

PLANNING COMMISSION
July 16, 2024
6:30 PM
Planning Commission

a. Call to Order

b. Pledge of Allegiance

c. Roll Call

d. Consent Agenda

1. Minutes from June 18, 2024 Planning Commission Meeting

e. General Public Comments

Please keep comments to three minutes or less. Because State law prohibits the use of city facilities for the purpose of supporting or opposing a campaign or ballot proposition, we respectfully request that public comment not make reference to such matters.

Written comments will be accepted by letter or via email at nmcgowan@sedro-woolley.gov Attn: 'Public Comment.'

f. Public Hearing(s)

g. Unfinished Business

1. Proposed Amendments to Chapters 12.40 and 17.50 SWMC to Update Tree Standards
2. Council-Requested Updates to Recommended Amendments to Chapter 17.24 SWMC Minimum Commercial/Retail Floor Area in CBD

h. New Business

1. Growth Management Act Steering Committee (GMASC) Proposed Revisions to Countywide Planning Policies

i. Adjournment

PLANNING COMMISSIONERS

Pat Huggins	Matthew Desvoigne	Danielle Freiburger
Joe Fattizzi	Silas Maddox	Joe Franett
		Cassandra Sexson

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The City of Sedro-Woolley also complies with applicable state laws and doesn't discriminate on the basis of creed, gender, gender expression or identity, sexual orientation, marital status, religion, honorably discharged veteran or military status, or the use of a trained dog guide or service animal by a person with a disability.

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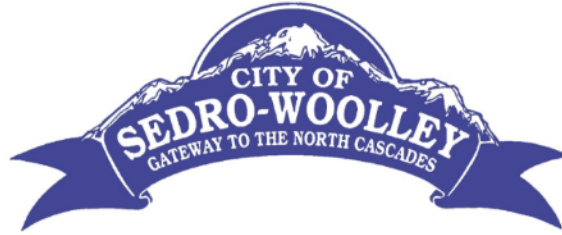
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Regular Meeting of the Planning Commission
June 18, 2024 - 6:30 PM

a. Call to Order

Planning Commission Chair, Joe Franett, called the meeting to order at (6:32 pm).

b. Pledge of Allegiance

c. Roll Call

- Present Commissioners: Pat Huggins, Matthew Desvoigne, Danielle Freiburger, Joe Fattizzi, Joe Franett, Cassandra Sexson
- Absent Commissioners: Silas Maddox
- Present Staff: Nicole McGowan and Tom Glover
- Members of public in attendance: 4

d. Consent Agenda

1. Minutes from May 21, 2024 Planning Commission Meeting

Minutes from May 21, 2024, meeting were approved.

e. General Public Comments

Please keep comments to three minutes or less. Because State law prohibits the use of city facilities for the purpose of supporting or opposing a campaign or ballot proposition, we respectfully request that public comment not make reference to such matters.

Written comments will be accepted by letter or via email at nmcgowan@sedro-woolley.gov Attn: 'Public Comment.'

Opened at 6:34 pm, there were no participants online. Staff received one written comment to be entered into the record from Katherine Olson with Family Promise of Skagit Valley. In her letter she talks about purchasing property on Wicker Road and possibly doing a Boundary Line Adjustment to create a larger site between the two churches to accommodate cottage living spaces. She has been in contact with West Coast Construction about their tiny houses. Currently, the property is zoned R7, which has a 6,000 square foot minimum lot size. Katherine is wondering if the city would allow a cluster scenario or an R17 zoning to increase the density as the building footprint of the cottages would be under 400 square feet. Cottage housing is a great way to provide more stable housing for

homeless families. Public comments closed at 6:37pm.

f. Public Hearing(s)

None

g. Unfinished Business

1. Proposed Amendments to Chapter 2.90 and Title 17 SWMC to Add Regulations for Cottage Clusters

Planner, Nicole McGowan, invited members of the community to tonight's meeting that have interest and or knowledge of cottage clusters, tiny homes, or low to middle income housing. Raymond Faber of Faber Construction was in attendance. He played a huge part in the Wildwood Cottages project, located at Lake Whatcom. Donna Keeler was also in attendance. She is on the consultant team for the Sedro-Woolley comprehensive plan update with an interest in affordable housing. Debra Stewart and Margerie Height were also in attendance. They are from Indivisible Skagit with roughly 1,400 members that live in Skagit County, with the majority of them within the city limits. They also have an interest in affordable housing. The draft amendment has been rebranded to allow for "cottage clusters" in the city's residential zones. It has been rewritten with a focus on allowing small homes between 205 and 1,200 square feet on sites at least 0.5 acres and up to 1 acre in size. Some major changes were made to the draft, including but not limited to:

- Permitting procedures. The goal is to make permitting of affordable housing quick, easy and not excessively costly. Applicants must hold a pre-application meeting with staff, then apply for a Cottage Cluster Application.
- A definition for "cottage home" was added and modifications were made to the definition for tiny home to remove confusion. Park models were specifically excluded from the tiny home definition.
- "Permits required" section was added to the proposed new chapter of the zoning code.
- Phased development was removed from the amendment.
- The density table was rewritten to eliminate guesswork. The maximum allowable units allowed in any of the residential zones is four, the maximum units allowed for the R5 zone is eight, the R7 zone is 10 and for the R15 zone it is 12. The maximum allowable units has been capped at 12, regardless of the implementation of density bonuses.
- The energy efficiency density bonus was removed because it takes away from the affordability of homes if implemented.
- Parking requirements have been updated. One space is required for homes between 205 and up to 800 square feet. For homes over 800 square feet and up to 1,200 square feet, two parking spaces are required. Parking requirements can be achieved by providing community parking within the development boundaries, immediately adjacent to the home they are serving, or within private garages. A combination of these methods may be allowed to achieve the parking requirements.

- Open space requirements have been updated. Seventy-five percent of the open space must be considered usable and fifty percent of the homes must be oriented around the usable open space area(s).

Open table discussion

Commissioner, Joe Fatizzi started off the round table discussion with a question directed towards Raymond Faber. He would like to discuss the design guidelines in more detail tonight and the affordability standpoint that park models have. Raymond recommended that the Commissioners consider park models as they do not have to follow Washington State energy codes. However, he agrees some design standards need to be implemented. The construction of park models is regulated by the ANSI 119.5 park model code. Commissioner, Danielle Freiburger, asked if you could tell the difference at different times of year between heating the park models. Raymond has not completed an energy code analysis. However, not much heat will be lost by heating 400 square feet. After further discussion, it was decided that park models would be added to the amendment for permitted use. They will be separately defined in Ch 17.04 SWMC with the same guidelines as before. Also added to the section will be the removal of the hitch, a permanently mounted structure will be required, R15 wall with a minimum of R30 floor and ceiling, and skirting will also be required. Chair Commissioner, Joe Franett, shared a visual plan with the participants at the open table discussion. The plan showed what the Cottage Cluster community could potentially look like. The drawing was a plan on one acre, which is the maximum allowed. It's 132 feet by 360, with a driveway and 12 houses or 11 houses and a clubhouse. In the middle of the plan is 6,000 square feet of open space. Each home takes up about 24% of the lot. Setbacks are 20 feet in the front, 10 feet in the back and 5 feet on each side. It was decided to table the rest of the conversation until the following meeting in July.

2. Proposed Amendments to Chapters 12.40 and 17.50 SWMC to Update Tree Standards

A motion 5-0 was made to table the proposed amendment to Chapters 12.40 and 17.50 SWMC until the next meeting on July 16, 2024.

h. New Business

None

i. Adjournment

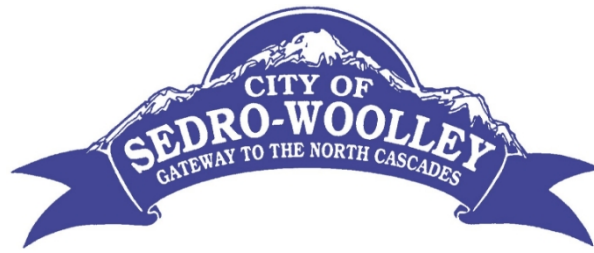
(Time 8:44 p.m.)

ATTEST:

Joe Franett, Planning Commission Chair

APPROVED:

Planning Commission Secretary



Planning Commission Agenda Item

Agenda Item No.: g.1.

Date: July 16, 2024

From: Nicole McGowan, Planner

Subject: Proposed Amendments to Chapters 12.40 and 17.50 SWMC to Update Tree Standards

RECOMMENDED ACTION:

Review and discuss proposed amendments to Chapters 12.40 and 17.50 SWMC to update tree standards, propose any recommended changes, and task staff with preparing for a public hearing at the next meeting if the draft is satisfactory.

ISSUE:

Should the Planning Commission recommend that the City Council approve the proposed amendments to Chapters 12.40 and 17.50 SWMC to update the city's tree standards?

BACKGROUND/SUMMARY INFORMATION:

At the April 16 and May 21, 2024 meetings, the Planning Commission reviewed the first two drafts of the proposed amendments to update the city's tree standards. These amendments are intended to rectify issues the Public Works and Planning Departments have had with trees being planted too close to underground utility lines or sidewalks and issues with trees that grow exceptionally high being planted underneath overhead utility lines and posing a fire hazard. At the last meeting, the Planning Commission pointed out several areas where language in Chapters 12.40 and 17.50 SWMC was found to be contradictory between chapters and sections. Staff was tasked with cleaning up these areas to add clarity and ensure the standards all coincide. In addition, tables have been added to sections 12.40.030 - Permission to Plant Trees and 12.40.110 - Recommended Trees which work as easy-to-use guides for applicants to use when selecting appropriate trees for their site. It was also later brought to staff's attention that the proposed additions to the existing regulations contradict with separate Public Works Department standards regarding vertical clearance over sidewalks and streets. The language has been updated to match Public Works Department standards.

The draft amendments to Chapters 12.40 and 17.50 SWMC are included herein as **Attachment 1**.

FISCAL IMPACT, IF APPROPRIATE:

None.

ATTACHMENTS:

1. Draft Amendments 3 (7-16-24)

Chapter 12.40

TREE STANDARDS

Sections:

[12.40.010 Purpose.](#)

[12.40.020 Definitions.](#)

[12.40.030 Permission to plant trees.](#)

[12.40.040 Utility right-of-way.](#)

[12.40.050 Removal of trees and shrubs.](#)

[12.40.060 Trimming overhanging trees—Duty of property owner.](#)

[12.40.070 Clear vision area.](#)

[12.40.080 Care and disposition of existing trees.](#)

[12.40.090 Short plats, subdivisions and planned unit development—Tree planting in rights-of-way.](#)

[12.40.100 Prohibited trees.](#)

[12.40.110 Recommended trees.](#)

[12.40.120 Planting Standards](#)

[12.40.120130 Inspection and appeal.](#)

[12.40.130140 Reserved rights.](#)

12.40.010 Purpose.

It is hereby declared that the preservation and development of the beauty of nature is essential to the progress and growth of the city. It is the policy of the city to plant and maintain, and to encourage the planting and maintenance of, desirable trees and other plantings to enhance the beauty of the community for the health, welfare and safety of its citizens. The council has become concerned with the proper selection, location and care of trees planted in ~~planting~~~~parking~~ strips, other public places and adjacent areas, and has studied ways to eliminate problems connected with adequate street illumination, safety to the community

preservation of public utilities, and providing the greatest aesthetic value to the city. The ordinance codified in this chapter is adopted for the purpose of establishing rules and regulations relating to the planting, care and maintenance of such trees. (Ord. [1382-00](#) § 1, 2000)

12.40.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings ascribed to them:

A. "Owner" means the legal owner of real property fronting or abutting on any property of the city and any lessees of such owner, including fee owner and holder of a purchaser's interest in a real estate contract.

~~B. "Parking strip" means that part of the public street or avenue, or right-of-way not covered by sidewalks, lying between the property line and the curb or that portion of the street or avenue being used for vehicular traffic.~~

B. "Planting strip" means that part of the public right-of-way lying between the sidewalk and back of curb which contains ground cover supportive of plant material.

C. "Public property" means all roads, streets, avenues, alleys, public rights-of-way, tree lawns, ~~plantingparking~~ strips or any public property or portion thereof of the city. (Ord. [1382-00](#) § 2, 2000)

12.40.030 Permission to plant trees.

All trees, shrubs and plants planted in any public place or right-of-way shall be with prior permission of the city and in accordance with the provisions of this chapter. No tree shall be planted in any ~~plantingparking~~ strip or public property less than ~~fivefour~~ feet wide. No tree shall be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. On streets that do not have curbs and/or sidewalks or planters, the city shall approve the location of new trees consistent with street and sidewalk standards. No tree shall be planted within ~~twenty feet of another tree or within~~ twenty-five feet of a street light or intersection. No street tree shall be planted closer than twenty feet from any fire hydrant. Trees planted under utility lines shall not exceed a maximum mature height of twenty~~-five~~ feet. ~~Only No-street tree other than~~ small and medium trees may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, transmission line, or other utility, provided the trees' mature height is less than or equal to twenty feet. (Ord. [1382-00](#) § 3, 2000)

Tree Size	Small, Narrow	Medium	Large
Minimum Planting Strip Width	5 feet	7 feet	10 feet
Average Tree Spacing	20 feet	30 feet	40 feet
Minimum Tree Setback from Vehicular traffic	2 feet from back of curb	3 feet from back of curb	4 feet from back of curb
Minimum Vertical Sidewalk Clearance	8 feet	8 feet	8 feet
Minimum Vertical Road Clearance	14 feet	14 feet	14 feet
Maximum Tree Height within 10 feet of an Overhead Utility	20 feet	20 feet	<i>Large trees prohibited</i>
Maximum Tree Height within 5 feet of an Underground Utility	20 feet	20 feet	<i>Large trees prohibited</i>

12.40.040 Utility right-of-way.

Notwithstanding any other provision of this chapter, all trees shall be placed and maintained in such a manner as not to interfere with any utility franchise, license or right-of-way granted, or to be granted, by the city. (Ord. [1382-00](#) § 4, 2000)

12.40.050 Removal of trees and shrubs.

The stumps and roots of trees or shrubs removed under the authority of this chapter shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. The remaining roots shall be treated with a suitable compound to prevent future sprouting or growth. Roots from trees planted on public property or adjacent private property, which have disrupted or broken the adjacent street surface, sidewalk or curb, shall be repaired at the adjacent property owner's expense. (Ord. [1382-00](#) § 5, 2000)

12.40.060 Trimming overhanging trees—Duty of property owner.

All property owners within the corporate limits of the city shall, at their own expense, keep all trees, brush and other foliage from projecting out over the public streets and sidewalks and alleys so as not to interfere, in any way, with the use of street construction, utility franchises right-of-way and license, and cleaning equipment, nor shall the same interfere with sidewalk traffic or create a hazardous situation insofar as the same obstructs the view of motorists using the public streets. (Ord. [1382-00](#) § 5, 2000)

It shall be the responsibility of the adjacent property owner of the sidewalk to regularly trim street trees off the sidewalk to provide a vertical clearance of eight feet above the surface so as

not to constitute a hazard or impediment to the progress or vision of anyone traveling on public property.

