safety improvements must be installed and in operation prior to occupancy. (Ord. O2005009 (part))

- (8) Open space. MPRs shall contain abundant open space sufficient for buffering and providing recreational amenities while also maintaining the natural amenities and rural character of the area. Open space means any land that is retained in a substantially natural condition or is improved for recreational uses such as golf courses, hiking or nature trails, equestrian or bicycle paths, water features, lands protected as critical areas, lands preserved for farm or forest use, and lands used as buffers. Open space does not include lands used for residential lots or yards, streets or parking, etc.
- (9) Shorelines. MPRs located within the jurisdiction of the Shoreline Management Act shall comply with the provisions of the Skagit County Shoreline Master Program. Application for an amendment to the Skagit County Shoreline Master Program (SMP) to change the shoreline use designation for a site-specific MPR may occur concurrently with the application for a site-specific MPR Comprehensive Plan Land Use Map amendment. In addition to the requirements in the SMP, review of an application for an MPR site-specific shoreline use designation amendment shall include consideration of the following factors:
- (a) MPRs and the shorelines within their boundaries may constitute urban development in an otherwise rural setting as specified in RCW 36.70A.360 through 36.70A.362;
 - (b) MPRs may include areas of active shoreline recreational, commercial and residential uses, including shoreline dependent uses, and provisions for public shoreline access;
 - (c) MPR shorelines may include activities allowed in more than one shoreline use designation within the same MPR;
 - (d) MPRs may include shoreline uses that incorporate urban and/or rural shoreline development standards in different areas within the same MPR; and
 - (e) Existing resorts may incorporate historic uses and lawfully established vested rights, as applicable, in determining shoreline-specific standards. (Ord. O2005009 (part))
- (10) Phasing. Phasing of an MPR may be allowed. Any phasing of an MPR must be done in such a manner that the initial phase(s) will stand alone as a self-contained MPR consistent with the requirements of this chapter (including permanent to short-term accommodation ratio), even if subsequent phases do not occur.

14.20.040 – Capital facilities, utilities and public services.

The capital facilities, utilities and services owned and operated by the resort, including those related to sewer, water, storm water, security, fire suppression, and emergency medical, provided on-site shall be limited to meeting the needs of the resort. These facilities, utilities, and services may also be provided by outside service providers, such as the County or special purpose districts; provided, that the resort pays all costs associated with service extension capacity increases, or new services that are directly attributable to the resort; and provided, that the nature of the facilities and services provided are adequate to meet the increased needs of the resort, based on the planned concentration of guests, structures and other facility, utility and service demands. Typical funding strategies for financing service, facility and utility extension costs may be considered to pay for costs attributed to the resort. (Ord. O2005009 (part))

14.20.050 – Open space.

~~MPRs shall contain undeveloped open space for buffering and recreational amenities to help maintain the natural and rural character of the area, when located adjacent to Rural or Natural Resource designated areas. (Ord. O2005009 (part))~~

14.20.060 – Shorelines.

~~Master planned resorts located within the jurisdiction of the Shoreline Management Act shall comply with the provisions of the Skagit County Shoreline Master Program. Application for an amendment to the Skagit County Shoreline Master Program (SMP) to change the shoreline use designation for a site-specific MPR may occur concurrently with the application for a site-specific MPR Comprehensive Plan Land Use Map amendment. In addition to the requirements in the SMP, review of an application for an MPR site-specific shoreline use designation amendment shall include consideration of the following factors:~~

- ~~(1) MP~~Rs and the shorelines within their boundaries may constitute urban development in an otherwise rural setting as specified in RCW 36.70A.360 through 36.70A.362;
- ~~(2) MP~~Rs may include areas of active shoreline recreational, commercial and residential uses, including shoreline dependent uses, and provisions for public shoreline access;
- ~~(3) MP~~R shorelines may include activities allowed in more than 1 shoreline use designation within the same MPR;
- ~~(4) MP~~Rs may include shoreline uses that incorporate urban and/or rural shoreline development standards in different areas within the same MPR; and
- ~~(5) Existing resorts may incorporate historic uses and lawfully established vested rights, as applicable, in determining shoreline specific standards. (Ord. O2005009 (part))~~

