



Petitions for 2021 Docket of Comprehensive Plan, Land Use Map, & Development Code Amendments

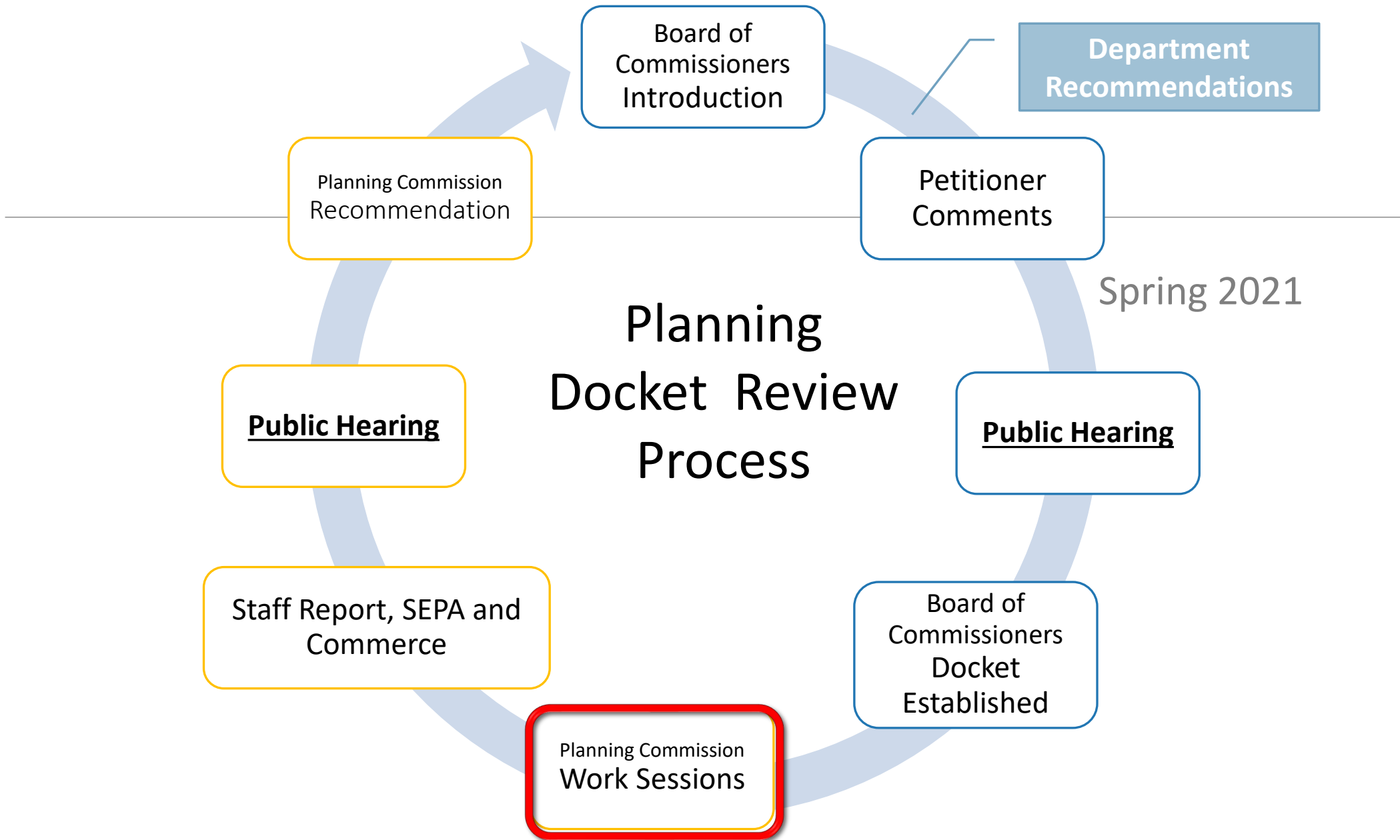
PETER GILL, LONG RANGE PLANNING

PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION, WORKSESSION #2

NOVEMBER 30, 2021

www.skagitcounty.net/PlanningCommission



Citizen-Initiated Amendments

Tonight

- PL19-0419: Nielsen Brothers Map Amendment & Rezone
- LR21-02: Clarify CaRD function
- LR20-04: Fully Contained community Proposal
- LR20-02: Small Scale Business Zone Use Modification*
- LR20-05: Public Notice for Mineral Resource Extraction area*
- LR20-07: Accessory Dwelling Unit code Amendment*
- LR21-04: Agricultural processing facilities in BR-Light Industrial*

