

CHAPTER 8 ADMINISTRATION

Sections	8.01 General
	8.02 Administrator
	8.03 Planning Commission
	8.04 Board of County Commissioners
	8.05 Building Official
	8.06 County Tax Assessor
	8.07 Hearing Examiner

8.01 General

There is hereby established an administrative system designed to assign responsibilities for implementation of the Master Program and Substantial Development Permit review, to prescribe an orderly process by which to review proposals and permit applications, and to ensure that all persons affected by this Master Program are treated in a fair and equitable manner.

8.02 Administrator

1. The Skagit County Planning Director or his designee, hereinafter known as the Administrator, is hereby vested with:
 - a. Overall administrative responsibility for this Master Program;
 - b. Authority to grant or deny statements of exemption from shoreline substantial development permits; and
 - c. Authority to determine compliance with RCW 43.21C, State Environmental Policy Act.
2. The duties and responsibilities of the Administrator shall include:
 - a. Establishing the procedures and preparing forms deemed essential for the administration of this program.
 - b. Advising interested citizens and applicants of the policies, regulations, and procedures of this program.
 - c. Making administrative decisions and interpretations of the principles and policies of this program and the Shoreline Management Act.
 - d. Collecting fees pursuant to Chapter 9 of this program.

- e. Determining that all applications and necessary data are complete and in proper form prior to review.
- f. Making field inspections, as necessary.
- g. Reviewing, insofar as possible, all provided and related data deemed necessary for appropriate application needs.
- h. Submitting substantial development, conditional use and variance permit applications to and making written recommendations and findings on such permits to the Hearing Examiner or Planning Commission for their review and decision or recommendation. The Administrator shall assure that all relevant information and testimony regarding the application is available to the Hearing Examiner or Planning Commission during their review.
- i. Assuring that proper notice is given to appropriate persons and the public of all hearings.
- j. Transmitting findings and recommendations of the Planning Commission along with other pertinent information related to the shoreline permit to the Board of County Commissioners for their consideration and final local official action.
- k. Providing technical and administrative assistance to the Hearing Examiner, Planning Commission and Board as required for effective and equitable implementation of this program and the Act.
- l. Informing the citizens of Skagit County of the purposes, goals, policies, and regulations of this program and any changes or amendments thereto.
- m. Investigate, develop, and propose amendments to this program as deemed necessary to more effectively and equitably achieve its goals and purposes.
- n. Seeking remedies for alleged violations of this program, the provisions of the Act, or of conditions of any approved shoreline substantial development, conditional use or variance permit issued by Skagit County.

8.03 Planning Commission

1. The Skagit County Planning Commission, hereinafter known as the Commission, is hereby vested with:
 - a. The authority to hear, review, and pass consideration on shoreline substantial development, conditional use or variance permit applications and any terms or standards attached thereto before public meetings and/or hearings pursuant to Section 11, Skagit County Ordinance No. 5987.
 - b. The responsibility for reviewing this program from time to time for a period of not less than once every three years for the purposes of assessing the program's effectiveness as a major element of the County's planning and regulatory responsibilities.
 - c. The responsibility for proposing and/or reviewing and making recommendations to the Board amendments deemed necessary to more effectively and equitably achieve this program's goals and purposes.

8.04 Board of County Commissioners

1. The Skagit County Board of County Commissioners, hereinafter known as the Board is hereby vested with authority to:
 - a. Grant or deny shoreline substantial development, conditional use or variance permits after considering the findings and recommendations of the Planning Commission and advice of the Administrator; PROVIDED that any decisions on this matter made by the Board may be further appealed to the State Shoreline Hearings Board as provided for in the Act; and
 - b. Decide appeals of the Hearing Examiner's decision and of the Administrator's actions and interpretations.
2. The duties and responsibilities of the Board shall include:
 - a. Scheduling regular meeting days or, if necessary, public hearings in order to consider shoreline substantial development, conditional use or variance permit applications, or appeals of the Examiner's decisions, or of the Administrator's actions and interpretations.

