



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 22, 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:	www.skagitcounty.net/2021CPA
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 [for the 2021 docket](#), 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 ~~February 22, 2022~~.

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 **approve** the comprehensive plan and zoning map amendment to rezone the Nielsen Brothers property from Ag-NRL to Natural Resource Industrial.

a. No opposition from the Agricultural Advisory Board

b. Business has operated successfully and this allows it to continue

c. The changes allows for improvements to the business and improvements to the protection of the environment.

d. The location is close to other businesses and the highway needed for this type of work.

Commented [PG1]: Motion by Rose, Mitchell 2nd

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	■			
Total	8	0	0	0

Item LR20-02 Small Scale Business Zone Use Amendment

1. The Planning Commission recommends to the Board of County Commissioners to approve the small scale business zone use amendment.

- a. Allows for this businesses to have this accessory use, appropriate for this zone.
- b. Skagit County has the necessary standards and codes and constraints to allow this activity.
- c. The proposal follows the Comprehensive Plan vision for economic development in rural areas.
- d. Important to be supportive of appropriate business activities complementary to surrounding communities.

Commented [PG2]: Motion by Mitchell, Henley 2nd

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	■			
Total	8	0	0	0

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

1. The Planning Commission recommends to the Board of County Commissioners to deny the public notice amendment for mineral resource extraction areas.
 - a. Mining has been a part of the county since the late 1800's.
 - b. Since GMA came into being the County has worked on the mineral resources overlay in 1997 and again under extensive review from 2005 to the 2007 Comprehensive Plan update.
 - c. According to the State mining is a primary natural resource.
 - d. Mining operations already operate under stringent regulations.
 - ~~a.e.~~ The County has tried to separate rural and mining activities through the zoning and MRO overlay and buffers.
 - f. Other jurisdictions notice standards should not be a reason for Skagit County to make a change.
 - g. There is a need for gravel in the building industry, this is a resource that can be scarce
 - h. Need to support local businesses and economic activity in Skagit County.

Commented [PG3]: Motion by Mitchell, Henley 2nd

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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	■			
Total	8	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.

Commented [PG4]: Candler, Mitchell 2nd Motion to deny – Withdrawn; Motion to table – Knutzen, Henley 2nd - Withdrawn

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				
Total	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				
Total	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 approve LR21-04, the agricultural processing facilities in BR-Light Industrial amendment.
 - a. Bayview Ridge light industrial zone is a good area for this type of processing.
 - b. There is a need for more Ag slaughtering facilities beyond the mobile units.
 - c. Recent COVID events have shown a need for local food production.
 - d. A larger facility is more environmentally protective to have the slaughtering take place in a controlled facility rather than out in the field with varying conditions and protections.
 - e. The transportation infrastructure makes this site advantageous for local agriculture.

Commented [PG5]: Motion to approve LR21-04 by Mitchell, Henley 2nd.

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	■			
Total	8	0	0	0

Item C21-1 2020 Comprehensive Parks & Recreation Plan

1. The Planning Commission recommends to the Board of County Commissioners to approve the 2020 comprehensive parks and recreation plan amendment, consistent with Option A.
 - a. This change will conform present park uses where appropriate and consistent with the County Comprehensive Plan.
 - b. The amendment would allow for changes and improvements to existing parks in appropriate zones, where they existed prior to GMA.
 - c. The following mandated GMA Planning Goals are directly relevant to park matters addressed in this amendment:
 - i. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to

Commented [PG6]: Motion to approve with Option A by Candler, Mitchell 2nd

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*natural resource lands and water, and **develop parks and recreation facilities.***

ii. Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance.

d. This change will support new parks where consistent with the County Comprehensive Plan.

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	■			
Total	8	0	0	0

Item C21-2 SEPA Determination Review Timing

1. The Planning Commission recommends to the Board of County Commissioners to deny the SEPA determination review timing amendment.

Commented [PG7]: Motion by Candler, Mitchell 2nd

- a. Change is not allowed under state law.

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	■			
Total	8	0	0	0

Item C21-3 Hamilton Zoning & Comprehensive Plan Updates

1. The Planning Commission recommends to the Board of County Commissioners to accept the Hamilton zoning and comprehensive plan updates.

Commented [PG8]: Motion by Henley, ? 2nd

- a. It is important to clean up outdated code references to keep the Development code current.

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	■			
Total	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 approve the reduced front setback on class 19 roads within the Bayview Ridge Residential zone.

Commented [PG9]: Motion by Hughes, Mitchell 2nd

- a. This change will make the setbacks consistent.
- b. This can lower the footprint with shorter driveways.
- c. More flexibility within the building lot
- d. Maintains the Comprehensive Plan goals for safe and reasonable setbacks.
- ~~a.e.~~ Shorter setbacks are more neighbor friendly.

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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	■			
Total	8	0	0	0

Item C21-5 Pre-application Requirement

1. The Planning Commission recommends to the Board of County Commissioners to approve the pre-application requirement update.

a. The change makes the code consistent with current practices.

~~a.~~b. Codifies the review process and eliminates a preapplication waiver

c. Allows the applicant a choice of pre permitting review

~~b.~~d. Saves staff time with a more efficient review process.

Commented [PG10]: Motion by Candler, Henley 2nd

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	■			
Total	8	0	0	0

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				
Total	0	0	0	0

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON

Tim Raschko, Chair Date

Hal Hart, Secretary Date