14.20.0750 Master plan resort application requirements.

~~New MPR applications for a Comprehensive Plan Land Use Map amendment shall require legislative approval by the Board of County Commissioners. Such applications shall include the following:~~

- ~~(1) A request for a site-specific Comprehensive Plan Land Use Map amendment necessary to meet the requirements of this Section and Chapter 14.08 SCC.~~
- ~~(2) A draft resort master plan prepared to meet the requirements of SCC 14.20.0860. (Ord. O2005009 (part))~~

14.20.080 – Master plan requirements.

~~A master plan shall be prepared for the MPR to describe the project and provide a framework for project development and operation. The resort master plan shall be required as a part of the application for a Comprehensive Plan amendment for a Master Planned Resort (MPR) land use designation required by this Section. The master plan shall include:~~

- ~~(1) A description of the setting and natural amenities that the MPR is being situated to use and enjoy, and the particular natural and recreational features that will attract people to the area and resort.~~
- ~~(2) A description of the destination resort facilities of the MPR, including short term visitor accommodations, on-site outdoor and indoor recreational facilities, off-site recreational opportunities offered or provided as part of the resort's services, and commercial and supportive services provided.~~
- ~~(3) A listing of the proposed allowable uses and maximum densities and intensities of use of the MPR and a discussion of how these uses and their distribution meet the needs of the resort and its users.~~
- ~~(4) A land use map or maps that depict the completed MPR development, showing the full extent and ultimate development of the resort and its facilities and services, including residential and nonresidential development types and location.~~
- ~~(5) A description, with supporting information and maps, of the established uses, existing structures and previously permitted uses located in or permitted for development within the geographic area proposed for designation as a master planned resort. This description should clearly identify those uses and structures that, although not being put forward for specific development approval through~~

the master planned resort approval process due to their preexisting or prior approval status, nevertheless are intended to function as integral or complementary parts of the overall master planned resort. This description may also include a discussion of uses or structures addressed through land use applications which are vested under prior regulations. However, the discussion must make clear whether or not any such potentially vested development is being put forward for specific development approval through the master planned resort approval process. Inclusion in a master plan of potentially vested uses does not affect the vested rights associated with a previously vested application, nor does it diminish the applicant's ability to pursue approval of said vested application; however, any such use included in a proposed resort master plan and identified for specific development approval through the master planned resort approval process shall be reviewed based on the regulations in place at the time of application for the master planned resort designation or subsequent amendment of the resort master plan.

- (6) A description, with supportive information and maps, of the design and functional features that provide for a unified development, superior site design and protection of natural amenities, and which further the goals and policies of the Comprehensive Plan. This shall address how landscaping, screening, and open space, recreational facilities, road and parking design, capital facilities, and other components are integrated into the project site. The MPR may propose clustering construction, setbacks, and lot sizes that vary from those normally found in the Rural or Natural Resource Land designations.
- (7) A description of the environmentally sensitive areas of the project and the measures that will be employed for their protection. For an MPR subject to the jurisdiction of the Shoreline Management Act, a description and supportive material or maps indicating either:
 - (a) Consistency with the current adopted Shoreline Master Program (SMP); or
 - (b) Proposed changes to the shoreline use designation(s) or other policies and regulations pursuant to the Shoreline Master Program necessary to achieve consistency between the proposed MPR and the SMP.
- (8) A description of how the MPR relates to surrounding properties, and how its design and arrangement minimize adverse impacts and promote compatibility among land uses within the development and adjacent to the development.
- (9) A demonstration that sufficient facilities and services necessary, appropriate, or desirable for the support of the development will be available, financially feasible, and can satisfy the concurrency requirements of the Comprehensive Plan.
- (10) If the MPR is proposed on Forest Natural Resource Lands, a statement of how the land is better suited and has more long term importance for the MPR than for the commercial harvesting of timber.
- (11) A statement of how the MPR will not be located on designated Ag-NRL lands.
- (12) A statement describing why the MPR will not adversely affect adjacent Natural Resource Land production, where so located.
- (13) A description of the intended phasing or incremental development of the project, if any. The initial application for an MPR shall provide sufficient detail for the phases such that the full intended scope and intensity of the development can be evaluated. This shall also discuss how the project will function at interim stages prior to completion of all phases of the project, and how the MPR may operate successfully and meet its environmental protection, concurrency, and other commitments should development cease before all phases are completed. (Ord. O2005009 (part))