12.40.070 Clear vision area.

A clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets or of a street and a private drive or street, alley or railroad. A clear vision area shall contain no planting, fence or other temporary or permanent obstruction exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the established centerline grade of the street. Taller trees may be permitted if all branches and foliage to a height of eight feet above the top of the curb or sidewalk and fourteen feet above the street are removed. No tree shall be planted closer than twenty feet from any public or private street corner, measured from the nearest intersection curb or curblane. ~~No street tree shall be planted closer than twenty feet from any fire hydrant.~~ (Ord. [1382-00](#) § 6, 2000)

12.40.080 Care and disposition of existing trees.

Any hazardous or nuisance trees in existence on the effective date of the ordinance codified in this chapter shall be removed by the property owner. The city may remove, or cause to be removed, at the expense of the abutting land owner, a tree or part of a tree which is in an unsafe condition or constitutes a nuisance, or which by reason of its nature is injurious to utilities, sidewalks or other public improvements. The city may, but is not required, to contribute to the cost of removal and replanting by payment or in-kind services. (Ord. [1382-00](#) § 7, 2000)

12.40.090 Short plats, subdivisions and planned unit development—Tree planting in rights-of-way.

Other than distances noted above from street corners and utilities, developers of short plats, subdivisions and PRUDs are required to plant trees in ~~planting~~parking strips per the following requirements: ~~Small trees shall be planted every twenty feet on average (at a minimum depending on the size of the tree), medium trees every thirty feet on average, and large trees every forty feet on average.~~ with ground cover or shrubs to be used liberally. In the instance of commercial or industrial planned unit development adjacent to residentially zoned property, trees must be planted a maximum of fifteen feet ~~on-center~~ and in conformance with the remainder of the landscaping requirements established in Section [17.50.080](#) of the Sedro-Woolley Municipal Code. (Ord. [1382-00](#) § 8, 2000)

12.40.100 Prohibited trees.

Street trees must not become a nuisance or be a disruption to city infrastructure or public safety and general welfare. It is unlawful to plant in or on any ~~planting~~parking strip or other

public property, the following kinds of trees: Poplar, Willow, Cottonwood, fruit-bearing or nut-bearing, Elkhorn, Mountain Ash, Oregon or Big-Leaf Maple. (Ord. [1382-00](#) § 9, 2000)

12.40.110 Recommended trees.

Trees appropriate under overhead utility lines shall be no taller than twenty feet at maximum height. Recommended trees that meet this requirement are identified below with "UT" (i.e. utility tree).

A. ~~Small, or narrow street trees (minimum average spacing: twenty feet, minimum planting strip width: five feet, minimum tree setback from vehicular traffic: two feet from back of curb):~~

~~1. Ash (flowering ash);~~

~~2. Flowering Cherry (nonfruit bearing);~~

~~3. Laurel (California Laurel);~~

~~4. Magnolia (Evergreen magnolia);~~

~~5. Myrtle (Oregon myrtle);~~

~~6. Oak (Holly oak).~~

1. American Hornbeam (UT);

2. American Smoke Tree (UT);

3. Ash (Flowering ash);

4. Dogwood (Eddie's White Wonder dogwood [UT], Pacific dogwood [UT]);

5. Dove-tree;

6. Magnolia (Little Gem magnolia [UT]);

7. Maple (Bigtooth maple, Buckeye maple [UT], Burgundy Lace Japanese maple [UT], David's maple, Paperback maple [UT], Rocky Mountain maple [UT], Three Flower maple [UT], Trident maple [UT], Vine maple [UT]);

8. Myrtle (Sarah's Favorite Crape myrtle [UT]);

9. Oak (Crimson Spire oak);

10. Redbud (Oklahoma redbud) (UT);

11. Sourwood;

12. Washington Hawthorn (UT).

B. Medium Size Street Trees (~~minimum~~average spacing: thirty feet, minimum planting strip width: seven feet, minimum tree setback from vehicular traffic: three feet from back of curb):

~~1. Ash (Flame, Golden Desert, etc.);~~

~~2. Beech (Rivers Purple beech);~~

~~3. Birch (Paper birch, River birch);~~

~~4. Crabapple (Flowering crabapple);~~

~~5. Gum (sweet gum);~~

~~6. Honey Locust;~~

~~7. Linden (Littleleaf linden);~~

~~8. Maple (Autumn Blaze, October Glory, Norwegian Sunset, Pacific Sunset, Autumn Flame, Hedge maple);~~

~~9. Maple (Red maple);~~

~~10. Maple (Sugar maple);~~

~~11. Oak (Scarlet oak, English oak);~~

~~12. Redwood (Dawn redwood);~~

~~13. Yellowwood;~~

~~14. Village green.~~

1. Ash (Flame, Golden Desert);

2. Beech (Rivers Purple beech);

3. Birch (Paper birch, River birch);

4. Crabapple (Flowering crabapple) (UT);

5. Ginkgo Biloba (*male species only*);

6. Laurel (California laurel);

7. Linden (Littleleaf linden);

8. Magnolia (Kobus magnolia);

9. Maple (Autumn Blaze, Autumn Flame, Hedge maple [UT], Norwegian Sunset, October Glory, Pacific Sunset, Red maple, Sugar maple);

10. Redbud (Eastern redbud [UT], Forest Pansy redbud [UT]);

11. Village Green Zelkova;

12. Yellowwood.

C. Large Boulevard Trees (~~minimum~~average spacing: forty feet, minimum planting strip width: ten feet, minimum tree setback from vehicular traffic: four feet from back of curb):

~~1. Beech (European beech, etc.);~~

~~2. Chestnuts (Chinese chestnuts, Ft. McNair Pink Horsechestnut);~~

~~3. Maidenhair tree;~~

~~4. Sycamore maple;~~

~~5. Oak (Red oaks);~~

~~6. Tulip tree.~~

1. Beech (European beech, etc.);

2. Chestnut (Chinese chestnut, Fort McNair Pink Horsechestnut);

3. Elm (American elm, Athena Classic elm, Frontier elm, Homestead elm) (*Dutch Elm Disease resistant species only*);

4. Linden (Silver linden);

5. Maple (Sycamore maple);

6. Oak (Chinkapin oak, Garry oak, Oregon White, Red oak, Scarlet oak);

7. Shawnee Brave Bald Cypress;

8. Sweet Gum;

9. Tulip Tree.

Small, Narrow	Medium Sized	Large Boulevard	Trees Recommended beneath Overhead Utility Lines	Prohibited Street Trees
American Hornbeam	Ash (Flame, Golden Desert)	Beech (European beech, etc.)	American Hornbeam	Big-Leaf Maple
American Smoke Tree	Beech (Rivers Purple beech)	Chestnuts (Chinese chestnuts, Ft. McNair Pink Horsechestnut)	American Smoke Tree	Cottonwood
Buckeye Maple	Birch (Paper birch, River birch)	Elm (American elm, Athena Classic elm, Frontier elm, Homestead elm) (Dutch Elm Disease resistant only)	Buckeye Maple	Elkhorn
Burgundy Lace Japanese Maple	Crabapple (flowering crabapple)	Gum (Sweet gum)	Burgundy Lace Japanese Maple	Fruit- or nut-bearing trees
Dogwood (Eddie's White Wonder dogwood, Pacific dogwood)	Ginkgo Biloba (male only)	Oak (Red oak, Oregon White, Chinkapin, Scarlet oak, Garry oak)	Crabapple (Flowering Crabapple)	Mountain Ash
Dove-Tree	Laurel (California Laurel)	Shawnee Brave Bald Cypress	Eastern Redbud	Oregon Maple
Flowering Ash	Linden (Littleleaf linden)	Silver Linden	Eddie's White Wonder Dogwood	Poplar
Little Gem Magnolia	Magnolia (Kobus Magnolia)	Sycamore maple	Forest Pansy Redbud	Willow
Maple (Bigtooth Maple, David's maple, Paperback maple, Rocky Mountain maple, Trident maple, Vine maple)	Maple (Autumn Blaze, October Glory, Norwegian Sunset, Pacific Sunset, Autumn Flame, Hedge maple, Red maple, Sugar maple)	Tulip Tree	Hedge Maple	
Oak (Crimson Spire oak)	Redbud (Eastern redbud, Forest Pansy redbud)		Little Gem Magnolia	
Oklahoma Redbud	Village Green Zelkova		Oklahoma Redbud	
Sarah's Favorite Crape Myrtle	Yellowwood		Pacific Dogwood	
Sourwood			Paperback Maple	
Three Flower Maple			Rocky Mountain Maple	
Washington Hawthorn			Sarah's Favorite Crape Myrtle	
			Three Flower Maple	
			Trident Maple	
			Vine Maple	
			Washington Hawthorn	

Adjacent property owners may recommend alternative tree species. These trees will be subject to approval by the city following review of the recommended species. (Ord. [1382-00](#) § 10, 2000)

12.40.120 Planting standards.

A. Street trees shall be planted in accordance with the standards of SWMC 17.50.070.

B. Where street trees are planted between the walking route of the sidewalk and back of curb and/or within five feet of an underground utility line, root barriers as required per the Public Works Department standards shall be installed to protect such infrastructure from future damage.

12.40.130~~120~~ Inspection and appeal.

A. The city may inspect any tree upon or which overhangs any public property or lawn to determine whether the same or any portion thereof is in such a condition as to constitute a hazard or impediment to the progress or vision of anyone traveling on public property. Any tree or part thereof growing upon private or public property, but overhanging or interfering with the use of public property that endangers life, health, safety or property, or is otherwise in violation of this chapter, is hereby declared to be a public nuisance. The city shall by written notice require the adjacent property owner to abate the nuisance by trimming, destroying or removal, at the owner's cost and expense. The property owner shall have thirty days from the date of the notification of the nuisance to remove or trim the hazardous or nuisance tree. If the adjacent property owner does not cause the nuisance to be corrected or removed, the city may abate the nuisance and the cost shall be assessed to the adjacent property owner.

B. Appeals from the city determination that a nuisance exists may be made by any citizen or the adjacent property owner within ten days after the property owner is notified of the city determination. Such determination may be appealed to the city council at the next regularly scheduled meeting. Action taken by the city council on such appeal shall be final.

C. If the owner of such private property does not correct or remove such nuisance within thirty days after receipt of written notice from the city, they shall be guilty of a civil infraction, and subject to a monetary penalty of not more than the amount listed in the master fee schedule adopted by resolution of the city council. Each day for which the violation is allowed to continue shall be a separate offense. Nothing contained in this chapter shall be deemed to impose any liability upon the city, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree upon his property or under his control in such a condition as to prevent it from constituting a public nuisance as defined in this section. (Ord. [2013-22](#) § 36, 2022; Ord. [1382-00](#) § 11, 2000)

12.40.140~~130~~ Reserved rights.

Nothing in this chapter shall create a property right or interest in the public right-of-way for adjoining owners. The city may amend or repeal all or part of this chapter at any time.
(Ord. [1382-00](#) § 12, 2000)

Chapter 17.50

LANDSCAPING

Sections:

[17.50.010 Purpose.](#)

[17.50.020 Applicability.](#)

[17.50.030 Site landscaping required review.](#)

[17.50.040 Minimum site requirements.](#)

[17.50.050 Prohibited uses.](#)

[17.50.060 Landscaping plan submittal requirements.](#)

[17.50.070 Minimum landscape material specifications.](#)

[17.50.080 Low impact development option.](#)

[17.50.090 Maintenance of plant materials.](#)

[17.50.100 Stormwater ponds.](#)

[17.50.110 Existing site vegetation.](#)

[17.50.120 Screening requirements.](#)

[17.50.130 Street tree requirement.](#)

[17.50.140 Parking lot landscaping.](#)

17.50.010 Purpose.

A. A provision of quality landscaping is necessary to maintain property values, enhance the appearance of the city, mitigate impacts of development such as erosion and light/glare, promote natural systems, improve air quality, provide habitat, reduce noise, reduce the impacts on storm drainage systems, and provide a buffer between land uses.

B. Landscaping can be provided as a tool to be used in partnership with potential developers and citizens in Sedro-Woolley to enhance the community. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.020 Applicability.

- A. The requirements of this chapter shall be imposed at the time of land use permit review, including: land alteration or land development such as subdivisions, short subdivisions, a change in lot coverage, a change in area devoted to parking and circulation, and projects requiring design review.
- B. This chapter does not apply to a permit for a single-family dwelling less than one acre, unless restrictions have been placed on clearing and site design under separate permit authority.
- C. This chapter does not apply to areas within the central business district (CBD) which is bounded on the north and west by the railroad tracks, on the south by State Street, and on the east by Puget Avenue. This area is substantially developed on zero setbacks from the right-of-way, making it impractical to provide on-site landscaping which would satisfy the purpose and intent of this chapter. Businesses located in this exempt area are encouraged to participate in other projects and improvements programs to enhance and improve the character and appearance of the city. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.030 Site landscaping required review.

The planning director shall use the Sedro-Woolley design and development guidelines landscaping section as it pertains to that zone as a guide for design and layout when reviewing applications.

- A. The director shall perform landscape review for all applications, permits and land use actions.
- B. The public works department shall review all landscape and irrigation system designs. Irrigation shall be designed in accordance with Skagit PUD No. 1. (Ord. [2032-22](#) § 14, 2023; Ord. [1593-07](#) § 1, 2007; Ord. [1517-05](#) § 1 (part), 2005)

17.50.040 Minimum site requirements.

- A. In no case shall the total amount of landscaping be less than ten percent of the total site area. For subdivisions, the total amount of landscaping shall be not less than ten percent of the combined net lot area plus ten percent of the site open space. Developments may include any critical area and/or shoreline buffer areas when calculating landscape area if native vegetation is enhanced.
- B. Stormwater detention dry ponds can only be included in the minimum landscaping area if low impact development techniques are used.
- C. Zoning/Use Classification—Percent of Gross Site Area.

Residential 15	20%
Residential in Mixed Commercial	20%
Mixed Commercial (excluding the CBD)	15%
Industrial	10%
Commercial uses in industrial district	15%
Public	10%
PRD's and CUP's	As required by planning commission

(Ord. [1517-05](#) § 1 (part), 2005)

17.50.050 Prohibited uses.

The following uses are not permitted in required landscape areas:

- A. Parking of motor vehicles or recreational vehicles, including: campers, travel trailers, motor homes, boats or trailers;
- B. Installation of impervious surfaces;
- C. Storage of materials, including, but not limited to, hazardous waste, industrial equipment, and supplies. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.060 Landscaping plan submittal requirements.

If the landscaped and irrigated area on the subject property exceeds five hundred square feet, or if the applicant requests the low impact development option, the director shall require approval of the proposed landscape plan by a privately retained licensed landscape architect, Washington Certified Nurseryman or Washington Certified Landscaper. All landscaping plans shall be prepared in accordance with the following requirements:

- A. Ten sets of landscape plans drawn to a scale of one inch equals fifty feet or larger (e.g., one inch equals thirty feet, one inch equals twenty feet). The plan should include a bar scale for reference;
- B. Name and address or location of the project;
- C. Vicinity map;
- D. Scale, north arrow and date of the plan;

- E. All property lines, easements, rights-of-way, streets, walks, vehicular drives, parking lots, existing and proposed structures, building entrances, freestanding lights, service or loading areas, signs, overhead and belowground utilities, open spaces, plazas, and recreation amenities with materials noted;
- F. Location, sizes and species of existing vegetation within landscape areas. Natural areas should be designated as such;
- G. Location of all trees, shrubs and ground cover to be planted;
- H. Any proposed or existing physical elements (such as fencing, curbing, benches, etc.) that may affect the overall landscape;
- I. Parking layout, including circulation, driveway location, parking stalls and curbing;
- J. Existing and proposed contours (maximum five-foot intervals, two feet contours preferred), elevations, and delineation of any critical areas;
- K. Dimensioned landscaped areas;
- L. Location of irrigation system, source of water, and type of irrigation system;
- M. A legend that shows symbols and type of plantings;
- N. All plant materials shall be shown on the landscaping plan at three-quarters mature size in appropriate relation to the chosen scale of the plan;
- O. The plan shall state the estimated date for installation and completion of all plantings and finish materials;
- P. The landscape plan shall identify the location and dimensions of any designated environmentally sensitive areas and required buffers;
- Q. A plant schedule shall be included which indicates the scientific and common names, quantities, sizes and spacing for all plants in the landscape plan. Quantities are not required on a preliminary landscape plan;
- R. Planting details including installation and maintenance notes and or requirements;
- S. PUD approval for irrigation systems;
- T. Identify type and number of significant trees; identify those significant trees to be saved and those to be removed and identify replacement stumpage. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.070 Minimum landscape material specifications.

