



# Skagit County Planning Commission

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**Chair** Tim Raschko      **Vice Chair** Tammy Candler  
**Members** Vincent Henley, Amy Hughes, Mark Knutzen, Kathy Mitchell, Martha Rose,  
Joe Woodmansee

Tuesday, February 8, 2022

## **DRAFT** - Skagit County Planning Commission's Recorded Motion Regarding 2021 Docket of Comprehensive Plan, Map, and Development Code Amendments

|                            |  |
|----------------------------|--|
| Proposal publication date: | December 23, 2021  |
| Proposal name:             | 2021 Docket of Comprehensive Plan, Map, and Development Code Amendments        |
| Documents available at:    | <a href="http://www.skagitcounty.net/2021CPA">www.skagitcounty.net/2021CPA</a> |
| Public hearing body:       | Skagit County Planning Commission  |
| Public hearing date:       | Tuesday, January 11, 2022 at 6:00 p.m.   |
| Written comment deadline:  | Thursday, January 13, 2022 at 4:30 p.m.  |
| PC deliberations:          | February 8, 2022   |

On May 11, 2021, the Skagit County Board of Commissioners deliberated on the proposals, including public comments received, and passed Resolution R20210084 including twelve petitions in the 2021 Docket.

Petition LR20-04, Fully Contained Communities was subsequently deferred by the Board of Commissioners with Resolution R20220010 on January 20, 2022.

The Planning Commission held work sessions on the docket June 15, 2021, July 13, 2021, November 30, 2021, and December 14, 2021, prior to the public hearing.

On December 23, 2021, the Planning and Development Services Department published a Notice of Availability (including SEPA determination of nonsignificance and notice of written comment period and public hearing) and staff report, and transmitted a 60-day Notice of Intent to Adopt to the Department of Commerce.

The Staff Report published on December 23, 2021 contains additional findings related to process, public notice, and department recommendations.

The public comment period was open from December 23, 2021 until January 13, 2022, in which the County received 53 comments.

All the written comments and hearing testimony were provided to the Planning Commission in a supplemental staff report dated January 19, 2022.

On January 25, 2022, a work session with the Planning Commission was held to discuss the public comments.

Planning Commission deliberated on the docket on February 8, 2022, and X.

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for action, and recommendations to the Board of County Commissioners.

### Recommendation, Findings of Fact and Reasons for Action

#### Item PL19-0419: Nielsen Brothers Comprehensive Plan & Zoning Map Amendment

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the comprehensive plan and zoning map amendment to rezone the Nielsen Brothers property from Ag-NRL to Natural Resource Industrial.

a. [Findings]

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed amendment to the Comprehensive Plan be **approved**.

Additional findings are available on Page 5 of the [Staff Report](#).

#### **This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item LR20-02 Small Scale Business Zone Use Amendment

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the small scale business zone use amendment.
  - a. [Findings]
  - b.

DRAFT

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed amendment to the Comprehensive Plan be **approved**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 2. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| <b>Commission Vote</b>           | <b>Support</b> | <b>Oppose</b> | <b>Absent</b> | <b>Abstain</b> |
|----------------------------------|----------------|---------------|---------------|----------------|
| <b>Tim Raschko, Chair</b>        |                |               |               |                |
| <b>Tammy Candler, Vice Chair</b> |                |               |               |                |
| <b>Kathy Mitchell</b>            |                |               |               |                |
| <b>Vincent Henley</b>            |                |               |               |                |
| <b>Mark Knutzen</b>              |                |               |               |                |
| <b>Amy Hughes</b>                |                |               |               |                |
| <b>Martha Rose</b>               |                |               |               |                |
| <b>Joe Woodmansee</b>            |                |               |               |                |
|                                  |                |               |               |                |
| <b>Total</b>                     | <b>0</b>       | <b>0</b>      | <b>0</b>      | <b>0</b>       |

Item LR20-05 Public Notice Amendment for Mineral Resource Extraction Area

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the public notice amendment for mineral resource extraction areas.
  - a. [findings]

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed amendment to the Comprehensive Plan be **approved** with potential modifications. Below are options staff have developed for Board consideration. The Department recommends adopting option A.

- Option A: increase notification requirements to 1,000 feet. 1,000 feet is consistent with current marijuana farm notice requirements and surrounding county requirements.
- Option B: adopt citizen proposed change to the notification requirements at 5,280 feet (one mile).
- Option C: increase notification requirements to 1,320 feet (one quarter mile), the setback distance for housing density to Mineral Resource Overlays.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 3. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item LR20-07 Accessory Dwelling Unit Code Amendment

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the accessory dwelling unit code amendment.
  - a. [findings]
  - b.

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed amendments to the Skagit County Code be **approved** with proposed modifications. Staff have developed the below options for the Planning Commission to consider. The Department recommends Option A:

- Option A: Remove the familial relation requirement for Accessory Dwelling Units and remove the size limitation relating to 50% of the total square footage of the principal unit. (If the principal unit is less than 1800 square feet, the ADU can still be up to 900 square feet).
- Option B: Recommend the petitioners’ proposal for approval.
- Option C: In addition to adopting the petitioners’ proposal, increase new Accessory Dwelling Unit size limitation from 900 feet to 1200 feet.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 6. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item LR21-02 Clarify CaRD Land Divisions and the “Reserve” Function

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the clarify CaRD land divisions and reserve function amendment.
  - a. [findings]

For Planning Commission reference (not part of recorded motion). The Comprehensive Plan and development code is clear that the reserve tract of a CaRD plat can be further developed in limited circumstances. What is less clear is when the rezone could occur that would allow the redevelopment of the reserve tract.