14.20.060 Master Plan Requirements

The master plan provides the framework for development of the MPR and is intended to ensure that the proposed resort meets the requirements of SCC 14.20. The MPR master plan shall be a bound document with a table of contents, maps, graphics and narrative that describes the long range plan for the MPR and the design and development standards that will apply to the MPR. The following information is required:

- (1) A vicinity map showing the relationship of the proposed development to external road systems, nearby natural features, amenities and other land uses within one mile of the project boundary.

- (2) A proposed site plan drawn to a scale of at least one hundred feet to one inch that shall include:
- (a) The location and boundaries of the proposed MPR;
 - (b) Location of existing land uses and activities, significant natural features and amenities, vegetation types, critical areas, and road systems within the project area;
 - (c) Topographic contours at five foot intervals or as otherwise specified;
 - (d) A clear illustration of the proposed development activity and proposed land uses and structures indicating generalized building footprints, exterior design and/or elevation views;
 - (e) Proposed locations and dimensions of all open space; and
 - (f) If the development is proposed to occur in phases, a graphic breakdown of each phase as it relates to the whole development and its general timetable for completion, including project phasing of commercial retail uses.
- (3) The proposed MPR preliminary development schedule, including phasing, if any, identifying the specific sequence and anticipated dates of development, and types of activities proposed.
- (4) Descriptive narrative detailing the principles and standards used to develop the MPR. Such text shall address each required resort master plan element with a description of how it complies with RCW 36.70A, the Skagit County comprehensive plan, and SCC 14.20 including the MPR decision approval criteria of this chapter.
- (5) A land use element including:
- (a) Identification and inventory of the existing land uses within the proposed MPR, including, where applicable, previously permitted or vested uses and structures that, although not proposed for specific approval through the MPR process due to their pre-existing or prior approval status, nevertheless are intended to function as integral parts of the proposed MPR; provided that any such use included in a proposed resort master plan and identified for specific development approval through this chapter shall be reviewed based on the regulations in place at the time of the MPR application;
 - (b) Identification of the location, type, size and densities of proposed land uses within the MPR, including visitor accommodations, employee housing, commercial and recreation amenities, and other residential and nonresidential development activities;
 - (c) An analysis of the ability of the proposed MPR to support the total proposed growth within the MPR, including an economic impact and feasibility analysis of the proposed development prepared by a qualified professional economist or financial analyst. The analysis shall address the economic viability of the proposed development, the basis for the setting of significant natural amenities and associated recreational activities as the primary visitor attraction of the proposed resort, evidence of financial and other resources available to develop the project, and identify the fiscal impacts of the project including changes in employment, tax revenue, demand for increased levels of public services, housing for employees and the effects of loss of resource lands during the life of the project;
 - (d) Identify the location, size and function of proposed open space, buffers, recreational areas and activities and significant natural amenities, including deed restrictions that will assure that the open space areas are maintained as open space in perpetuity;
 - (e) An explanation of how the proposed MPR has been sited or designed to avoid or minimize adverse effects or conflicts on adjacent lands.
- (6) A housing element including:
- (a) An inventory and analysis of existing and projected short-term visitor accommodations and residential units proposed for permanent or long-term occupancy, including type and variety, and any employee housing necessary for the proposal. The analysis shall include both present and anticipated needs of all types of housing during the life of the project;
- (7) A transportation element including:
- (a) An inventory of the general location and capacity of all existing public and private roads, transit, air, water, rail and pedestrian/bicycle routes, where applicable;