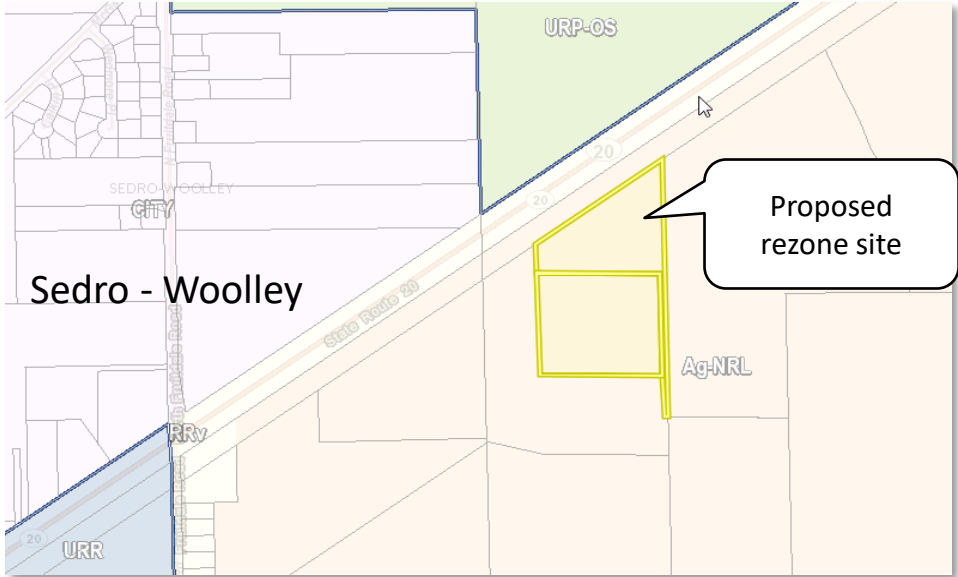
* PC work session on 7/13



Nielsen Brothers Map Amendment & Rezone

PL19-0419: (Nielsen Brothers, Inc.)

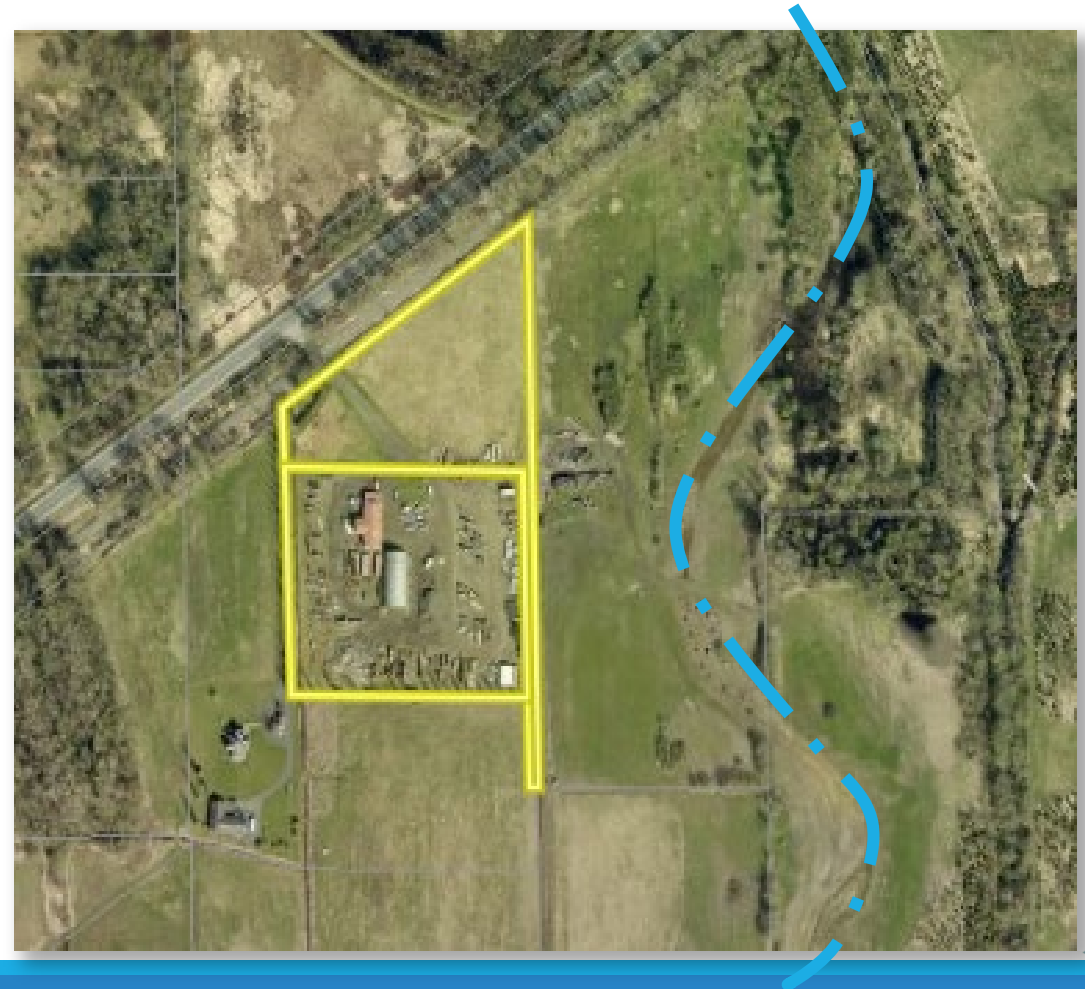
Change 11.89 acres, east of Sedro Woolley, zoning from Agriculture– Natural Resource Lands to Natural Resource Industrial.