- A. The applicant shall utilize plant materials that complement the natural character of the Pacific Northwest that are drought tolerant and are adaptable to the climatic, topographic, and hydrologic characteristics of the site.
- B. If the subject property includes a sensitive or critical area, the applicant shall utilize plant species that enhance that sensitive area.
- C. The applicant should utilize plant materials that reduce or eliminate the need for fertilizers, herbicides, or other chemical controls, especially for properties that include wildlife habitat areas, shorelines, or wetlands.
- D. Street trees shall be provided as follows:
1. Minimum planting strip width: ~~ten feet;~~ five feet for small trees, seven feet for medium trees, and ten feet for large trees;
 2. ~~Maximum~~ Spacing: Trees shall be planted at an average of ~~twenty~~ thirty feet apart for small trees, an average of thirty feet apart for medium trees, and an average of forty feet apart for large trees, with ground cover or shrubs used liberally;
 3. Plant ~~V~~varieties: Trees utilized in this area shall be of varieties that do not conflict with underground and overhead utilities. These trees may be selected from the city's suggested list of plant materials, or an approved equivalent.
- E. All plantings shall have the following minimum size at installation:
1. Deciduous trees: ~~two~~ three-inch caliper;
 2. Evergreen trees: six-foot minimum height ~~range~~;
 3. Vine maples and other multi-stemmed trees: seven-foot minimum height;
 4. Medium and tall shrubs: twenty-four-~~to thirty~~-inch minimum height;
 5. Ground cover: four-~~inch~~ minimum heightes (approximately eighteen inches on center);
 6. Shall not interfere with sight distance;
 7. Shall not be installed within ~~two~~ three feet of back of curb for ~~speed less than thirty-five mph and ten feet from back of curb for thirty-five mph or over~~ small trees, within

three feet of back of curb for medium trees, or within four feet of back of curb for large trees. (Ord. [1517-05](#) § 1 (part), 2005)

F. Where trees are to be planted within five feet of a pedestrian walkway and/or underground utility line, root barriers as required per the Public Works Department standards shall be installed to protect such infrastructure from future damage.

17.50.080 Low impact development option.

The purpose of this option is to provide an additional landscaping option that has the potential to reduce impacts on the existing stormwater drainage infrastructure, and aid in meeting Endangered Species Act requirements. Low impact development strives to protect or restore the natural hydrology of the site so that the overall integrity of the watershed is protected. Low impact development is encouraged by the city of Sedro-Woolley because it:

- A. Protects the environment;
- B. Reduces costs to developers;
- C. Makes communities more attractive;
- D. Uses vegetation and small-scale hydraulic controls to capture, treat and infiltrate stormwater on site.

More specific information about low impact development will be available as requested through the planning and public works departments. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.090 Maintenance of plant materials.

The following performance standards shall apply to all landscape areas of which this chapter applies:

- A. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.
- B. An assignment of funds or performance bond shall be for one hundred twenty-five percent of the estimated improvements. The funds shall remain in place until the last required planting of the subject development has been planted. Only then, the assignment of funds or performance bond shall be reduced as a maintenance guarantee in an amount that is fifty percent of the original assignment of funds for performance. The maintenance guarantee shall include maintenance during the guarantee period and replacement of dead or unhealthy plants at the conclusion of the guarantee period. The length of the guarantee shall be no less than one year with an eighty percent survival rate and always cover at least one growing season (May

through September). The end date of the assignment of funds or performance bond shall be determined by the city and applicant.

C. Maintenance of landscaping intended for screening purposes shall be pruned or altered to maintain planting health only, not to maximize retail visibility or minimize screening.

D. The required landscaping must be installed prior to issuance of the temporary certificate of occupancy unless the director determines that an assignment of funds or performance bond, for a period of not more than a year, will adequately protect the interests of the city.
(Ord. [1517-05](#) § 1 (part), 2005)

17.50.100 Stormwater ponds.

A. Site improvements meant to control water runoff shall be designed, when reasonably possible, to fulfill multiple functions including:

1. Regulate stormwater discharge;
2. Improve water quality;
3. Provide wildlife habitat;
4. Provide an aesthetic amenity;
5. Provide passive recreation opportunities such as walking or sitting areas; sports fields or fountains;
6. Provide shade for water temperature mitigation.

B. Any required site drainage plan, including conceptual plans, shall include the location and landscape design of stormwater ponds.

C. Stormwater ponds shall be used as aesthetic features in the site master plan. The following shall be considered when designing ponds:

1. Reduce the need for fencing by designing safe ponds which have side slopes less than 3:1 and normal water depths less than twenty-four inches;
2. Create ponds that are irregular in shape;
3. Design the pond to blend in with the surrounding environmental conditions;
4. Provide a topographic bench around the perimeter of the pond for safety;

5. Retain any existing high quality vegetation around perimeter of site;
6. Provide a pedestrian walkway and seating areas around perimeter;
7. Utilize landscaping to provide shade, create habitat, and add screening;
8. No landscaping below one-hundred-year storm elevation.

These guidelines do not replace standards for stormwater retention/detention pond design. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.110 Existing site vegetation.

Significant existing trees and shrubs shall be incorporated into the landscaping. "Significant trees" shall be those eight inches evergreen and ten inches deciduous trees in diameter at a point five feet above ground level. The site plan for the project shall include the location of significant trees, and shall identify which trees will be retained on the site. Care shall be taken in the grading and construction process so as not to disturb the roots and drip line of existing trees to be retained, and to ensure proper irrigation. Orange construction fencing will be constructed outside the drip line of existing trees. If significant trees cannot be incorporated into the site design because of street or building design, such trees shall be replaced with equivalent stumpage for over ten percent reduction as approved by the city planner. (Ord. [1517-05](#) § 1 (part), 2005)

17.50.120 Screening requirements.

A. Purpose. The requirements of this section are intended to reduce the visual impacts and incompatible characteristics of:

1. Abutting properties with different land use classifications;
2. Service areas and facilities, including loading and storage areas;
3. Any other use or area as required under this section or by the planning commission;
4. Oncoming or glaring headlights when required by the public works department.

B. Landscaping. Screen planting shall consist of evergreen trees planted a maximum of fifteen feet on center; deciduous trees for seasonal color and texture planted a maximum of fifteen feet on center; and medium-sized shrubs (three to five feet at maturity) at five feet on center and ground cover plants at a density to form an effective barrier to cover eighty-five percent of the ground surface within two years. Irrigation must be installed for all screening areas.

C. Minimum Width. The landscaped screening area shall be thirty feet wide and vegetation shall be eighty percent sight-obscuring at time of planting and one hundred percent within two years that extends a minimum of six feet above the adjacent sidewalk or road right-of-way unless the use of an earth berm, fence, or wall is incorporated into the screening, as provided below:

1. Earth Berm Alternative. If an earth berm that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the width of the screening area may be reduced to fifteen feet with landscaping per subsection B of this section.
2. Fence Alternative. If a fence that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the width of the screening area may be reduced to fifteen feet with landscaping per subsection B of this section. The fence shall be subject to design approval by the planning director.
3. Wall Alternative. If a wall that extends a minimum of six feet above the adjacent sidewalk or road right-of-way is incorporated into the screening plan, the screening area may be reduced to ten feet with landscaping per subsection B of this section. Screen walls shall be constructed with masonry, block, or textured concrete, subject to design approval by the planning director.

D. Uses Requiring Screening. Screening is required to protect adjacent properties from probable negative impacts of any permitted or conditional use in a zone. Screening shall be required in the following instances:

1. Developments located in zones on the left side of the chart, below, shall provide screening when adjoining zones specified on the right side of the chart.

Zone to Be Developed	Zone to Be Screened
Residential-15 (R-15)	Any other residential zone
Public	Any residential zone
Mixed commercial	Any residential zone
Industrial	Any residential zone, mixed commercial zone, public zone

2. Mobile home parks shall have screening installed around the perimeter of the development in the required open space buffer, which shall not be less than twenty feet in width.

3. Unless otherwise required through the conditional use process, screening is not required along public rights-of-way except in the industrial zone. Screening along public rights-of-way is required in the industrial zone when the zoning across the public right-of-way is zoned anything other than industrial.

E. Any material that enhances the visual appearance and screening may be utilized. All screening materials are subject to design review as per Chapter [15.44](#). (Ord. [1664-10](#) § 2 (Exh. D), 2010; Ord. [1517-05](#) § 1 (part), 2005)

17.50.130 Street tree requirement.

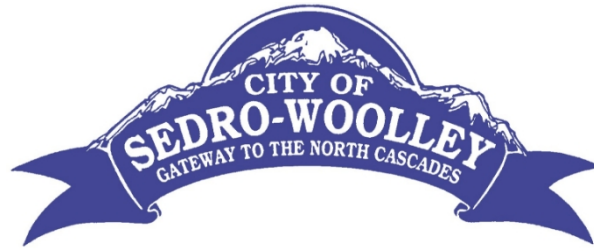
The applicant of a project requiring a land use permit or design review by the city shall provide street trees in the public right-of-way abutting the property in accordance with SWMC Chapter [12.40](#). (Ord. [1517-05](#) § 1 (part), 2005)

17.50.140 Parking lot landscaping.

The provisions of this section are intended to soften the visual effect created by large expanses of barren asphalt; increase the amount of permeable surface; and reduce the quantity and speed of runoff from the site:

- A. Area of Application. The provisions of this section shall apply to the interior of parking areas providing twenty or more spaces;
- B. Required Area. Fifteen square feet of landscaping per parking space;
- C. Minimum Width. Planting islands shall have a minimum width of eight feet;
- D. Location of Plantings Areas. Parking area landscaping shall be located at the ends of parking columns, between the parking stalls oriented in the same direction as the stalls, or between rows of parking to break up and define parking areas;
- E. Tree and Shrub Requirements. A minimum of one tree shall be required for every one hundred fifty square feet, or fraction thereof, of required landscaped area. Deciduous trees shall have a clear trunk at least five feet above ground and a minimum size of two inches diameter breast high (dbh). Low shrubs shall be provided on the perimeter of the landscaping islands, in addition to other ground cover or flowers. Other landscape materials shall comply with the general provisions of this section;
- F. Landscape Protection. Any trees, shrubs, or plants which are susceptible to damage by pedestrian or motor vehicles shall be protected by appropriate curbs, tree guards or other protective devices;

G. Pedestrian walkways may be included in landscaped areas and the standards of this section modified to accommodate them. (Ord. [1517-05](#) § 1 (part), 2005)



Planning Commission Agenda Item

Agenda Item No.: g.2.

Date: July 16, 2024

From: Nicole McGowan, Planner

Subject: Council-Requested Updates to Recommended Amendments to Chapter 17.24
SWMC Minimum Commercial/Retail Floor Area in CBD

RECOMMENDED ACTION:

Review and discuss the proposed updates to the recommended amendments to Chapter 17.24 SWMC and propose any recommended changes. Task staff with preparing for a public hearing at the next Planning Commission meeting if the updates are satisfactory.

ISSUE:

Should the Planning Commission update the recommended amendments to Chapter 17.24 SWMC to increase the minimum first-floor area designation for commercial and/or retail use facing the primary street frontage from 50% to 75%, as requested by the City Council?

BACKGROUND/SUMMARY INFORMATION:

At the April 10, 2024 City Council meeting, staff presented the Planning Commission's recommended amendments to Chapter 17.24 SWMC to City Council and requested action. The Council supported the addition of a minimum commercial/retail floor area requirement for first floor area facing primary street frontage in the Central Business District (CBD) to help prevent deviation from the planned land use of the CBD and to maintain the balance needed between residential and commercial spaces to ensure the district's economic longevity. The Council requested that the 50% minimum requirement be increased to 75%, if feasible, to further emphasize that the purpose of the CBD is primarily for business use and made a motion at that meeting to table the amendments. The recommended amendments have been updated to reflect the Council's request and can be found herein as **Attachment 1**.

FISCAL IMPACT, IF APPROPRIATE:

None.

ATTACHMENTS:

1. Draft Amendments 4 - CBD Commercial Space Requirement (7-16-24)

Attachment 1

Proposed Amendments to Chapter 17.24 SWMC

Chapter 17.24 CENTRAL BUSINESS DISTRICT (CBD) ZONE

Sections:

[17.24.010 Use restrictions.](#)

[17.24.020 Bulk restrictions.](#)

[17.24.030 Minimum lot size requirements.](#)

[17.24.040 Hazardous waste.](#)

[17.24.050 Parking.](#)

17.24.010 Use restrictions.

Use restrictions in the central business district shall be as follows:

A. Permitted Uses.

1. All forms of commerce; geared to the centralized provision of goods and services within easy walking distance. Commercial retail and office use on the first floor, and retail-compatible uses on the second floor;

2. Multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy. An exception from the buffering and fencing requirement exists for upper story residences in existing buildings in an area bordered by the tracks to the west, Puget Street to the east, the tracks to the north, and Warner Street to the south;

Multifamily housing located above the first floor or at the rear of a commercial and/or retail occupancy per this subsection must also meet the following:

a. A minimum of 75% of the first floor area must be designated for commercial and/or retail use.

b. The commercial and/or retail use shall face the primary street frontage.

c. Private garages are considered a residential use and shall not count toward commercial and/or retail floor area.

d. The main entrance to the residential units shall be located at the rear of the building. If rear access is not feasible, the main entrance to the residential units may be incorporated into a maximum of 10% of the commercial and/or retail floor area facing the primary street frontage at the Planning Director's discretion. If the building

is located on a corner lot, the main entrance to the residential units shall be located on the side of the building facing the street with less commercial activity.

3. Multifamily housing, between two and four units per building, may be allowed independent of commercial uses outside of the area bordered by the tracks to the west, Puget Street to the east, the tracks to the north, and Warner Street to the south. Also excluded is property fronting on Metcalf Street, West Ferry Street, West State Street and property abutting the tracks between Rita Street and Walley Street (south of State Street). Multifamily housing per this subsection must also meet the following:

- a. The front entries must be oriented towards the public right-of-way,
- b. The development must meet the requirements of the Sedro-Woolley design standards for the CBD and multifamily development;

4. Parking lots serving any use; provided they are at the rear of a retail or commercial building, or facing a street other than Metcalf, Ferry, Woodworth, or State;

5. *Repealed by Ord. [1709-11](#);*

6. Public uses;

7. Public facilities.

B. Conditional Uses.

1. Alcohol serving establishments.

2. Alcohol production establishments, subject to the following conditions:

a. A minimum of sixty percent of the building floor area shall be designated for retail/commercial use. Outdoor seating areas are specifically excluded from floor area calculations. Any associated kitchen floor area is specifically included in the calculation for retail/commercial floor area;

b. The required number of parking spaces shall be calculated by using a combination of Section [17.36.030](#)(G), "high intensity sales and service," and (M), "industry, wholesaling, warehousing, nonpassenger transportation facilities except ministorage"; and

c. A maximum of twenty-five percent of the building's street frontage may be designed to display the production portion of the facility or other nonretail/noncommercial uses; provided, that all other applicable design standards

are met. At minimum, seventy-five percent of the building's street frontage must display a retail/commercial storefront.