- (b) The general layout of all proposed transportation improvements, including construction design standards and profiles for all roads, parking areas and pedestrian/bicycle trails for all phases of the project;
- (c) A traffic analysis and traffic impact study addressing site access, traffic generated by the proposal, levels of service, circulation patterns, and turning movements;
- (d) Identification of on-site and off-site measures needed to mitigate the impacts generated from the proposal.
- (8) A resource lands and critical areas element including:
 - (a) Identification, inventory and analysis of the potential impacts on resource lands of long-term commercial significance including forest, agriculture and mineral lands within, adjacent to or affected by the proposed MPR. The analysis shall also include proposed measures to mitigate impacts generated by the proposal on affected resource lands, and, if applicable, document that the proposal is better suited and has more long-term importance as an MPR than for natural resource lands of long-term commercial significance;
 - (b) Identification, inventory and analysis of critical areas and potential impacts in accordance with SCC 14.24 (CAO). The analysis shall also include proposed measures to mitigate impacts generated by the proposal on affected critical areas.
- (9) A capital facilities and utilities element including:
 - (a) An inventory of the location and capacity of all existing utilities and capital facilities, including, but not limited to electricity, sanitary sewage disposal, domestic and irrigation water, stormwater management, solid waste management, law enforcement/security, fire protection and other applicable utilities, emergency services or capital facilities;
 - (b) An analysis of the proposed demand for capital facilities and utilities generated by the proposed MPR, over the life time of the development, and a description of the proposed method of providing all utility system needs, including the location and sizing of the utility systems and financing mechanisms to ensure timely delivery of those services and facilities to the proposed MPR;
 - (c) An estimate of water demands for the proposed MPR at maximum buildout by category of consumption and availability of water to meet the estimated demands, including 1) identification of the proposed source; 2) identification of all available information on ground and surface waters relevant to the determination of adequacy of the water supply to serve the proposed MPR; and 3) a water conservation plan indicating available measures commonly used to reduce water consumption;
 - (d) Project phasing and other project-specific conditions to mitigate impacts generated by the proposal on affected public services, utilities and capital facilities.
- (10) A design and development standards element including:
 - (a) Bulk, design and dimensional standards that shall be implemented throughout subsequent development within the proposed MPR;
 - (b) The type and range of uses authorized for any building, structure or other anticipated development activity within the MPR;
 - (c) Architectural character and design requirements for buildings and structures;
 - (d) Other requirements or design standards that will be applied to the MPR through project buildout, as determined by the reviewing authority;
 - (e) Storm water design and construction requirements;
 - (f) Sanitary sewer and water design and construction requirements;
 - (g) Landscaping requirements that will be applied to the development;
 - (h) Sign standards and requirements

14.20.0690 Formal site-specific comprehensive plan amendment process.

A master planned resort shall require a site-specific amendment of the Comprehensive Plan Land Use Map to a Master Planned Resort land use designation, pursuant to the requirements of SCC 14.08.020;

provided, that the subarea planning process authorized under Chapter 14 of the Comprehensive Plan (Community Development Plans) and SCC 14.08.050 may be used if deemed appropriate by both the applicant and the County. The Comprehensive Plan amendment or subarea plan shall be processed by the County concurrent with the review of the resort master plan and may be processed by the County concurrent with a development agreement addressing subsequent development within the master planned resort. (Ord. O2005009 (part))

14.20.070100 SEPA environmental review.

SEPA environmental review will not be performed for MPR application unless or until the application is docketed for further consideration by the Board of County Commissioners pursuant to SCC 14.08.030. All master planned resort applications that are docketed for further consideration must comply with the SEPA environmental review requirements of SCC 14.08.040, SCC 14.12, and RCW 43.21C. SEPA review shall include an evaluation of all of the probable significant adverse environmental impacts from the entire proposal, even if the proposal is to be developed in phases, and these impacts shall be considered in determining whether any particular location is suitable for a master planned resort. The applicant shall be solely responsible for the cost of preparing all necessary environmental studies and documentation (i.e., draft and final environmental impact statements, if applicable), as well as all costs associated with Skagit County's review of required documentation. If deemed appropriate by the applicant and the County, a master planned resort project may be designated by the County as a planned action pursuant to the provisions of RCW 43.21C.031 and WAC 197-11-164 and 197-11-168. (Ord. O2005009 (part))