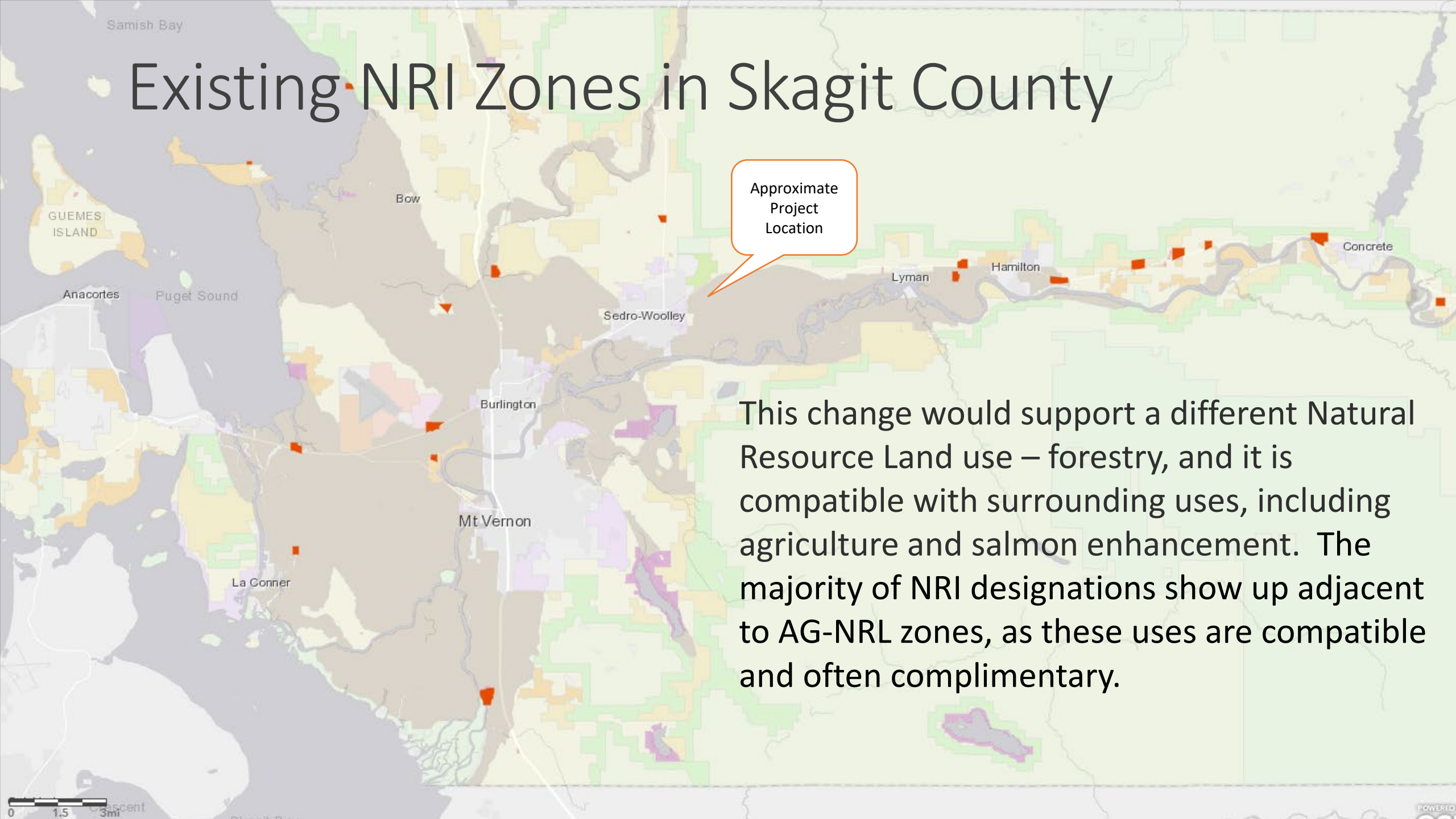
Existing Uses

Uses allowed in Natural Resource Industrial (NRI) are generally consistent with existing uses on the property.

Within the AG-NRL, NRI is intended to be Agricultural Industrial Parks – Policy 3C-5.5



Existing NRI Zones in Skagit County



This change would support a different Natural Resource Land use – forestry, and it is compatible with surrounding uses, including agriculture and salmon enhancement. The majority of NRI designations show up adjacent to AG-NRL zones, as these uses are compatible and often complimentary.

Clarify CaRD land divisions and the “reserve” function

LR21-02: (Friends of Skagit County)

Clarify the definition and function of the Conservation and Reserve Developments (CaRD) within the Comprehensive Plan and code.

- Definitions
- Relationship to zoning
- Redevelopment of the Reserve Tract



Definitions

COMPREHENSIVE PLAN

A technique of land division characterized by the placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to be developed.

DEVELOPMENT CODE

A technique of residential land development characterized by the placement of lots, dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance, and retains larger expanses of property available for agriculture, forestry, recreation, future development or continuity of open space or ecological functions characteristic of the property to be developed. A CaRD, in some cases, allows higher densities than normally permitted in the zone, but also has greater design requirements. A CaRD may also modify certain requirements of the zone, as specifically allowed by this Code. When the creation of lots is desired, a CaRD is done in conjunction with a land division.