In order to clarify when a reserve tract could be rezoned for additional density, two options could be pursued:

- Option A: Remove the proximity to Rural Villages from the criteria to designate the reserve parcel as Open Space Urban Reserve (Os-UR) for plats approved after 2021. This approach would remove the implication that a lot or tract designated as Os-UR could be rezoned for additional units in the future.
- Option B: Amend the code to so a rezone of the reserve tract could only be done as part of the Comprehensive Plan periodic update cycle, instead of through an annual Comprehensive Plan amendment. This would allow a rezone in the case it was supported through a change in the State GMA regarding LAMIRDs and was supported by the County as part of a 20 year growth needs analysis. Unit size limitation from 900 feet to 1200 feet.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 8. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item LR21-04 Agricultural Processing Facilities in BR-Light Industrial

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the agricultural processing facilities in BR-Light Industrial amendment.
  - a. [findings]

DRAFT

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed amendments to the Skagit County Code be **approved**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 10. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item C21-1 2020 Comprehensive Parks & Recreation Plan

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the 2020 comprehensive parks and recreation plan amendment.
  - a. [Findings]

For Planning Commission reference (not part of recorded motion). Staff recommends including the 2020 Parks and Recreation Comprehensive Plan into the Skagit County Comprehensive Plan by reference and;

- Option A: amend the development regulations by adding parks as a Administrative and Hearing Examiner Special use in zones where they exist and are supported by the Comprehensive Plan, or
- Option B: amend the Comprehensive Plan and the Development Regulations to add parks as a “Public Use”

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 13. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |



Item C21-2 SEPA Determination Review Timing

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the SEPA determination review timing amendment.
  - a. [Findings]
  - b. ...

DRAFT

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed development code amendment be **denied**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 26. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item C21-3 Hamilton Zoning & Comprehensive Plan Updates

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the Hamilton zoning and comprehensive plan updates.
  - a. [Findings]
  - b. [Findings]

DRAFT

For Planning Commission reference (not part of recorded motion). The Department recommends the proposed Comprehensive Plan and development code amendment be **Approved**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 27. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item C21-4 Reduced Front Setback to Include Class 19 Roads

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the reduced front setback on class 19 roads within the Bayview Ridge Residential zone.
  - a. [Findings]
  - b. [Findings]

DRAFT

For Planning Commission reference (not part of recorded motion). The Department recommends that the proposed amendment to the Skagit County Development Regulations be **Approved**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 41. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
|                           |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

Item C21-5  
Pre-

application Requirement

1. The Planning Commission recommends to the Board of County Commissioners to [insert decision] the pre-application requirement update.
  - a. [Findings]
  - b. ..

For Planning Commission reference (not part of recorded motion). The Department recommends that the proposed amendment to the Skagit County Development Regulations be **Approved**.

See specific code and policy text amendments in the Staff Report [Attachment 1](#), Page 43. Additional findings are available in the [Staff Report](#).

**This recorded motion approved**

| <b>Commission Vote</b>           | <b>Support</b> | <b>Oppose</b> | <b>Absent</b> | <b>Abstain</b> |
|----------------------------------|----------------|---------------|---------------|----------------|
| <b>Tim Raschko, Chair</b>        |                |               |               |                |
| <b>Tammy Candler, Vice Chair</b> |                |               |               |                |
| <b>Kathy Mitchell</b>            |                |               |               |                |
| <b>Vincent Henley</b>            |                |               |               |                |
| <b>Mark Knutzen</b>              |                |               |               |                |
| <b>Amy Hughes</b>                |                |               |               |                |
| <b>Martha Rose</b>               |                |               |               |                |
| <b>Joe Woodmansee</b>            |                |               |               |                |
|                                  |                |               |               |                |
| <b>Total</b>                     | <b>0</b>       | <b>0</b>      | <b>0</b>      | <b>0</b>       |

The Planning Commission recommends that the Board of County Commissioners adopt the 2021 docket proposal as recommended.

This recorded motion approved on \_\_\_\_ day of February, 2022.

| Commission Vote           | Support | Oppose | Absent | Abstain |
|---------------------------|---------|--------|--------|---------|
| Tim Raschko, Chair        |         |        |        |         |
| Tammy Candler, Vice Chair |         |        |        |         |
| Kathy Mitchell            |         |        |        |         |
| Vincent Henley            |         |        |        |         |
| Mark Knutzen              |         |        |        |         |
| Amy Hughes                |         |        |        |         |
| Martha Rose               |         |        |        |         |
| Joe Woodmansee            |         |        |        |         |
| <b>Total</b>              | 0       | 0      | 0      | 0       |

SKAGIT COUNTY PLANNING COMMISSION  
 SKAGIT COUNTY, WASHINGTON

\_\_\_\_\_  
 Tim Raschko, Chair

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Hal Hart, Secretary

\_\_\_\_\_  
 Date