14.20.080110 Development permits.

In addition to the approval of a resort master plan, new development within a master planned resort shall require approval of a special use permit to be reviewed as a Hearing Examiner special use (a Level II permit) pursuant to the provisions of SCC 14.16.900(1), as amended; except where the applicant requests and the County authorizes a development agreement pursuant to Chapter 14.14, Development Agreements, and RCW 36.70B.170 through 36.70B.210. (Ord. O2005009 (part))

14.20.120 Self-contained development.

~~All necessary supportive and accessory on-site urban-level commercial and other services shall be contained within the boundaries of the MPR, and such services shall be oriented to serve the MPR, but may also provide goods and services for the surrounding population. MPRs may constitute urban growth outside of urban growth areas as limited by RCW 36.70A.360 and 36.70A.362. New urban development and land uses, however, are prohibited outside the boundaries of a master planned resort, except in areas otherwise designated as urban growth areas in compliance with RCW 36.70A.110. (Ord. O2005009 (part))~~

14.20.090130 Modifications and amendments to adopted master plans.

Modifications to an approved master plan may be considered according to the following standards:

- (1) Minor Modifications. Minor modifications include minor changes to the timing of approved development, minor shifting of the location of buildings, proposed streets, public or private ways, sewer or water facilities, parking areas, landscaping, parks and open space, or similar improvements. Minor modifications to a master plan shall be subject to a Level I administrative review process.
- (2) Major Modifications. All other modifications to an adopted master plan, including, but not necessarily limited to, new uses not previously authorized in the master plan or a need for different or expanded facilities, shall be considered as major modifications and shall require an amendment to the master plan subject to a Level III review process. (Ord. O2005009 (part))

14.20.10040 New master plan for an existing resort.

An existing resort which desires an MPR designation and meets the requirements of an existing master planned resort as authorized in RCW 36.70A.362 shall submit a master plan meeting the requirements of this Section to the County consistent with the requirements of this Code. (Ord. O2005009 (part))

14.20.11050 Decision-making authority.

- (1) The Hearing Examiner shall hear and make final decisions on Level II MPR special use permits and may hear and make recommendations on certain Level III MPR development agreements, as authorized under Chapter 14.06 SCC and SCC 14.14.040 and 14.16.900(1). Appeals of the Hearing Examiner's decisions on Level II MPR special use permits shall be to the Board of County Commissioners as authorized in Chapter 14.06 SCC.
- (2) The Planning Commission, pursuant to its authority specified under SCC 14.08.080 and 14.14.040, shall hear and make recommendations on resort master plans and site-specific applications for MPR land use designations on the Comprehensive Plan Land Use Map and certain Level III MPR development agreements.
- (3) The Board of County Commissioners, pursuant to its authority specified under Chapter 14.06 SCC, SCC 14.08.090, 14.14.040 and this Section, shall approve or deny resort master plans, designate new Master Planned Resort land use districts on the Comprehensive Plan Land Use Map, approve or deny the uses, densities, conditions and standards authorized for site-specific Level III MPRs in a development agreement, and hear appeals of Level II MPR special use permit decisions from the Hearing Examiner. Board of County Commissioner decisions may be appealed as provided for in State law. (Ord. O2005009 (part))

14.20.12060 Criteria for approval.

An application for a Comprehensive Plan Land Use Map amendment may be approved or denied at the sole discretion of the Board of County Commissioners. The resort master plan (including proposed modifications to an approved resort master plan), special use permit, or development agreement to develop any parcel or parcels of land as an MPR may be approved, or approved with modifications, if it meets all of the criteria below. If no reasonable conditions or modifications can be imposed to ensure that the application meets these criteria, then the application shall be denied.