- b. Reviewing the decisions and/or findings and recommendations for permit applications or appeals of the Hearing Examiner, and/or the Administrator's actions, on regular meeting days or public hearings.
- c. Granting or denying shoreline substantial development, conditional use or variance permits in accordance with the procedures set forth in Section 9.09 of this Master Program.
- d. Conducting public hearings on appeals of the Hearing Examiner's decisions, and the Administrator's actions, interpretations and decisions.
- e. Base all decisions on shoreline substantial development, conditional use or variance permits or Hearing Examiner or Administrative appeals on the criteria established in Chapters 9, 10 and 11 of the Master Program for such permits.
- f. The Board may require any applicant granted a shoreline substantial development, conditional use or variance permit to post a bond or other acceptable security with the County conditioned to assure that the applicant and/or his successors in interest shall adhere to the approved plans and all conditions attached to the shoreline substantial development, conditional use or variance permit. Such bonds or securities shall have a face value of at least 150% of the estimated development cost including attached conditions. Such bonds or securities shall be approved as to form by the Skagit County Prosecuting Attorney.
- g. Review and act upon any recommendations of the Commission for amendments to or revisions of this Program. If the Board does not adopt the Commission's recommendations, it shall enter findings and conclusions setting forth the factors it considered in reaching its decision. Any amendments to the Program must be reviewed by the Department of Ecology, pursuant to RCW 90.58.190 and shall become effective only upon approval by such department.
- h. Seeking remedies for alleged violations of this program, the provisions of the Act, or of conditions of any approved shoreline substantial development, conditional use or variance permit issued by Skagit County.

8.05 Building Official

1. The Skagit County Building Official shall have the authority and responsibility to ensure that all Building Permits and conditions attached thereto which are subject to the Shoreline Management Act and/or provisions of the Master Program, as determined by the Administrator, are being fully complied with by the applicant.
2. The County Building Official shall not issue a Building Permit for development subject to the shoreline substantial development, conditional use or variance permit process until such a permit has been granted by local government and approved by the state.
3. In the case of development subject to the policies and regulations of this Master Program but exempt from the shoreline permit process, the Building Official, through consultation and coordination with the Administrator, shall attach shoreline management terms and conditions to the Building Permit and ensure their compliance.

8.06 County Tax Assessor

1. As provided for in RCW 90.58.290, the restrictions imposed upon the use of real property through the implementation of the policies and regulations of the Act and this Master Program shall be duly considered by the County Assessor and the County Board of Equalization in establishing the fair market value of such properties.
2. Designation of private property as a Natural or Conservancy Shoreline Area, pursuant to the provisions of Chapter 6 of the Master Program, fulfills the "open space land" definitional requirements of the Open Space Taxation Act of 1970, as amended (RCW 84.34.020(1)).

8.07 Hearing Examiner

1. The Skagit County Hearing Examiner is hereby vested with the authority to:
 - a. Hear, grant, or deny shoreline substantial development, conditional use or variance permits after considering the findings, public testimony and the

advice of the Administrator, PROVIDED that any decisions on this matter made by the Hearing Examiner may be further appealed to the Skagit County Board of Commissioners by so notifying the Administrator in writing within five (5) days from the date of Examiner's decision.

2. The duties and responsibilities of the Hearing Examiner shall include power to:
 - a. Schedule public hearings in order to consider substantial development, conditional use or variance permit applications,
 - b. Review the findings and recommendations for permit applications during public hearings,
 - c. Grant or deny shoreline substantial development, conditional use or variance permits,
 - d. Conduct public hearings on appeals of the Administrator's actions, interpretations and decisions,
 - e. Require any applicant granted a shoreline substantial development, conditional use or variance permit to post a bond or other acceptable security with the county which shall be conditioned so as to assure that the applicant and/or his/her successors in interest shall adhere to the approved plans and all conditions attached to the permit.

Such bonds or securities shall have a face value of at least 150% of the estimated development costs including attached conditions. Such bonds or securities shall be approved as to form by the County Prosecuting Attorney.