Relationship to Zoning

CaRDs are land divisions and located in SCC 14.18. This section states that CaRDs are “an overlay permit that allows for variations in the underlying zoning regulations but are not intended as and do not constitute rezoning.”

Zoning establishes the allowed density, permitted uses, and with respect to CaRDs – Open Space designation of reserve tract. Examples:

- Rural zones – Open Space Rural Open, Open Space Urban Reserve, Open Space Reserve, Open Space Recreational/Amenities
- Natural Resource zones – Open Space Natural Resource Lands, Open Space – Protection Areas, Open Space Reserve



OS-Designation	Sum of Open Space (ac)	Building lots
OS-NRL	1357.54	59
OS-ProtectiveArea	1133.47	116
OS-RecreationalAmenity	617.33	179
OS-RuralOpen	734.45	197
OS-Reserve (RSV)	134.01	24
OS-UrbanReserve	61.6	16
PCA	166.56	1
Grand Total	4204.96	592

CaRD Analysis

In order to better understand the historical use and intention of CaRD land divisions an analysis of 155 of the 182 total CaRDs since 2000 was completed.

Redevelopment of Reserve Tract

There are two open space designations in the code that allow for future development of the open space lot:

Open Space Reserve, (OS-RSV) this is used only when the development rights of the parent parcel are not extinguished in the development of the CaRD.

Open Space Urban Reserve (OS-UR) allows future development when the area is rezoned. This designation is only allowed on lands zoned Rural Village Residential, Rural Intermediate, or Rural Reserve, and only if these areas are located on a parcel of which 50% or greater is located within one-quarter mile of urban growth areas or Rural Villages.