- (1) The master plan is consistent with the County's development regulations established for critical areas (Chapter 14.24 SCC), and consistent with lawfully established vested rights, and approved development permits.
- (2) The MPR is consistent with the goals and policies of the Comprehensive Plan, including but not limited to the provisions relating to the siting of master planned resorts and the requirements of the County Shoreline Master Program; and complies with all other applicable sections of this Code and all other applicable codes and policies of the County, including consistency with lawfully established vested rights.
- (3) All standards established by SCC 14.20.040 are or will be met.
- (4) The economic/fiscal impact analysis of the proposed MPR demonstrates that:
 - (a) the necessary financial resources are available for the applicant to undertake the development and that the developer has or can reasonably obtain adequate financial support for the development once approved.
 - (b) The MPR will provide a financial contribution that positively benefits the local economy throughout the life of the project, considering changes in employment, demands for new or increased levels of public service and the effects of loss of resource lands.
 - (c) The natural amenities of the site, considered together with the proposed recreational activities and facilities to be provided by the resort, constitute the primary attraction to visitors.

- (3) If an MPR will be phased, each phase contains adequate infrastructure, open space, recreational facilities, supporting commercial uses, landscaping and all other conditions of the MPR sufficient to stand alone if no subsequent phases are developed.
- (4) The MPR will provide active recreational uses, adequate open space, and sufficient services such as transportation access, public safety, and ~~social and health services~~ utilities to adequately meet the needs of the guests and residents of the MPR.
- (5) The MPR will contain within the development the necessary supportive and accessory on-site commercial and other services, and such services shall be oriented to serve the MPR and be incidental to the resort itself.
- (6) Environmental considerations are employed in the design, placement, and screening of facilities and amenities so that all uses within the MPR are harmonious with each other and incorporate and retain, as much as feasible, the preservation of natural features and amenities, historic sites, and public views.
- (7) On-site and off-site infrastructure (e.g., electrical power, water, sanitary sewer and stormwater treatment) and service (e.g., police, fire protection, emergency medical service and solid waste collection) impacts have been fully considered and mitigated.
- (8) Improvements and activities are located and designed in such a manner as to avoid or minimize adverse effects of the MPR on surrounding lands and property. If located in a rural setting, the MPR is of sufficient size, layout and design, including incorporation of sufficient setbacks and landscaping, to appropriately screen the resort development and its impacts from the immediately adjacent rural parcels outside the MPR. Furthermore, the proposed development will not force a significant change in accepted farm or forest practices or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.
- (9) The siting of the master planned resort will not cause the need to construct additional traffic lanes on State routes through Rural or Natural Resource designated areas, except in the immediate vicinity or within the boundaries of the master planned resort where necessary to accommodate increased traffic and turning movements to various venues within the resort.
- (10) If the MPR is proposed to be located on designated forest or mineral lands of long-term commercial significance, (The land proposed for the master planned resort is better suited and has more long-term importance for the MPR than for the commercial harvesting of timber or production of agricultural products; the MPR shall not be located on designated Ag-NRL lands and will not adversely affect adjacent natural resource land production.
- (11) The adopted comprehensive plan and development regulations preclude new urban or suburban land uses in the vicinity of the MPR, ~~except when located within an urban growth area in compliance with RCW 36.70A.110.~~ (Ord. O2005009 (part))

14.20.13070 Time limits for approved developments.

Time limits for commencement of development within MPRs for which a site-specific Comprehensive Plan amendment has been approved shall be as specified in SCC 14.08.020(6)(c)(iii). Time limits for the commencement of development within MPRs authorized through the development agreement process specified in Chapter 14.14 SCC shall be as specified in the project development agreement. Time limits on the approval of MPRs under the special use provisions of SCC 14.16.900(1) shall be as specified in SCC 14.16.900(1)(a)(i) through (iii), ~~(d)~~. (Ord. O2005009 (part))