3. All uses not permitted above.

4. Quasi-public uses.

C. Prohibited Uses. Adult entertainment establishments; heavy industrial uses as defined in Chapter [17.28](#); wireless communication towers. (Ord. [2044-23](#) § 3, 2023; Ord. [1709-11](#) § 2, 2011; Ord. [1696-11](#) § 2, 2011; Ord. [1693-10](#) § 1, 2010; Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1451-03](#) § 3, 2003; Ord. [1312-98](#) § 1 (part); 1998: Ord. [1309-98](#) § 7, 1998: Ord. [1013](#) § 2.05.01, 1985)

17.24.020 Bulk restrictions.

Bulk restrictions in the central business district (CBD) shall be as follows:

A. Minimum setbacks: none; maximum setback: ten feet if pedestrian features are included.

B. Maximum building height: sixty feet. (Ord. [1677-10](#) § 1 (part), 2010; Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1451-03](#) § 4; Ord. [1312-98](#) § 1 (part); 1998: Ord. [1013](#) § 2.05.02, 1985)

17.24.030 Minimum lot size requirements.

Minimum lot size requirements in the central business district (CBD) shall be as follows:

A. Lot area: none;

B. Lot frontage on a street: twenty feet. (Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1451-03](#) § 5; Ord. [1312-98](#) § 1 (part); 1998: Ord. [1013](#) § 2.05.03, 1985)

17.24.040 Hazardous waste.

On-site hazardous waste treatment and storage facilities as accessory to a permitted or conditional use are allowed as a conditional use; provided, such facilities comply with the state hazardous waste citing standards and Sedro-Woolley and State Environmental Policy Act requirements. (Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1312-98](#) § 1 (part); 1998: Ord. [1063](#) § 4 (Exh. C § 2.05.04), 1988)

17.24.050 Parking.

A. Intent. To encourage the creation of a downtown parking district administered by the city. It would be authorized to collect in-lieu parking fees from new residential uses downtown and use that revenue, with any other revenue it generates, to manage a downtown parking district.

The district may construct and maintain downtown parking for motor vehicles and bikes, lease parking, or otherwise monitor the provision of adequate parking and/or promotion of alternatives to driving.

B. The goal of the central business district is to create a pedestrian-friendly environment and to encourage commerce. Parking requirements in the downtown shall be as follows:

1. Except for new construction as described in subsection (B)(2) of this section, parking for new buildings in the central business district shall be provided as follows:

Tier 1	New buildings with: • 10 or fewer residential units • 4,000 square feet or fewer of commercial space	Residential units associated with commercial/retail use: no off-street parking required. Commercial uses: standard off-street parking per Chapter 17.36 . Public uses: no off-street parking required.
Tier 2	New buildings with: • 11 or more residential units • More than 4,000 square feet of commercial space	Residential units associated with commercial/retail use: reduced off-street parking. Commercial uses: standard off-street parking per Chapter 17.36 . Public uses: no off-street parking required.

2. Parking for new buildings located within the area bounded on the north and west by the railroad rights-of-way, on the south by the alley in between State and Warner Streets, and on the east by Puget Avenue/4th Avenue shall be provided as follows:

Tier 1	New buildings with: • 10 or fewer residential units • 4,000 square feet or fewer of commercial space	Residential units associated with commercial/retail use: no off-street parking required. Retail and restaurant uses: no off-street parking required. Public uses: no off-street parking required. All uses not described: standard off-street parking per Chapter 17.36
Tier 2	New buildings with: • 11 or more residential units • More than 4,000 square feet of commercial space	Residential units associated with commercial/retail use: reduced off-street parking. Retail and restaurant uses: no off-street parking required. Public uses: no off-street parking required. All uses not described: standard off-street parking per Chapter 17.36

3. Reduced residential parking standards referenced in subsections (B)(1) through (2) of this section are as follows:

Studio	1 space
1 bedroom	1 spaces
2 bedrooms	1.5 spaces

3 or more bedrooms	1 space per bedroom up to 2 bedrooms, 0.5 space per additional bedroom over 2 bedrooms
Visitor/overflow spaces	1 additional space per 10 units

Rooms indicated on building plans as “office,” “extra room,” “play room” or other rooms that may reasonably be considered for use as a bedroom may be counted as bedrooms for parking purposes by the planning director.

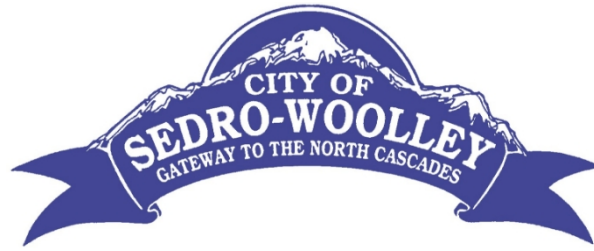
4. New commercial or retail development may propose a shared parking arrangement to the planning director for review and approval.

5. Parking for residential buildings that do not include commercial uses, as allowed per Section [17.24.010\(A\)\(3\)](#), shall be accessed from the alley when an alley exists. The number of spaces required for residential buildings that do not include commercial uses shall be as follows:

Studio	1 space
1 bedroom	2 spaces
2 bedrooms	2 spaces
3 bedrooms	3 spaces
4 or more bedrooms	4 spaces
Visitor/overflow spaces	1 additional space per 8 units

Rooms indicated on building plans as “office,” “extra room,” “play room” or other rooms that may reasonably be considered for use as a bedroom may be counted as bedrooms for parking purposes by the planning director.

6. There shall be a minimum off-street parking apron of twenty-five feet in length directly in front of all garage doors for residential buildings that do not include commercial uses per Section [17.24.010\(A\)\(3\)](#). (Ord. [1979-21](#) § 1 (Exh. A), 2021; Ord. [1664-10](#) § 2 (Exh. B) (part), 2010; Ord. [1451-03](#) § 6)



Planning Commission Agenda Item

Agenda Item No.: h.1.

Date: July 16, 2024

From: Thomas Glover, Community Development Director

Subject: Growth Management Act Steering Committee (GMASC) Proposed Revisions to Countywide Planning Policies

RECOMMENDED ACTION:

Review and discuss the Growth Management Steering Committee (GMASC) proposed revisions to Countywide Planning Policies. Provide any comments and/or recommendations to staff to present to GMASC.

ISSUE:

Does the Planning Commission have any comments and/or recommendations for the GMASC proposed revisions to Countywide Planning Policies?

BACKGROUND/SUMMARY INFORMATION:

On June 20, 2024, the Growth Management Act Steering Committee (GMASC) recommended the release of the proposed revisions recommended by the Growth Management Act Technical Advisory Committee (GMATAC) for review by their jurisdictions. These recommendations were made by the GMATAC to bring Countywide Planning Policies (CPPs) into compliance with State law and new legislation on housing (HB 1220) and climate (HB 1181). The GMATAC reviewed the requested amendment language during their May and June meetings and recommended adopting the amendments as presented in **Attachment 1**.

The 2002 Framework Agreement (**Attachment 2**) includes Section 6: Role with Legislative Bodies (Page 8), which highlights the importance of referring draft CPPs to member jurisdictions at the earliest possible time to provide meaningful opportunity for public comment and to solicit input from city/town councils and the County Commissioners. The Framework Agreement explicitly states that the GMA Committee, which is composed of the GMASC and GMATAC, shall not substitute for or replace duties and responsibilities of member jurisdiction legislative bodies.

To meet the intent of the Framework Agreement, SCOG staff has recommended that Framework Agreement members shepherd these proposed changes to the CPPs to update according to HB 1220 Housing and HB 1181 Climate through local processes to gather feedback from legislative bodies and the public. At this time, it is up to each jurisdiction to determine the most appropriate local method to solicit on the proposed revisions. The 2002 Framework Agreement does not include a process for precisely how input gathering should occur, but it is clear that an opportunity for input should occur at the local level prior to any GMASC recommendation on a CPP amendment. Any feedback received will be provided in writing to SCOG staff by August 16, 2024 so that comments may be compiled and

presented to the GMASC prior to the September meeting.

At this meeting, it's requested that the Planning Commission provide any comments and/or recommendations to staff to present to GMASC. Staff also intend to present the recommended amendments to the CPPs during a public hearing at the July 24, 2024 Council meeting, giving the community a chance to voice any comments and/or recommendations at the hearing. We will ask the Council to study the amendments and request a final comment from them at the August 14, 2024 Council meeting. All comments and recommendations will be brought back to GMASC by the August 16, 2024 deadline.

FISCAL IMPACT, IF APPROPRIATE:

None.

ATTACHMENTS:

1. 2021_Skagit_CPP Redlines ALL 6_24
2. A-6 Framework Agreement C20020423

Skagit County

Countywide Planning Policies

January 2024 Proposed Revisions to include
Housing (HB1220) and Climate (HB 1181) 2024

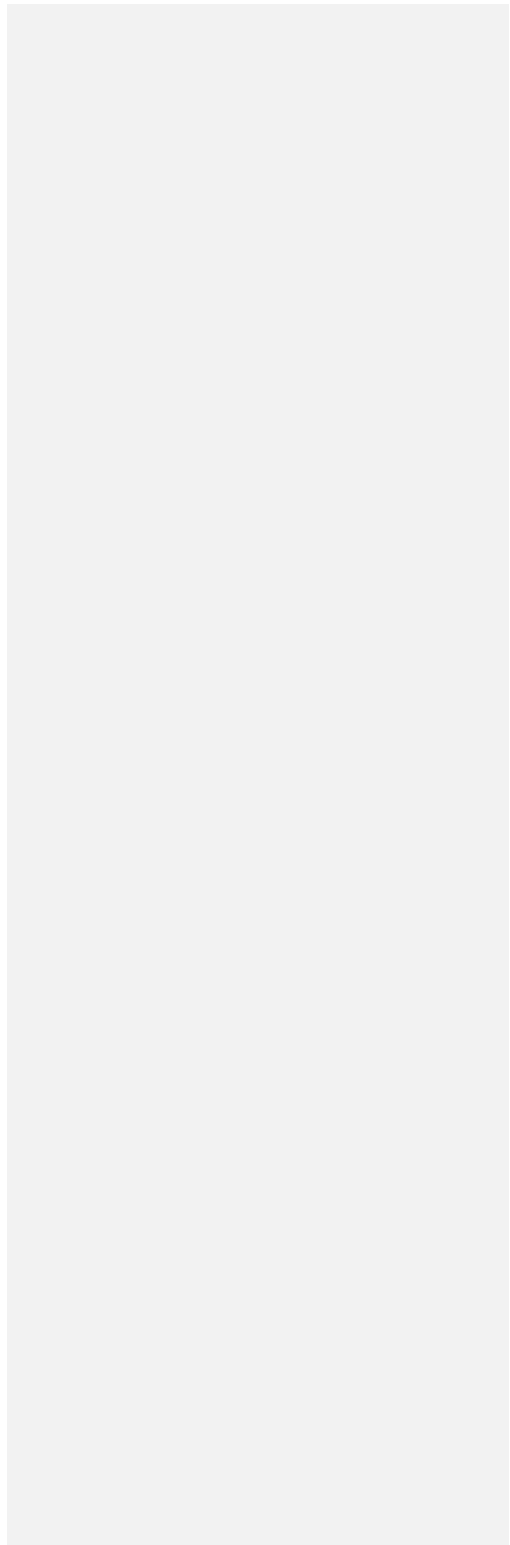
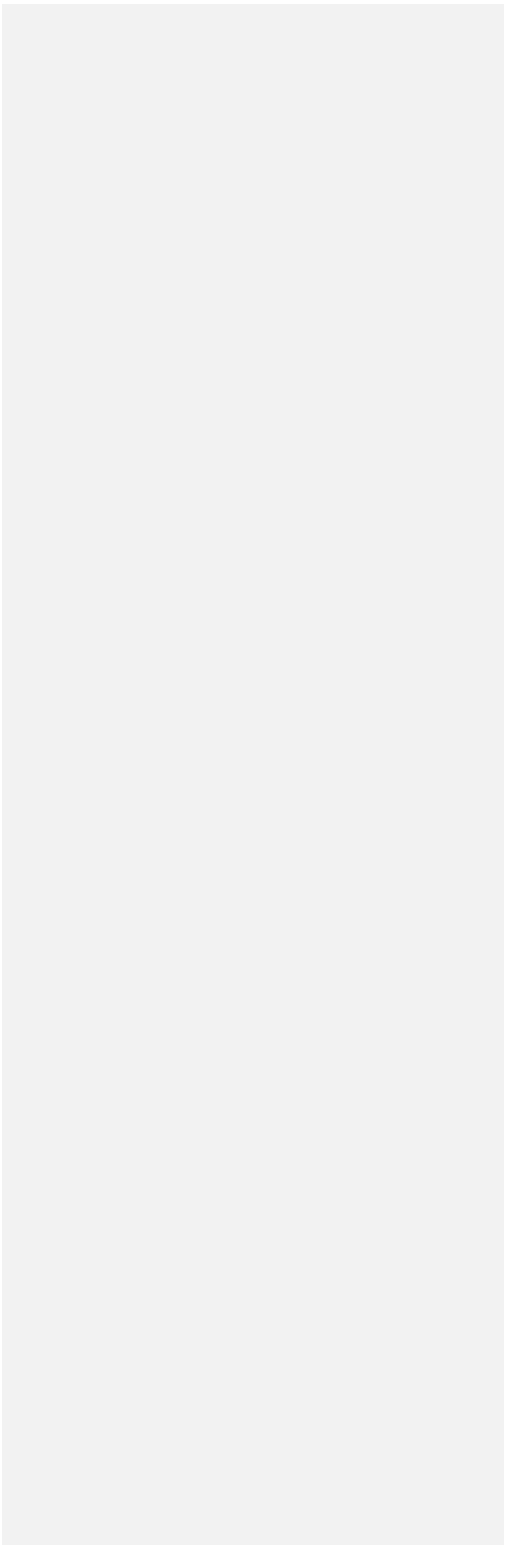


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Appendix A. Growth Allocations	
Appendix B. Growth Allocations Procedures	

GMA Goal 14 added (2023) Section 14: Climate Change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans and strategies under RCW 36.70A.201 and Chapter RCW 47.80 adapt to and mitigate the effects of a changing climate, support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.

The greenhouse gas emissions reduction sub- element and resiliency element is mandatory for the jurisdictions specified in **RCW 36.70A.95**



Skagit County Countywide Planning Policies

The Role of the Skagit County Countywide Planning Policies and the Comprehensive Plans

- i Pursuant to RCW 36.70A.210, these Skagit County Countywide Planning Policies (“Countywide Planning Policies” or “CPPs”) establish a countywide framework for developing county, city and town comprehensive plans (collectively “Comprehensive Plans”).
- ii Except as otherwise provided for by law, Skagit County, municipalities, and state agencies are subject to the Countywide Planning Policies. The Skagit County Comprehensive Plan, and the comprehensive plans of the cities and towns within Skagit County shall be consistent with these policies.
- iii The 2002 Framework Agreement – executed by Skagit County and every city and town within the county – guides the process for adoption and amendment of Countywide Planning Policies.
- iv The Board of County Commissioners adopt and amend Countywide Planning Policies in cooperation with the cities and towns, consistent with RCW 36.70A.210 and the 2002 Framework Agreement.
- v All Elements of Comprehensive Plans, including maps and procedures, shall comply with these policies. Amendments to the other components of Comprehensive Plans shall conform to these policies.
- vi As required by RCW 36.70A.120, activities and capital budgeting decisions made by Skagit County, and all cities and towns located within the county, shall be made in conformity with the locally adopted comprehensive plan.
- vii The Skagit County Comprehensive Plan adopts by reference the following functional plans: Shoreline, Drainage, Floodplain, Schools, Special Districts, Parks and Recreation, Transportation, Watershed, the Coordinated Water System Plan and any other functional plans adopted by Skagit County. Each referenced plan shall be coordinated with, and consistent with, the Skagit County Comprehensive Plan.
- viii All disputes over the proper interpretation of other functional plans and all implementing regulations, including zoning maps and zoning regulations, shall be resolved in favor of the interpretation which most clearly achieves Countywide Planning Policies.
- ix Local governments shall pursue methods of collecting and displaying statistics, maps and other information necessary for government.