- Focus of review is on OS-UR



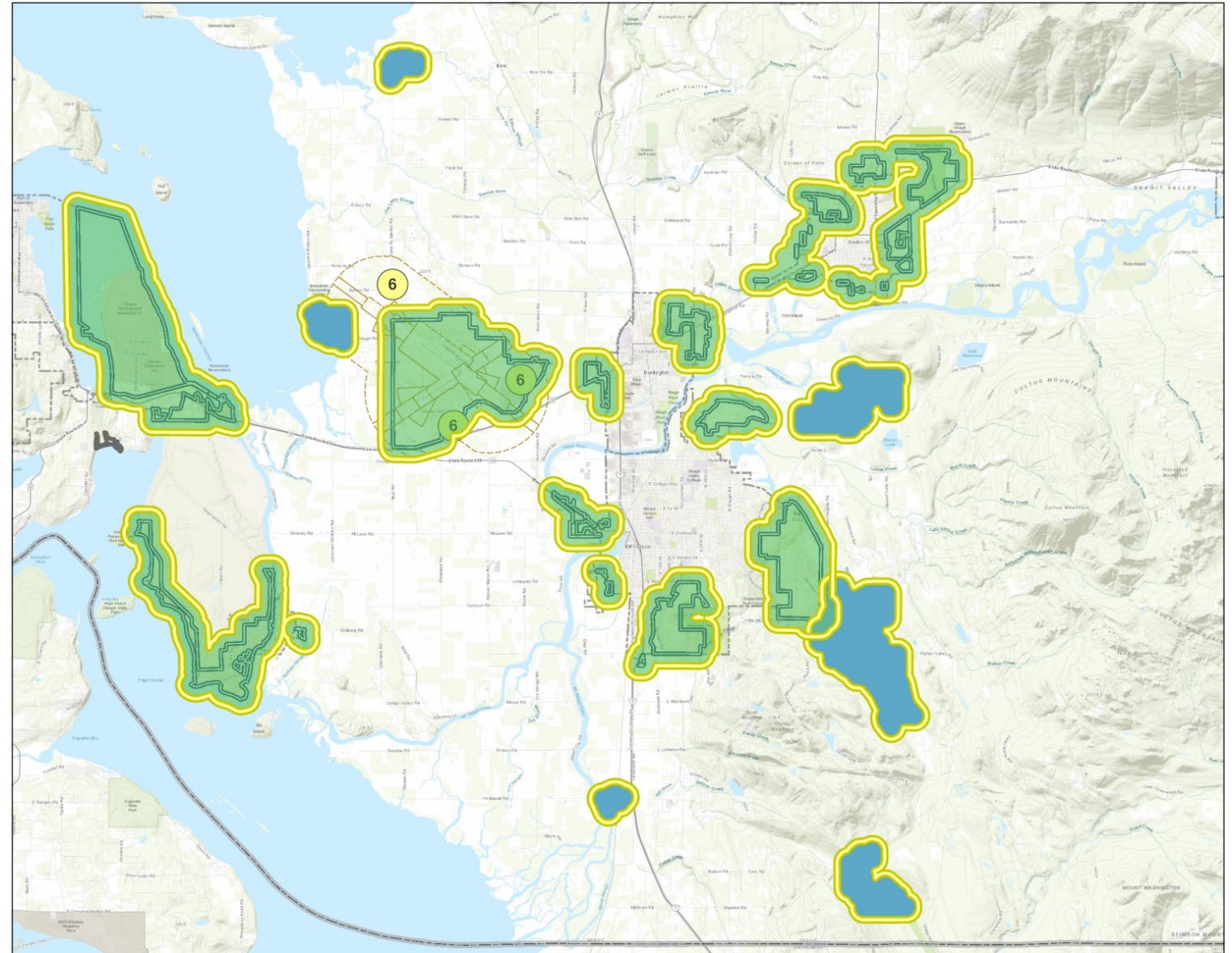
Open Space – Urban Reserve (OS-UR)

According to [SCC 14.18.310](#), this designation is to retain areas of open space until such time that urban development is deemed appropriate for that area and then to continue to require a portion of that original space to be preserved.

There are currently 3 OS-UR reserve tracts in Skagit County



Appropriate areas for Open Space - Urban Reserve designation



6.05 0 3.02 6.05 Miles

Scale 1: 191,538

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11/6/2021

Rezone of the Reserve Tract

Should the OS-Urban Reserve designation be allowed adjacent to Rural Villages?