Countywide Planning Policies, [January 20242024Proposed Revisions to include Housing \(HB 1220\) and Climate \(HB 1181\)](#). 1

- x Upon adoption of Comprehensive Plans, sub-area plans will be considered to address homogeneous natural features and communities.

1. Urban Growth
Encourage urban development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

- 1.1 Urban growth shall be allowed only within cities and towns, their designated Urban Growth Areas (“UGAs”) and within any non-municipal urban growth areas already characterized by urban growth, identified in the Skagit County Comprehensive Plan with a Capital Facilities Plan meeting urban standards. Population and employment land allocations for each UGA shall be consistent with the allocations shown in Appendix A.
- 1.2 Cities and towns and their urban growth areas, and non-municipal urban growth areas designated pursuant to CPP 1.1, shall include areas and densities sufficient to accommodate as a target 80% of the county's 20-year population projection.
- 1.3 Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban governmental services concurrent with development. The Growth Management Act (“GMA”) defines urban governmental services as those governmental services historically and typically delivered by cities, including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with nonurban areas.
- 1.4 Urban growth areas shall include greenbelts, greenspace and open space, and encourage the preservation of wildlife habitat areas and healthy urban community forests.
- 1.5 Cities and towns shall encourage development, including greenbelt and open space areas, on existing vacant land and in-fill properties before expanding beyond their present corporate city limits towards urban growth boundaries.
- 1.6 Annexations beyond urban growth areas are prohibited.
- 1.7 The baseline for 20-year countywide population forecasts shall be the official Growth Management Act Population Projections from the State of Washington’s Office of Financial Management. The Growth Management Act Technical Advisory Committee (“Planners Committee”) shall recommend the process for allocating forecasted population and employment, which shall be cooperatively reviewed by the Growth Management Act Steering Committee (“GMASC”), consistent with the 2002 Framework Agreement. Final growth allocations will be ratified by each government’s legislative body. The growth allocation process shall use the procedures in Appendix B, which calls for the following steps:
 - a. Initial Growth Allocations;
 - b. Reconciliation;
 - c. Long Term Monitoring; and

Countywide Planning Policies, January 20242021Proposed Revisions to include Housing (HB 1220) and Climate (HB 1181) 3

HB 1220 added new housing allocations, now included in **RCW 36.70A.070** Comprehensive Plans-Mandatory Element

d. Allocation Adjustment.

1.8 Skagit County, the cities and towns shall use consistent development and housing land capacity analysis methods as approved by the GMASC to determine the capacity of Urban Growth Areas to accommodate population and employment growth and housing produced in the different AMI categories provided by the Department of Commerce. Jurisdictions will supply a capacity amount of undeveloped buildable urban land needed inventory done as part of their periodic updates, to the Skagit Council of Governments. The inventory of the undeveloped buildable urban land supply is to be maintained by Skagit County in a Regional Geographic Information Systems database.

1.9 Skagit County, the cities and towns will establish a common method to monitor urban development and housing development to evaluate the rate of growth and maintain an inventory of the amount of buildable land remaining and the amount of housing produced in the different AMI categories provided by the Department of Commerce. The Planners Committee shall develop a monitoring process, prepare annual monitoring reports and present the reports to the Growth Management Act Steering Committee annually.

1.10 All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services, except in those limited circumstances shown to be necessary to the satisfaction of both Skagit County and the affected city/town to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development

1.11 Prior to altering urban growth areas, or as part of a periodic update, a climate impact analysis shall be completed. The climate impact analysis shall evaluate the greenhouse gas (GHG) and vehicle miles traveled (VMT) impacts associated with the proposed change and consider climate vulnerability and resilience scenarios created by the change. The analysis shall also consider the GHG and VMT impacts associated with other feasible alternatives for accommodating projected growth. Preference shall be given to alternatives that reduce per capita VMT and GHG emissions and changes that increase climate resilience and protect vulnerable populations and overburdened communities.

1.10

1.8 Added housing capacity analysis to the existing land capacity analysis. Removed GMASC requirements for methodology approval. Removed Skagit County GIS requirement to store data. SCOG will collect land and housing capacity reports.

1.9 Department of Commerce AMI categories for different types of housing will be used for reconciliation and monitoring reports

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2. Reduce Sprawl

Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

- 2.1 Contiguous and orderly development and provision of urban services to such development within urban growth boundaries shall be required.
- 2.2 Development within the urban growth area shall be coordinated and phased through inter-agency agreements.
- 2.3 Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, mineral) and having access to public services. Rural development shall have access through suitable county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts.
- 2.4 Rural commercial and industrial development shall be consistent with that permitted by the Growth Management Act, specifically including RCW 36.70A.070(5)(d) and related provisions and the 1997 ESB 6094 amendments thereto. This development shall not be urban in scale or character or require the extension of urban services outside of urban growth areas, except where necessary to address an existing public health, safety or environmental problem.
- 2.5 Rural commercial and industrial development shall be of a scale and nature consistent and compatible with rural character and rural services, or as otherwise allowed under RCW 36.70A.070(5)(d), and may include commercial services to serve the rural population, natural resource-related industries, small scale businesses and cottage industries that provide job opportunities for rural residents, and recreation, tourism and resort development that relies on the natural environment unique to the rural area.
- 2.6 Priority consideration will be given to siting of new rural commercial and industrial uses in areas of existing development, including existing Rural Villages and existing Rural Centers, followed by already developed sites in the rural area, and only lastly to wholly undeveloped sites in the rural area.
- 2.7 Master planned sites designated for industrial and large-scale commercial uses shall be clustered, landscaped, and buffered to alleviate adverse impacts to surrounding areas.
- 2.8 Commercial areas should be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit.

- 2.9 Urban commercial and urban industrial development, except development directly dependent on local agriculture, forestry, mining, aquatic and resource operations, and major industrial development which meets the criteria contained in RCW 36.70A.365, should be restricted to urban or urban growth areas where adequate transportation networks and appropriate utility services are available.

The process to consider siting of specific major industrial developments outside of urban growth areas shall follow the process included in the 2002 Framework Agreement for adoption of Countywide Planning Policies. Major industrial developments shall mean a master planned location for specific manufacturing, industrial, or commercial business that:

1. Requires a parcel of land so large that no suitable parcels are available within an urban growth area; or
2. Is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The major industrial development shall not be for the purpose of retail commercial development or multi-tenant office park.

A major industrial development may be approved outside an urban growth area if the following criteria are met:

1. New infrastructure is provided for and/or applicable impact fees are paid;
2. Transit-oriented site planning and traffic demand management programs are implemented;
3. Buffers are provided between the major industrial development and adjacent non-urban areas;
4. Environmental protection including air and water quality has been addressed and provided for;
5. Development regulations are established to ensure that urban growth will not occur in adjacent non-urban areas;
6. Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands;
8. The plan for the major industrial development is consistent with Skagit County's development regulations established for the protection of critical areas; and

9. An inventory of developable land has been conducted and Skagit County has determined and entered findings that land suitable to site the major industrial development is unavailable within the urban growth area. Priority shall be given to applications for sites that are adjacent to or in close proximity to the urban growth areas.

Final approval of an application for a major industrial development shall be considered an adopted amendment to the Skagit County Comprehensive Plan adopted pursuant to RCW 36.70A.070 designating the major industrial development site on the land use map as an urban growth area. Final approval of the application shall not be considered an amendment to the Skagit County Comprehensive Plan for the purposes of RCW 36.70A.130(2) and may be considered at any time.

- 2.10 Establishment or expansion of local improvement districts and special purpose taxing districts, except flood control, diking districts and other districts formed for the purpose of protecting water quality, in designated commercial forest resource lands shall be discouraged.

3. Transportation

Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled and are based on regional priorities and coordinated with county and city comprehensive plans.

- 3.1 Multi-purpose Multimodal transportation routes and facilities shall be designed to accommodate present and future traffic volumes.
- 3.2 Primary arterial access points shall be designed to ensure maximum safety while minimizing traffic flow disruptions.
- 3.3 The development of new transportation routes and improvements to existing routes shall be consistent with VMT and GHG reduction targets and shall minimize adverse social, economic and environmental impacts and costs, especially those impacts to vulnerable populations and overburdened communities.
- 3.4 Transportation elements of Comprehensive Plans shall be designed to; facilitate the flow of people, goods and services so as to strengthen the local and regional economy; conform with the Land Use Element; be based upon an inventory of the existing Skagit County transportation network and needs; and encourage the conservation of energy and reduction of VMT and GHG with the goal of meeting or exceeding Washington State targets.
- 3.5 Provisions in Comprehensive Plans for the location and improvement of existing and future transportation networks and public transportation shall be made in a manner consistent with the goals, policies and land use map of the locally adopted comprehensive plan.
- 3.6 The development of a recreational transportation network shall be encouraged and coordinated between state and local governments and private enterprises.
- 3.7 Transportation services for seniors and individuals with disabilities shall be provided by public transportation operators to provide for those who, through age and/or disability, are unable to transport themselves.
- 3.8 Multi-modal ~~I~~-level of service (LOS) standards and safety standards shall be established that coordinate and link with the urban growth and urban areas to coordinate optimize land use and transportation traffic compatibility over the long term. New development shall mitigate multimodal LOS deficiencies transportation impacts concurrently with the development and occupancy of the project. Acceptable mitigation may include active transportation facility improvements, increased or enhanced public transportation service, ride-sharing programs, demand management, or transportation systems management strategies funded by the development.
- 3.9 An all-weather arterial road system shall be coordinated with industrial and commercial areas.

Countywide Planning Policies, January 2024~~2021~~Proposed Revisions to include Housing (HB 1220) and Climate (HB 1181). 8

The greenhouse gas emissions reduction sub-element and resiliency sub-element is mandatory for the jurisdictions specified in **RCW 36.70A.95** The greenhouse has emissions sub-element of the Comprehensive plan must identify actions consistent with guidelines published pursuant to **RCW 70A.45.120** that will:

- (a) Result in reductions in overall GHG emissions generated by transportation and land use within the jurisdiction but without increasing GHG elsewhere in the state;
- (b) Result in reductions in per capita VMT within the jurisdiction but without increasing VMT in the state
- (c) Prioritize reductions that benefit overburdened communities in order to maximize the co-benefits of reduced air pollution and environmental justice.

WAC 365-196-840 Concurrency - In urban areas, the department recommends counties and cities adopt methodologies that analyze the transportation system from a comprehensive multi-modal perspective authorized by **RCW 36.70A.108**

- 3.10 Cost effectiveness shall be a consideration in transportation expenditure decisions and balanced for both safety and service improvements.
- 3.11 An integrated regional transportation system shall be designed to minimize air pollution, including a reduction of vehicle related greenhouse gas emissions and reduction of vehicle miles travelled by promoting the use of alternative transportation modes, reducing vehicular traffic, maintaining acceptable multimodal levels of service, ~~traffic flow~~, and siting of facilities.
- 3.12 All new and expanded transportation facilities and transportation system improvements shall be sited, constructed and maintained to minimize noise levels and shall not have the effect of increasing per capita VMT or greenhouse gas emissions.
- 3.13 Increase the percentage of trips made using transit by prioritizing transit service hours and capital investments for routes serving urban corridors with high levels of ridership potential where dense concentrations of housing, employment, or services exist or are planned.
- 3.14 Develop a regional network of active transportation facilities and connect major regional cities with a multi-use path system.

3.12

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4. Housing

Plan for and accommodate ~~Encourage the availability~~ of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

4.1 ~~Allow for an adequate supply of land use options to provide housing for a wide range of incomes, housing types and densities. Comprehensive Plans must include a housing element that plans for and accommodates housing affordable to all economic segments of the population. The housing element must include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, including units for low, very low and extremely low-income households, and emergency housing, emergency shelters and permanent supportive housing (PSH).~~

4.2 ~~At a minimum, each jurisdiction shall provide sufficient capacity to accommodate the number and type of units allocated to the jurisdiction through regional allocation process described in Appendix B. Comprehensive plans, development regulations, and funding mechanisms shall also be consistent with the following housing allocation policies:~~

- a. ~~Housing allocations including PSH, low, very low and extremely low-income households shall be prioritized in, and shall be primarily allocated to, urban areas with good access to transit and services.~~
- b. ~~Rural areas typically lack access to transit and services, but may have localized or unique housing needs, such as housing for rural resource employees or housing for extended family members. In such areas, accessory dwelling units may be considered.~~
- c. ~~Consistent with the process described in Appendix B, locations without access to transit or services, including rural areas and towns, may have some of their allocation of low, very low and extremely low-income households, emergency shelters and PSH given by the Department of Commerce methodology or an approved equivalent quantitative method, reallocated to urban areas in cities with more access to services and transit.~~
- d. ~~The reconciliation process described in Appendix B may be used to reallocate housing numbers if needed, in coordination with land capacity analysis and population and employment allocation reconciliation processes.~~
- e. ~~Avoid further concentrations of low-income, PSH and emergency shelter housing.~~
- f. ~~Increase opportunities and capacity for housing that is affordable and close to employment, education, shopping, public services and public transit.~~

HB 1220 resulted in new required housing allocations as part of **RCW 36.70A.070** Comprehensive Plans-Mandatory elements in order to plan for and accommodate housing for different area median incomes (AMI)

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RCW 36.70A.070 Comprehensive Plans Mandatory Elements includes consideration of the role of accessory dwelling units.

4.1g. To provide equal access and to equitably meet the needs of Skagit County's vulnerable populations, PSH and emergency shelter capacity will be allocated to urban areas in a geographically balanced fashion and proportionate to each UGA's population.

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4.24.3 Public/private partnerships shall be encouraged to build affordable housing and devise incentives for innovative and environmentally sensitive design to meet the housing needs of people with low and moderate incomes and special needs populations.

4.34.4 Comprehensive Plans should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights.

4.44.5 The existing affordable housing stock should be maintained and efforts to rehabilitate older and substandard housing, which are otherwise consistent with comprehensive plan policies, should be encouraged.

4.54.6 The construction of housing that promotes innovative, energy efficient and less expensive building technologies shall be encouraged.

4.64.7 Provisions in Comprehensive Plans for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas.

4.8 The County and Cities, and public housing authorities, should participate in multi-jurisdictional affordable housing programs with the goal to increase housing for low-income, PSH and emergency shelters. These programs will be cooperative efforts that include public agencies, non-profits, and other providers of housing. Manufactured home parks shall be allowed only within urban or urban growth areas.

4.9 The County and Cities, in cooperation with housing and human services providers should create an actionable countywide strategy to coordinate the development of public supported housing projects which includes a funding strategy addressing capital and operating.

4.74.10 Regional funding mechanisms and the capital plans of public housing providers should be consistent with the housing allocations established through each jurisdiction's Comprehensive Plan.

4.7 Removal of requirements for mobile home parks only within urban or urban growth areas. Allows for more flexibility in LAMIRDS if services are available.

4.8, 4.9 and 4.10 - ensure that housing elements of jurisdictions are consistent with North Star initiative.

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5. Economic Development

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

- 5.1 The development of environmentally sensitive industries shall be encouraged.
- 5.2 Home occupations that do not significantly change or impact neighborhood character shall be permitted.
- 5.3 Economic diversity should be encouraged in rural communities where special incentives and services can be provided.
- 5.4 Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses.
- 5.5 A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations.
- 5.6 Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles.
- 5.7 Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long-term commercial significance of natural resources and critical areas or rural life styles.
- 5.8 Agriculture, forestry, aquatic resources and mineral extraction shall be encouraged both within and outside of designated resource lands.
- 5.9 The primary land use within designated forest resource lands shall be commercial forestry. Residential development shall be strongly discouraged within designated forest resource lands.
- 5.10 Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production.

- 5.11 Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas, where the principal and preferred land uses will be long term commercial resource management.
- 5.12 Value added natural resource industries shall be encouraged.
- 5.13 Skagit County shall increase the availability of renewable resources and encourage the maximum attainable recycling of non-renewable resources.
- 5.14 Commercial and industrial activities directly related to or dependent on local aquatic resource areas should be encouraged in shoreline areas provided they are shoreline dependent and/or related.
- 5.15 Comprehensive Plans shall support and encourage economic development and employment to provide opportunities for prosperity.

6. Property Rights

Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

- 6.1 Proposed regulatory or administrative actions shall not result in an unconstitutional taking of private property.
- 6.2 The rights of property owners operating under current land use regulations shall be preserved unless a clear public health, safety or welfare purpose is served by more restrictive regulation.
- 6.3 Surface water runoff and drainage facilities shall be designed and utilized in a manner which protects against the destruction of private property and the degradation of water quality.

7. Permits

Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

- 7.1 Inter-agency agreements with other agencies to facilitate multi-agency permits shall be pursued to better serve the public.
- 7.2 Upon receipt of a complete application, land use proposals and permits shall be expeditiously reviewed and decisions made in a timely manner.
- 7.3 Variances that would create a policy violation of a jurisdiction's comprehensive plan shall not be permitted.
- 7.4 New implementing codes and amendments shall provide clear regulations to reduce the possibility of multiple interpretations by staff and applicants.
- 7.5 Impact fees shall be imposed through established ordinances, procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.
- 7.6 Special purpose districts permitted by statute to request impact fees shall to the extent possible utilize similar formulas to calculate costs of new development.

8. Natural Resource Industries

Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

- 8.1 Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion. Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities.
- 8.2 Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals.
- 8.3 Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a program authorizing transfer or purchase of development rights is established.
- 8.4 Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods.
- 8.5 Long-term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity.
- 8.6 When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences.
- 8.7 Fishery resources, including the county's river systems inclusive of their tributaries, as well as the area's lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity.
- 8.8 Skagit County shall encourage sustainable use of the natural resources of the County, including but not limited to agriculture, forestry, and aquatic resources.
- 8.9 Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long-term commercial resource management.

9. Open Space and Recreation

Retain open space and green space, enhance recreational opportunities, ~~conserve~~ enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

Revised to be consistent with **RCW 36.70A.070** Planning Goals

- 9.1 Open space corridors within and between urban growth areas shall be identified. These areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas.
- 9.2 To preserve open space and create recreational opportunities, innovative regulatory techniques and incentives such as but not limited to, purchase of development rights, transfer of development rights, conservation easements, land trusts and community acquisition of lands for public ownership shall be encouraged.
- 9.3 The use of Open Space Taxation Laws shall be encouraged as a useful method of land use control and resource preservation.
- 9.4 Expansion and enhancement of parks, recreation and scenic areas and viewing points shall be identified, planned for and improved in shorelands, and urban and rural designated areas.
- 9.5 Property owners shall be encouraged to site and design new construction to minimize disruption of visual amenities and solar resources of adjacent property owners, public road ways, parks, lakes, waterways and beaches.
- 9.6 Development of new park and recreational facilities shall adhere to the policies set out in Comprehensive Plans.
- 9.7 The Skagit Wild and Scenic River System (which includes portions of the Sauk, Suiattle, Cascade and Skagit Rivers) is a resource that should be protected, enhanced and utilized for recreation purposes when there are not potential conflicts with the values (fisheries, wildlife, and scenic quality) of the river system.
- 9.8 Incompatible adjacent uses including industrial and commercial areas shall be adequately buffered by means of landscaping, or by maintaining recreation and open space corridors.
- 9.9 A park and recreation system shall be promoted which is integrated with existing and planned land use patterns.
- 9.10 Indoor and outdoor recreation facilities shall be designed to provide a wide range of opportunities allowing for individual needs of those using these facilities.

- 9.11 School districts, public agencies and private entities should work together to develop joint inter-agency agreements to provide facilities that not only meet the demands of the education for our youth, but also provide for public recreation opportunities that reduce the unnecessary duplication of facilities within Skagit County.
- 9.12 In planning new park and recreation facilities, consideration shall be given to natural features, topography, floodplains, relationship to population characteristics, types of facilities, various user group needs and standards of access, including travel time.

10. Environment

Protect **and enhance** the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

Revised to be consistent with
RCW 36.70A.070 Planning Goals

- 10.1 Natural resource lands, including aquatic resource areas and critical areas shall be classified and designated, and regulations adopted to assure their long-term conservation. Land uses and developments which are incompatible with critical areas shall be prohibited except when impacts from such uses and developments can be mitigated.
- 10.2 Land use decisions shall take into account the immediate and long-range cumulative effects of proposed uses on the environment, both on- and off-site.
- 10.3 Reduce the loss of critical aquatic and terrestrial habitat by minimizing habitat fragmentation.
- 10.4 Wetlands, woodlands, watersheds and aquifers are essential components of the hydrologic system and shall be managed to protect surface and groundwater quality.
- 10.5 Recognize the river systems within Skagit County as pivotal freshwater resources and manage development within the greater watershed in a manner consistent with planning practices that enhance the integrity of the aquatic resource, fish and wildlife habitat, and recreational and aesthetic qualities.
- 10.6 Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact.
- 10.7 Development shall be directed away from designated natural resource lands, aquatic resource areas and critical areas.
- 10.8 The conversion of tidelands to uplands by means of diking, drainage and filling shall be prohibited, except when carried out by a public body to implement Comprehensive Plans for flood plain management or to respond to a natural disaster threatening life and property.
- 10.9 Septic systems, disposal of dredge spoils and land excavation, filling and clearing activities shall not have an adverse significant effect on Skagit County waters with respect to public health, fisheries, aquifers, water quality, wetlands, wildlife habitat, natural marine ecology and aquatic based resources.
- 10.10 Usual and accustomed activities on natural resource lands and aquatic resource areas shall be protected from interference when they are conducted in accordance with best management practices and environmental laws.

- 10.11 When evaluating and conditioning commercial, industrial or residential development, local governments shall consider threatened or endangered wildlife.
- 10.12 Enter into inter-agency agreements with appropriate state and local agencies and Native American Tribes for compliance with watershed protection, including but not limited to, the cumulative effects of construction, logging and non-point pollution in watersheds.
- 10.13 Cooperate with appropriate local, state and Federal agencies, to develop and implement flood hazard reduction programs, consistent with and supportive of the Corps Feasibility Study_ and consistent with the Climate Chapters of Comprehensive Plans and Hazard Mitigation Plans.
- 10.14 The Skagit River Floodway and the Skagit River Floodplain shall be regulated to protect human life, property and the public health and safety of the citizens of Skagit County; minimize the expenditure of public money; and maintain flood insurance eligibility while avoiding regulations which are unnecessary restrictive or difficult to administer.
- 10.15 Work together to provide ongoing public education about flooding in a coordinated and consistent program, and adopt a flood hazard reduction plan, that works together with the natural and beneficial functions of floodplains.

RCW 36.70A.070- internal consistency required among components within comprehensive plan

RCW 36.70A.100 -consistency required between neighboring jurisdictions

RCW 36.70A.070(6) -consistency between State and local

11. Citizen Participation and Coordination

Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.

- 11.1 Maintain procedures to provide for the broad dissemination of proposals and alternatives for public inspection; opportunities for written comments; public hearings after effective notice; open discussions; communication programs and information services; consideration of and response to public comments; and the notification of the public for the adoption, implementation and evaluation of locally adopted comprehensive plans.
- 11.2 Continue to encourage public awareness of Comprehensive Plans by providing for public participation opportunities and public education programs that include ways to solicit participation from vulnerable populations and overburdened communities designed to promote a widespread understanding of the Plans' purpose and intent.
- 11.3 For land use proposals, including those within the marine environment, all applicants shall bear the costs for public notification, by mail, and by posting of signs. Affected neighbors and surrounding shoreline owners shall be notified as prescribed by ordinance.
- 11.4 Provide regular and ongoing opportunities for public review and comment throughout the development process of Comprehensive Plans.
- 11.5 Encourage citizen participation throughout the planning process as mandated by Washington state statute and codes for environmental, land use, and development permits.
- 11.6 Utilize broad based Citizen Advisory Committees to participate and assist in the Element development of the Comprehensive Plans, sub-area plans and functional plans.

HB 1181 Requires a climate chapter for jurisdictions specified in **RCW 36.70A.095** and is encouraged for all other jurisdictions. A climate change and resiliency sub-element is required for jurisdictions in Skagit County with populations greater than 6,000. This includes new public outreach requirements to include participation from vulnerable populations and overburdened communities.

12. Public Facilities and Services

Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

- 12.1 Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations.
- 12.2 All communities within a region shall fairly share the burden of regional public facilities. (The GMA defines regional public facilities as streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities and schools.)
- 12.3 A process shall be developed for identifying and siting essential public facilities. Comprehensive Plans may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities.)
- 12.4 Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. Skagit County shall work with the state, cities, towns, communities and utility providers to identify areas of shared need for public facilities.
- 12.5 Lands designated for urban growth by Comprehensive Plans shall have an urban level of regional public facilities prior to or concurrent with development.
- 12.6 Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere.
- 12.7 Public facilities and services needed to support development shall be available concurrent with the impacts of development.
- 12.8 The financing for system improvements to public facilities to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

- 12.9 New development shall pay for or provide for its share of new infrastructure through impact fees or as conditions of development through the environmental review process.
- 12.10 Public water supply for new development shall conform to or exceed the Coordinated Water System Plan for public water systems.
- 12.11 Future development of land adjacent to existing and proposed schools and other public facilities shall be compatible with such uses.
- 12.12 Library services within Skagit County should be developed and coordinated to assure the delivery of comprehensive services throughout the county, with Skagit County, cities and towns fairly sharing the burden.
- 12.13 A county-wide recycling program shall be maintained.
- 12.14 Public drainage facilities shall be designed to control both stormwater quantity and quality impacts.
- 12.15 Provide results of the required six-year capital facilities plan, including a financing plan, and ensure consistency with land use designations.
- 12.16 Citizens shall have the opportunity to participate in and comment on proposed capital facilities financing.
- 12.17 The Washington State Boundary Review Board for Skagit County should be disbanded pursuant to RCW 36.93.230 provided that the following tasks are accomplished: (a) that ALL cities and the County have adopted comprehensive plans and development regulations consistent with the requirements of these Countywide Planning Policies and RCW 36.70A, including appropriate urban levels of service for all public facilities and services; (b) that ALL cities and the County have adopted a concurrency ordinance that requires the adopted urban levels of service addressed in (a) above be accomplished in time frames that are consistent with RCW 36.70A.; (c) that special purpose districts that serve UGAs have adopted urban levels of service standards appropriate for their service areas; (d) that ALL cities and the County have an adopted capital facility plan for urban levels of service that indicates sources of revenue and a timeline for meeting such service; and (e) that ALL cities and special purpose districts have in place adopted “interlocal agreements” that discuss arrangements for transfer of assets and obligations that may be affected by transformance of governance or annexation of the service area consistent with the requirements of applicable RCWs.

13. Historic Preservation

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

- 13.1 Cooperate with local historic preservation groups to ensure coordination of plans and policies by the Washington state Department of Archeology and Historic Preservation.

14. Climate Change and Resiliency

Ensure that Comprehensive Plans, development regulations, and regional policies, plans, and strategies under RCW 36.70A.210 and 47.80 RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles travelled; prepare for climate impacts and natural hazards; protect and enhance environmental, economic, human health and safety; and advance environmental justice.

14.1 VMT reduction targets will meet or exceed Washington State VMT reduction targets and be consistent with Washington State law.

- a. Direct the majority of urban population growth to mixed use transit accessible corridors.
- b. Prioritize transit service in urban corridors with high ridership potential or where dense concentrations of housing, employment, and services exist or are planned, and as a means of providing frequent, reliable, and direct connections between regional centers.
- c. Local and regional plans shall include multimodal level of service standards and measures to ensure growth related transportation system impacts are mitigated through active transportation improvements, increased or enhanced public transportation service, ride sharing programs, demand management, or other appropriate measures that can be shown to reduce VMT.

14.2 GHG reduction targets will be consistent with Washington State reduction targets as part of the State adopted Transportation Carbon Reduction Strategy per RCW 70A2.45.020.

14.3 Comprehensive Plans, capital plans, and the regional transportation plan, will consider the effects of climate change. Effects could include riverine flooding, coastal flooding due to sea level rise, wildfire risk, extreme heat, and impacts to water resources such as reduced instream flows, seawater intrusion, and decreased groundwater availability. Preference will be given to policies, actions and strategies that avoid, minimize or mitigate the impacts of climate change on human health or the natural environment, and that reduce VMT and GHG.

14.4 Comprehensive Plans, capital plans and the regional transportation plan shall include measures that address the impacts of climate change on vulnerable populations and overburdened communities.

HB 1181 requires a climate chapter for jurisdictions specified in **RCW 36.70A.095** and is encouraged for all other jurisdictions. The climate change chapter requires a greenhouse gas reduction sub-element and resiliency sub-element. This is required for jurisdictions in Skagit County with populations greater than 6,000

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GHG and VMT reduction targets align with State carbon reduction strategy per **RCW 70A2.45.020**

Appendix A. Growth Allocations

Table 1: 2036 Initial Growth Allocations				
Urban Growth Areas	2015—2036 Forecast Population Growth	Total 2036 Population	2015—2036 Forecast Employment Growth	Total 2036 Employment
Anacortes	5,895	22,293	2,076	10,480
Burlington	3,808	14,272	3,516	13,412
Mount Vernon	12,434	47,403	4,785	21,288
Sedro-Woolley	4,555	17,069	4,427	9,179
Concrete	320	1,193	109	467
Hamilton	114	427	66	288
La Conner	329	1,226	329	1,420
Lyman	162	605	9	38
Bayview Ridge	72	1,883	1,799	3,455
Swinomish	912	3,416	290	1,247
UGAs Subtotal	28,601	109,787	17,406	61,274
Rural (outside UGAs)	7,150	45,665	1,447	9,343
County Total	35,751	155,452	18,853	70,617

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Table 1 Approved (December 2023) Projected Population Growth						
Urban Growth Areas		2022 Population Estimates	2045 Initial Population Allocations	2022-2045 Projected Population Growth		
				Amount	Percent of Total Growth	Percent Growth by Area
Anacortes		17,983	22,971	4,988	16.9%	27.7%
Burlington		12,111	16,930	4,819	16.3%	39.8%
Mount Vernon		37,679	46,460	8,781	29.7%	23.3%
Sedro- Woolley		14,096	18,582	4,486	15.2%	31.8%
Concrete		949	1,130	181	0.6%	19.1%
Hamilton		302	302	0	0.0%	0.0%
La Conner		980	1,191	211	0.7%	21.5%
Lyman		425	425	0	0.0%	0.0%
Bayview Ridge		1,694	1,694	0	0.0%	0.0%
Swinomish		2,565	2,764	199	0.7%	7.8%
UGA Subtotal		88,784	112,449	23,665	80.0%	N/A

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Countywide Planning Policies, January 20242024 Proposed Revisions to include Housing (HB 1220) and Climate (HB 1181).