In OS – UR the ability to redevelop the reserve portion of the CaRD rests with the ability to become part of the Rural Village or the Urban Growth Area. The only way to do this is to rezone the reserve tract to Rural Village Residential, Rural Intermediate, or be annexed by a city. None of these changes can be initiated by individuals:

- Rural Village Residential and Rural Intermediate are considered to be part of a LAMIRD (limited areas of more intense rural development) that was predominantly developed by 1990 cannot be added outside the boundary without a change to state laws.
- Additional density through annexation is initiated with a municipality.



OS-Designation	Zoning	Open Space Area (ac)	Tracts
OS-RSV	RRc-NRL	11.71	1
	RRv	122.3	8
OS-RSV Total		134.01	9
OS-UR	RRv	61.6	3
OS-UR Total		61.6	3

Open Space Reserved for **Future Development** in CaRDs

Out of the 182 total CaRDs (Conservation and Reserve Developments) in Skagit County since 2000, 155 were analyzed.

There were a total of 12 open space designations reserved for future development, with 9 being Open Space – Reserve; and 3 being Open Space – Urban Reserve designations

Fully Contained community Proposal

LR20-04: (Skagit Partners, LLC)

Amend the Comprehensive Plan to establish criteria for consideration of a new fully contained community, consistent with Growth Management Act (RCW 36.70A.350).

The petitioner proposal includes amendments to the development regulations and the Countywide Planning Policies. The Board of Commissioners did not include these amendments in the docket.



What is Not Proposed

- A project-specific FCC is not proposed by these amendments.
- Amendments to the population allocations in the cities
- Additional population growth in the County – 80:20 urban to rural population allocation goal maintained





More Study is Needed

A Planning Commission recommendation and public comment on this petition will be sought through the EIS review process and not as a part of the 2021 docket review.



Good Planning Requires Good Information

- How much development can we expect in the unincorporated county?
- What locations are safe from natural hazards?
- How does new a new urban area effect salmon, clean water, hydrology, flooding?
- What are the likely impacts compared to existing pattern of growth?
- How would the FCC slow growth in the unincorporated areas?
- How will the proposal or alternative impact transportation?



A Non-project EIS is designed to Study Impacts

Facilitates community involvement

Evaluates the proposal's likely impacts

Integrates into the Comprehensive Plan
amendment process

Looks at alternatives

Requires additional time (12 + Months)



More Study is Needed



Working with a Consulting Firm



Public Scoping period in January



Open dialog about Growth

County Initiated Proposals

- C21-1: 2020 Comprehensive Parks & Recreation Plan
- C21-2: SEPA Determination Review Timing
- C21-3: Hamilton Zoning & Comprehensive Plan Text Amendment
- C21-4: Front setback reduction in Bayview Ridge Residential zone
- C21-5: Removal of Pre-Application Requirement



C21-1: 2020 Comprehensive Parks & Recreation Plan

The Board of Commissioners adopted the 2020 Skagit County Parks and Recreation Comprehensive Plan on February 3, 2020.

The proposal is to “incorporate by reference” the recently updated 2020 Parks and Recreation Comprehensive Plan into the Skagit County Comprehensive Plan. The Parks and Recreation Comprehensive Plan will not become a chapter in the Comprehensive Plan and will remain a separate functional planning document.

This includes review of zoning and consistency of park classifications.



2020 Comprehensive Parks Plan Con't

Currently there are a number of existing parks in zones that do not in support of a park use. The addition of these parks as a permitted use will allow the Skagit County Parks and Recreation Department to make the necessary upgrades, such as building safety upkeep and infrastructure expansions, to ensure the park continues to meet the needs of the community.

- Skagit County Parks could be added in all zones,
- Only where consistent with Comprehensive Plan policies, including: Rural Reserve, Rural Village Residential, Urban Reserve Residential, Industrial Forest – NRL, and Secondary Forest – NRL, or
- Allowed in all zones only where they already exist.



C21- 4 Reduced Front Setback to Include Class 19 roads

The proposed amendment allows for 20 foot residential setbacks for all local access roads in the Bayview Ridge Residential zone (BR-R).



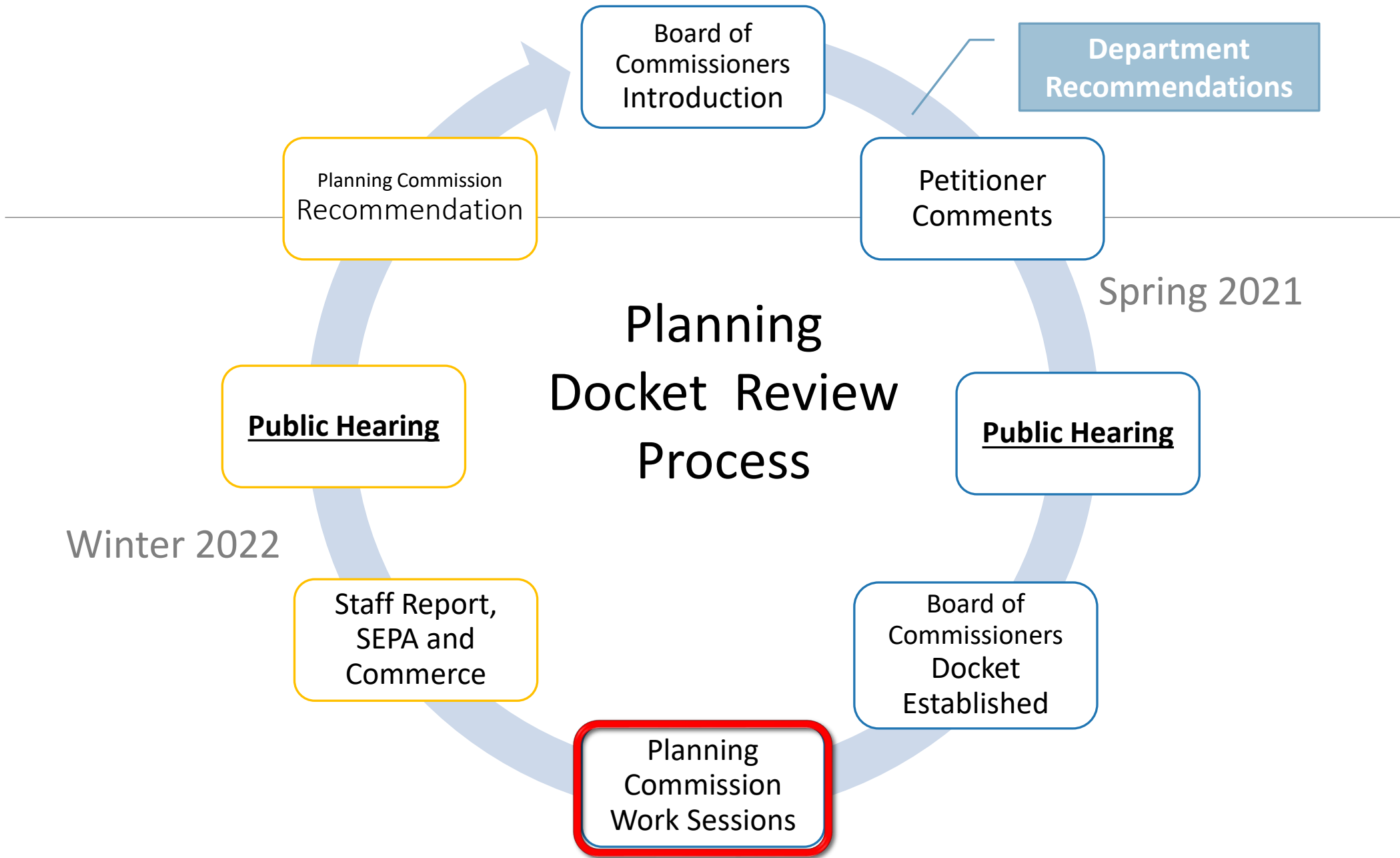
C21-5 Pre-application requirement

This code amendment to SCC 14.06.080 makes the pre-application meeting optional and the pre-development meeting required.

Currently, project applicants often take advantage of a free pre-development meeting with staff when their project is in the feasibility stage foregoing the expense of a pre-application meeting.

Both are waived for administrative interpretations, administrative decisions, administrative variances, boundary line adjustments, and flood area development permits, or development permits exempt from SEPA review.





Further Information Available

- **Petitioner Applications**
- **Department Recommendations and Memo's**
- **Public Comments and BoCC Public Hearing**
- **Planning Commission Memo's and work sessions 5/25 and 7/13**

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