<u>Rural (outside UGAs)</u>	<u>42,465</u>	<u>48,381</u>	<u>5,916</u>	<u>20.0%</u>	<u>13.9%</u>
<u>Grand Total</u>	<u>131,249</u>	<u>160,830</u>	<u>29,581</u>	<u>100.0%</u>	<u>N/A</u>

<u>Table 2. Approved (December 2023) Allocations of Net New Housing</u>								
	<u>Initial Allocations of Net New Housing Needed (2020-2045)</u>							
<u>Urban Growth Areas</u>		<u>0-30% AMI*</u>	<u>31-50% AMI</u>	<u>51-80% AMI</u>	<u>81-100% AMI</u>	<u>101-120% AMI</u>	<u>Above 120% AMI</u>	<u>Total</u>
<u>Anacortes</u>		<u>924</u>	<u>592</u>	<u>422</u>	<u>226</u>	<u>201</u>	<u>577</u>	<u>2,942</u>
<u>Burlington</u>		<u>893</u>	<u>572</u>	<u>408</u>	<u>218</u>	<u>194</u>	<u>558</u>	<u>2,843</u>
<u>Mount Vernon</u>		<u>1,627</u>	<u>1,043</u>	<u>743</u>	<u>398</u>	<u>353</u>	<u>1,016</u>	<u>5,180</u>
<u>Sedro-Woolley</u>		<u>831</u>	<u>533</u>	<u>380</u>	<u>203</u>	<u>180</u>	<u>519</u>	<u>2,646</u>
<u>Concrete</u>		<u>34</u>	<u>22</u>	<u>15</u>	<u>8</u>	<u>7</u>	<u>21</u>	<u>107</u>
<u>Hamilton</u>		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>La Conner</u>		<u>39</u>	<u>25</u>	<u>18</u>	<u>10</u>	<u>8</u>	<u>24</u>	<u>124</u>
<u>Lyman</u>		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Bayview Ridge</u>		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Swinomish</u>		<u>37</u>	<u>24</u>	<u>17</u>	<u>9</u>	<u>8</u>	<u>23</u>	<u>118</u>
	<u>UGA Subtotal</u>	<u>4,385</u>	<u>2,811</u>	<u>2,003</u>	<u>1,072</u>	<u>951</u>	<u>2,738</u>	<u>13,960</u>
<u>Rural (outside of UGA's)</u>		<u>89</u>	<u>57</u>	<u>501</u>	<u>268</u>	<u>238</u>	<u>2,337</u>	<u>3,490</u>
	<u>Grand Total</u>	<u>4,474</u>	<u>2,868</u>	<u>2,504</u>	<u>1,340</u>	<u>1,189</u>	<u>5,075</u>	<u>17,450</u>

Notes:

- 1.) Figures may vary from Skagit County Population, Housing and Employment Growth Allocations Methodology findings due to rounding.
 - 2.) UGA is "Urban Growth Area"
 - 3.) AMI is "Area Median Income"
 - 4.) Emergency housing needs are documented in the Skagit County Population, Housing and Employment Growth Allocations Methodology.
- *0-30% AMI includes permanent supportive housing and non-permanent supportive housing.

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Table 3: Approved (December 2023) 2022-2023 Projected Employment Growth						
Urban Growth Areas		2022 Employment Estimates	2045 Initial Employment Allocations	2022-2045 Projected Employment Growth		
				Amount	Percent of Total Growth	Percent Growth by Area
Anacortes		9,503	12,648	3,145	15.3%	33.1%
Burlington		11,640	17,410	5,770	28.1%	49.6%
Mount Vernon		18,781	23,559	4,778	23.3%	25.4%
Sedro-Woolley		4,640	7,040	2,400	11.7%	51.7%
Concrete		391	506	115	0.6%	29.4%
Hamilton		466	489	23	0.1%	4.9%
La Conner		1,020	1,905	885	4.3%	86.8%
Lyman		56	76	20	0.1%	35.7%
Bayview Ridge		2,962	4,901	1,939	9.4%	65.5%
Swinomish		1,140	1,579	439	2.1%	38.5%
	UGA Subtotal	50,599	70,113	19,514	95.1%	N/A
Rural (outside of UGA's)		8,972	9,987	1,015	4.9%	11.3%
	Grand Total	59,571	80,100	20,529	100.0%	N/A

Notes:

- 1.) Percentages may not sum due to rounding.
- 2.) Figures may vary from Skagit County Population, Housing and Employment Growth Allocations Methodology findings due to rounding.
- 3.) UGA is "Urban Growth Area"
- 4.) The 2015 Planned Action Environmental Impact Statement for the SWIFT Center (formerly known as the "North Cascades Gateway Center") in Sedro-Woolley anticipates 2,855 additional jobs from 2016-2036. These additional jobs are not explicitly included with the 2045 initial employment allocation, though the land capacity conducts, and regional reconciliation process expected to begin late 2024 can account for additional planned employment.

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Appendix B. Growth Allocations Procedures

The process of setting and reviewing growth allocations shall be consistent with the 2002 Framework Agreement among Skagit County, the cities and towns as currently adopted or amended.

1. **Initial Growth Allocations:** The Planners Committee will develop initial population and employment, and housing allocations for review and adoption by the GMASC.

- a. The initial population allocations will be based on the most recently published official 20-year population projections for Skagit County from the Office of Financial Management.

- a.b. The initial housing allocations for review and adoption by the GMASC will be based on the Department of Commerce methodology or an approved equivalent quantitative methodology and be consistent with Countywide Planning Policy 4.

Jurisdictions shall use these initial allocations for at least one of the plan alternatives they evaluate for their GMA plan updates and housing plan updates.

2. **Reconciliation for Population and Employment Allocations:** Once the GMA comprehensive plan updates of jurisdictions have identified a preferred growth plan with sufficient detail to determine if the population and employment allocation can be accommodated, the GMASC will review and, if necessary, recommend adjusting the population and employment growth allocations to be included in the CPPs.
 - a. Skagit County, ~~the~~ and cities and towns shall jointly review the preferred growth alternatives proposed in local comprehensive plans for discrepancies with the allocation associated with Skagit County's preferred plan alternative.
 - b. Based on the land supply, permitted densities, capital facilities, urban service capacities and other information associated with the preferred growth alternatives of proposed local comprehensive plans, the Planners Committee shall recommend to the GMASC a reconciled 20-year population and employment allocation.
 - c. The GMASC shall review and recommend to the Board of County Commissioners a reconciled 20-year population and employment allocation. Substantial consideration shall be given to the plan of each jurisdiction, and the recommendation shall be consistent with the GMA and the CPPs.
 - d. The Board of County Commissioners shall consider the recommendation of the GMASC and shall replace the allocations in the CPPs with a reconciled 20-year population and employment allocation.

3. Reconciliation for Housing Allocations: Once the GMA comprehensive plan updates of jurisdictions have identified a preferred growth plan including housing allocations based on Department of Commerce guidelines and methodology, or a Commerce approved alternative quantitative method: the GMASC will review and, if necessary, recommend adjusting the housing allocations to be included in the CCP's.

- a. Skagit County and the cities and towns shall jointly review the preferred housing

Countywide Planning Policies, January 2024~~2021~~Proposed Revisions to include Housing (HB 1220) and Climate (HB 1181).

HB 1220 housing allocations added to growth allocation procedures. Includes using Department of Commerce methodology for housing AMI categories and housing types for the reconciliation process.

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allocations proposed in local comprehensive plans for discrepancies with the allocations associated with Skagit County's preferred plan alternative and Department of Commerce requirements.

b. This will be based on land capacity, permitted densities, transit availability, urban services provided, locations with good proximity to employment centers, alignment with the countywide strategy for development of public supported housing projects and assurance that low income and emergency shelter housing options are dispersed countywide. And any other information provided with the preferred housing alternatives of local comprehensive plans. The Planners Committee shall recommend to the GMASC a reconciled 20-year housing allocation.

c. The GMASC shall review and recommend to the Board of County Commissioners a reconciled 20-year housing allocation. Substantial consideration shall be given to the plan of each jurisdiction, and the recommendation shall be consistent with the adopted population and employment allocations, the GMA, Department of Commerce requirements and the CCP's.

d. The Board of County Commissioners shall consider the recommendation of the GMASC and shall replace the allocations in the CCP with a reconciled 20-year housing allocation parallel to the reconciliation process done for population and employment allocations.

d.e. The reconciliation process for population, employment and housing are all done together as part of the overall reconciliation and will follow the process and procedures in the 2002 framework agreement.

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3.4 Long Term Monitoring: Subsequent to reconciliation, the GMASC shall maintain a long-term monitoring process to review annually ~~the~~ population, and employment and housing growth allocations contained in the CPPs.

- a. Skagit County, the cities and towns shall jointly monitor the following:
 - i. Estimated population and employment growth;
 - ii. Annexations and incorporations; and
 - iii. Residential and non-residential development trends,
 - ~~iii~~iv. Estimated housing constructed per area median income (AMI) categories determined by the Department of Commerce requirements for housing allocations.
- b. Results of the monitoring program shall be published in a growth monitoring report developed by the Planners Committee and recommended to the GMASC.
- c. The GMASC shall review and approve the annual report by resolution.

4.5. Allocation Adjustment: The GMASC may consider adjustments to the population and employment growth allocations contained in Appendix A of CPPs in the years between Washington state-required updates. The following steps shall be used:

- a. Based on the results of the long-term monitoring process, the Planners Committee may review and recommend to the GMASC an adjustment to the population and employment allocations.
- b. The GMASC shall review the Planners Committee recommendation to adjust growth allocations and may recommend to the Board of County Commissioners an adjustment to the population and employment allocations. Adjustments to the growth allocations shall be based on the results of the monitoring program and shall be consistent with the GMA and the CPPs.
- c. The Board of County Commissioners shall consider the recommendation of the GMASC and may amend the CPPs with adjusted population and employment allocations for cities and towns, UGAs, and rural areas.

Any disputes regarding the roles and responsibilities of the Board of County Commissioners, the GMASC, and individual jurisdictions in reviewing and approving amendments to the Countywide Planning Policies shall be resolved in accordance with the procedures established by the 2002 Framework Agreement.



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AFTER RECORDING RETURN TO:
SKAGIT COUNTY BOARD OF COMMISSIONERS
700 SO. SECOND STREET, ROOM 202
MOUNT VERNON, WA 98273

DOCUMENT TITLE: 2002 Framework Agreement Among Skagit County, rhe City of Burlington, the City of Mount Vernon, the City of Anacortes, The City of Sedro Woolley, and the Town of LaConner

DATE SIGNED: November 26, 2002

GRANTOR: SKAGIT COUNTY

GRANTEE: Cities of Burlington, Mount Vernon, Anacortes, Sedro Wooley and the Town of LaConner

COUNTY CONTRACT NO.:

'2002 FRAMEWORK AGREEMENT'

ORIGINAL

**AMONG
SKAGIT COUNTY,
THE CITY OF BURLINGTON, THE CITY OF MOUNT VERNON, THE
CITY OF ANACORTES, THE CITY OF SEDRO WOOLLEY, AND THE
TOWN OF LACONNER**

**REGARDING COORDINATED PLANNING, URBAN SERVICES, AND
COUNTYWIDE PLANNING POLICIES**

WHEREAS, pursuant to Chapter 36.70A RCW, Skagit County (the "County") and each city and town situated therein (the "City" or "Cities") must adopt a comprehensive plan and development regulations to implement their respective comprehensive plans; and

WHEREAS, pursuant to RCW 36.70A.210, the County legislative authority must adopt county-wide planning policies ("CPPs") in cooperation with the Cities; and

WHEREAS, CPPs are defined by the Growth Management Act as the written policy statements that establish a framework for developing and adopting county and city comprehensive plans, and thereby provide a locally adopted format for meeting the state planning goals; and

WHEREAS, in accordance with RCW 36.70A.210, the comprehensive plans adopted by the Cities and by Skagit County must be consistent with the CPPs; and

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WHEREAS, a Framework Agreement is necessary to set out the agreed upon procedures by which the CPPs will be developed and adopted; and

WHEREAS, pursuant to RCW 36.70A.210, just such a Framework Agreement was adopted by the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley, the town of La Conner, and Skagit County on January 13, 1992; and

WHEREAS, these jurisdictions used the Framework Agreement to reach agreement in 1992 on a set of CPPs, and subsequently amended those CPPs in 1996; and

WHEREAS, these jurisdictions have all adopted comprehensive plans and development regulations pursuant to GMA requirements and those CPPs; and

WHEREAS, pursuant to RCW 36.70A.130 (as amended by SSB 5481), the comprehensive plans and development regulations of the County and of the Cities must be reviewed to ensure compliance with the Growth Management Act no later than December 1, 2005, and every five years thereafter (exclusive of policies and development regulations to site secure community transition facilities, which policies and development regulations must be completed by September 1, 2002 in accordance with RCW 36.70A.200 and ESSB 6594); and

WHEREAS, the parties find it in the best interest of the citizens served by each government to make the most effective and efficient use of planning resources; and

WHEREAS, the parties find that the most efficient and effective use of resources to provide planning services and grants administration may be better achieved by a new organizational structure than that established by the 1992 Framework Agreement; and

WHEREAS, the parties, after thorough examination of the structure of the existing County-Wide Planning Policies Committee, conclude it to be in the best interest of the citizens to rescind the existing 1992 interlocal agreement, and dissolve the County-Wide Planning Policies Committee created by the 1992 Agreement, and adopt the provisions set forth below in this 2002 Framework Agreement.

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NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANACORTES; THE CITY COUNCIL OF THE CITY OF BURLINGTON; THE CITY COUNCIL OF THE CITY OF MOUNT VERNON; THE CITY COUNCIL OF THE CITY OF SEDRO WOOLLEY; THE TOWN COUNCIL OF THE TOWN OF LACONNER; AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SKAGIT, THAT THE 1992 FRAMEWORK AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO, IS HEREBY REPEALED AND ANNULLED.

BE IT FURTHER RESOLVED, THAT THE FOLLOWING AGREEMENT, TO BE KNOWN AS THE "2002 FRAMEWORK AGREEMENT", IS HEREBY ADOPTED.

SECTION I: PURPOSE

It is the intent of Skagit County and the Cities to cooperate in efforts to provide visionary leadership on regional plans, policies and issues. It is the purpose of this Agreement to enhance the ability of the parties to improve the present health, safety, convenience and welfare of their citizens and to plan for the future development of the Cities and the County to the end that the governments achieve a county-wide pattern of community-building, land use, and conservation that reflects the environmental, economic, aesthetic, and social values of city and county residents.

This Agreement will improve the collective ability of the parties to address pertinent issues in an integrated, coordinated and on-going manner, and to respond flexibly and intelligently to events that affect the welfare of city and county citizens. The Agreement also will encourage the effective design and implementation of appropriate tools--both regulatory and non-regulatory--that can provide the means to manage and direct growth in a manner that will achieve compliance with the Washington Growth Management Act.

To assist in accomplishing the above and other tasks related to developing complimentary comprehensive plans, it is the intent of Skagit County and the Cities to cooperatively support a planning organization as further described in Section 3 below, to recommend CPPs and thereby ensure the adoption of consistent comprehensive planning policies. The primary functions of such planning organization shall be to:

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- Develop, as appropriate, policies for transportation, growth management, environmental quality, and other topics determined by the GMA Committee's Steering Committee;
- Provide agreed and accepted data and analysis to support local and regional decision making;
- Build community consensus on regional issues through information, and citizen involvement at the local level;
- Build intergovernmental consensus on regional plans, policies and issues, and advocate local implementation;
- Establish a mechanism to systematically and logically update the CPPs as necessary; and
- Develop procedures for siting regional essential public facilities that includes regional input.

SECTION 2: DISSOLUTION OF COUNTYWIDE PLANNING POLICIES COMMITTEE

The GMA Committee shall be the successor to the Countywide Planning Policies Committee of Skagit County, which Countywide Planning Policies Committee shall be dissolved upon the implementation of the GMA Committee by virtue of the execution of this Agreement and the filing of a copy of this Agreement with the Skagit County Auditor. Each City shall also file a copy of this Agreement with its respective city clerk.

SECTION 3: ORGANIZATION

The GMA Committee shall consist of a Steering Committee supported by a Technical Advisory Committee.

A. Steering Committee. The Steering Committee shall consist of the Mayors of each City, or a City council member designated by the Mayor, and the three Skagit County Commissioners. The Steering Committee shall develop recommendations for CPPs, including UGAs and residential, commercial and industrial allocations, as set forth herein.

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B. Voting. Policy decisions, including the content of CPPs, should be arrived at by consensus. In the event unanimous consent cannot be achieved, decisions shall be made by a simple majority of the number of votes present, as described in Section 9, unless the issue involves a recommendation on a CPP or CPP amendment after dispute resolution, in which case, supermajorities of the number of population-weighted votes and of the jurisdictions present and voting at the meeting as described in Section 9 (G) shall prevail. Policy decisions concerning the alteration of any UGA boundary, or proposed change to any municipal UGA population or commercial/industrial allocation, shall not take effect until also ratified by both the City whose UGA is affected by the proposed change, and the County. The City whose UGA is affected by the proposed change, or the County, has the discretion to decline to ratify the proposed change, in which event the proposed change shall not take effect. There shall be no appeal from such decision to decline to ratify, other than an appeal if provided by RCW 36.70A.

C. Steering Committee Meetings; Quorum; Rules. The GMA Steering Committee shall conduct regular meetings, as it deems necessary for the transaction of its business. At a minimum, the GMA Steering Committee shall hold one regular meeting per year and shall always provide a minimum of two weeks written notice to all members of any meeting of the Steering Committee. The GMA Steering Committee may adopt By-Laws for the transaction of business, but in any event shall keep minutes of all proceedings, including transactions, findings, determinations, and the number of votes for and against each question, and if any member is absent or disqualified from voting indicating the fact, all of which shall be filed in the office of the County Commissioners, and shall be public records. A majority of the members including the chairman or acting chairman shall constitute a quorum for the transaction of any business. All Steering Committee meetings shall be open to the public as provided in Section 7, below.

D. Steering Committee Officers. The Steering Committee shall elect, from among its members, a Chairman and Vice Chairman, and any other officers that it deems necessary. The Chairman and Vice Chairman shall be one from the County and one from the Cities. In the absence of the Chairman, the Vice Chairman shall act and shall have all the powers and duties of the Chairman. The terms of the officers shall be for one (1) year.

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E. Technical Advisory Committee. The Technical Advisory Committee (TAC) is a staff committee consisting of the Planning Directors of the Cities and the County Planning Director and two (2) County Assistant Planning Directors. The Steering Committee shall direct the work of the Technical Advisory Committee.

F. SEPA. The City whose UGA is affected and the County shall share SEPA lead agency responsibility pursuant to WAC 197-11-944 as to UGA Boundary changes and population and commercial/industrial adjustments as described in Sub-Section B of the this Section. Otherwise each jurisdiction will be responsible for its own SEPA review as necessary.

G. Additional Members. Any City of Skagit County that is not a party to this Agreement shall also be admitted as a party to this Agreement when they complete the following steps: 1) Giving written notice of the intent to participate to all other parties to this Agreement, 2) Executing and adopting this Agreement, and 3) Agreeing to and complying with the rules of participation as set by the Steering Committee. Further, membership for purposes of voting shall be in the same proportion as any other "member" party to this Agreement, all as set forth in Section 9 below. In addition, compliance with this Section 3, Paragraph G, must be completed a minimum of two weeks prior to such additional member having a valid vote under this Agreement.

SECTION 4: TERM

The term of this Agreement is from November 1, 2002 through October 31, 2003, and shall automatically renew each year unless terminated as provided in Section 11 herein.

SECTION 5: POWERS AND DUTIES

The GMA Steering Committee shall have the following specific powers:

- (1) To adopt rules of procedure and bylaws, to regulate its affairs and conduct business, including the ability to establish minimum requirements for attendance at meetings by member representatives;
- (2) To hold public hearings and sponsor public forums whenever deemed necessary or useful in the execution of the functions of the GMA Committee;

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- (3) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities;
- (4) To advise the legislative bodies of the parties hereto, and to recommend to such legislative bodies proposed planning policies, including UGA boundary or allocation adjustments as developed by the Steering Committee;
- (5) To approve an annual work plan for the GMA Committee; and
- (6) To direct and supervise the activity of the Technical Advisory Committee.

SECTION 6: ROLE WITH LEGISLATIVE BODIES

Referral of Draft Documents. It is incumbent on the GMA Committee to refer issue statements, potential policy determinations, and draft policies to the legislative bodies of the member jurisdictions at the earliest possible time, to provide a meaningful opportunity for public comment, and to solicit input from the member jurisdictions' legislative bodies. Statements on policy formation should be provided by the Steering Committee on a monthly basis when discussions are taking place. The GMA Committee shall not substitute for or replace the duties and responsibilities of the legislative bodies of the member jurisdictions.

SECTION 7: PUBLIC RECORDS AND MEETINGS

A. Public Records. As a joint project between the parties, all documents prepared for use by the GMA Committee shall be subject to Washington's Public Records Act. Requests to review records under that Act shall be addressed by the party receiving the request.

B. Public Meetings. All meetings of the Steering Committee shall be subject to the provisions of Chapter 42.30 RCW, provided that the provisions of RCW §§ 42.30.120 and 42.30.130 shall not apply to meetings of the GMA Committee and the Steering Committee unless otherwise made applicable by Chapter 42.30 RCW.

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SECTION 8: PUBLIC PARTICIPATION

GMA obligates each member jurisdiction to include meaningful public participation prior to adoption of any plan or development regulation that may be the subject of a GMA Committee recommendation. Rather than replace these individual jurisdiction public participation processes and the resulting public input, it shall be the role of the Steering Committee to strive to balance any competing interests that may come out of the different public participation processes in making policy recommendations to its member jurisdictions.

SECTION 9: DISPUTE RESOLUTION

A. This Section 9 only applies to the process for development of CPP recommendations, unless otherwise agreed upon in writing by the voting parties.

B. Good Faith Efforts. The parties shall seek in good faith to resolve any dispute arising out of or relating to this Agreement, and any policy, recommendation, statement of position, or other matter determined by the Steering Committee. In the event such dispute or conflict arises, the parties agree that, notwithstanding such dispute or conflict, the parties will make a good faith effort to cooperate in continuing to work toward the successful completion of the work program.

C. Notice of Dispute. If in disagreement with any CPP policy recommendation of the Steering Committee, the disputing party or parties shall provide the Chairman of the Steering Committee with a signed written notice of such disagreement, identifying generally the nature and circumstances that caused the disagreement.

D. Invocation of Alternative Dispute Resolution ("ADR"). If the disagreement is not resolved to the disputing party's satisfaction within 60 calendar days of submitting the written statement, the disputing party may invoke non-binding ADR procedures as set forth below.

E. Cost of ADR. The parties agree that the cost of any ADR procedures shall be borne one-half by the disputing party or parties, and the other half by the GMA Committee, with each party bearing its own preparation costs. The GMA Committee cost shall be allocated to those

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parties which are not disputing the issue(s) based on the population weighted formula set-forth in Section 9, paragraph G.

F. ADR Procedures.

(1) Selection of Mediator. The parties shall agree on a mediator. If the parties cannot agree on a mediator, the parties shall request, in writing, an appointment of a mediator by the presiding judge of Skagit County Superior Court.

(2) Rules. Mediation. The method and rules for any ADR procedure shall be as agreed by the parties or, if the parties cannot agree, mediation shall be administered in a manner determined by the mediator.

(3) Location. All mediation proceedings shall be conducted within Skagit County unless otherwise mutually agreed upon, in writing, by the parties.

G. Failure of Mediation. In the event that mediation does not result in an acceptable settlement within 90 days from the selection of a mediator, the Steering Committee is authorized to take a final binding vote as follows:

(1) Each jurisdiction represented on the Steering Committee is authorized the number of votes equal to its most recent official population estimate provided by the State Office of Fiscal Management, provided that the County shall be authorized the number of votes corresponding to the total population of the County less the population of the incorporated Cities within the County;

(2) In the case of the County, for purposes of the population-weighted vote, each voting member is allocated an equal portion of the number of votes equal to the most recent official population estimate for unincorporated Skagit County provided by the State Office of Fiscal Management. To illustrate, if all three County Steering Committee representatives participate in any vote, then the three representatives shall each represent one third of the County's population. If two County Steering Committee representatives participate in any vote, then each shall represent one-half of the County's population. For purposes of determining

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the County's vote (s) by jurisdiction, each County Steering Committee representative casting a vote shall be considered a single "jurisdiction"; and

(3) A supermajority of 75% of the number of votes present at the meeting shall be required to pass the recommendation.

(4) Additionally, no such recommendation shall pass unless it receives the affirmative vote of at least sixty percent (60%) of the jurisdictions present and voting on the question.

(5) If either the 75% super majority or the concurrence of 60% of the voting jurisdictions cannot be achieved, no Steering Committee recommendation shall be forwarded to the Board of County Commissioners and no County Commissioner action shall be taken on that particular CPP issue.

H. The time periods specified in this Section 9 may be shortened, if necessary, to meet any compliance deadline imposed by a decision of the Growth Management Hearings Board, the courts or the State Legislature.

SECTION 10: CPP ADOPTION

Adoption of any new CPP or Amendment to an existing CPP shall follow the procedures set-forth herein, in particular those procedures set-forth in Sections 3 and 9, culminating in adoption by the Board of County Commissioners. The Board of County Commissions has the discretion to decline to adopt any specific set of CPP Amendments proposed by the GMA Steering Committee, but may not change the proposed CPP or CPP Amendments in any manner whatsoever. Nothing in this Agreement shall serve as a waiver of any party's right to an appeal as provided by RCW 36.70A and/or WAC 197-11.

SECTION 11: WITHDRAWAL; TERMINATION

A. Withdrawal. Any party to this Agreement may withdraw from this Agreement, by providing 60 day's written notice to the remaining parties. Any withdrawing party shall remain liable for costs incurred by the Committee until the effective date of withdrawal.

B. Termination. The parties hereto may terminate this Agreement at any time by unanimous vote of the parties.

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SECTION 12: GENERAL PROVISIONS

A. Property: No real property shall be acquired pursuant to this Agreement.

B. Incorporation of Recitals. The recitals of this Agreement are incorporated into this Agreement, and each party hereto acknowledges and confirms the truth and accuracy of the recitals.

C. Interpretation. This Agreement shall be construed under and in accordance with the laws of the State of Washington, and all obligations of the parties created by this Agreement are performable in Skagit County, Washington.

D. Authority. This Agreement is entered into by the duly authorized officials of each respective governmental entity. Each person signing this Agreement on behalf of a party hereby confirms for the benefit of each of the other parties to this Agreement that any requisite approvals from the governing body of such party have been obtained, and all prerequisites to the execution, delivery and performance hereof have been obtained by or on behalf of that party.

E. Renegotiation. In case any one or more of the provisions hereof should be held to be illegal, invalid or unenforceable in any respect, the parties agree to make a good faith effort to renegotiate another agreement to fulfill the purpose and intent of the present Agreement.

F. Invalid Clause. If any material provision of this Agreement is held to be illegal, invalid or unenforceable in any respect, this entire Agreement shall be held invalid, subject to Section 13 herein. If such occurs, then the parties agree to renegotiate this Agreement in good faith. If the illegal, invalid or unenforceable provision is not material, such illegality, invalidity or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been included in this Agreement.

G. Entire Agreement. This Agreement constitutes the entire agreement among the parties hereto with respect to the subject matter hereof, and supersedes any prior understandings or written or oral agreements between the parties with respect to the subject matter of this Agreement. No amendment, modification or alteration of the terms of the

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Agreement shall be binding on any party unless the same is in writing, dated subsequent to the date hereof, and is duly executed by the party against whom enforcement is sought.

H. Notices. Any notice permitted or required under the terms hereof shall be in writing and shall be deemed delivered three days following the deposit of the same, properly addressed and with postage prepaid, into the care and custody of the United States Postal Service, by registered or certified mail, return receipt requested, to the respective Participant to whom notice is to be given, at the party's customary business address with a copy to the County Prosecutor.

I. Recordation. A copy of this Agreement shall be filed with the County Auditor and with the city clerk of each jurisdiction adopting this Agreement, with each party to bear its own costs of such filing, provided that such filing shall not be a condition precedent to the enforcement of this Agreement.

SECTION 13: REVOCATION OF AGREEMENT

The Framework Agreement, dated January 13, 1992, is revoked. This Section shall survive, notwithstanding Section 12, paragraph F, above, such that in the event this Agreement is ever held to be invalid, such a ruling shall not have the effect of reinstating the January 13, 1992, Framework Agreement.

IN WITNESS WHEREOF the parties hereto have executed this document as of the day and year first above written.

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DATED: Nov. 26, 2002

SKAGIT COUNTY:

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Don Munks
By: Don Munks, Chairman

Kenneth A. Dahlstedt
By: Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson
By: Ted W. Anderson, Commissioner

ATTEST:

Joanne Giesbrecht
Joanne Giesbrecht, Clerk
Skagit County Board of Commissioners

Approved as to form:

John R. Moffat
JOHN R. MOFFAT
Chief Civil Deputy

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CITY OF SEDRO WOOLLEY:

DATED: 10-25-02

Sharon Dillon
By: SHARON DILLON, Mayor

ATTEST:

Patsy K. Nelson
By: PATSY NELSON, Clerk

Approved as to form:

Patrick Hayden
PATRICK HAYDEN
Sedro Woolley City Attorney

CITY OF MOUNT VERNON:

DATED: 11-14-02

Skye Richendrer
By: SKYE RICHENDRER, Mayor

ATTEST:

Mark Knowles
By: MARK KNOWLES
Finance Director

Approved as to form:

Scott Thomas
SCOTT THOMAS
Mount Vernon City Attorney



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CITY OF ANACORTES:

DATED: 11/14/02

H. Dean Maxwell
By: H. DEAN MAXWELL, Mayor

ATTEST:

George K. Kahan
By: City, Clerk

Approved as to form:

Ian P. Munce
IAN MUNCE
Anacortes City Attorney

CITY OF BURLINGTON:

DATED: 10/14/02

Roger Tjeerdsma
By: ROGER "Gus" TJEERDSMA,

Mayor

Attest:

Richard A. Patrick
By: RICHARD A. PATRICK
Finance Director

Approved as to form:

Marilyn Nitteberg
MARILYN NITTEBERG
Burlington City Attorney

(Anacortes & Burlington's signature page)

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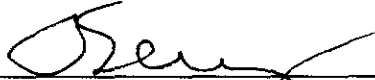


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TOWN OF LACONNER:

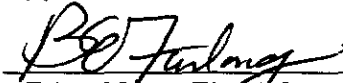
DATED: 11-08-02


BY: ERON BERG, Mayor

ATTEST:


By: Debby Malarchuk, Clerk

Approved as to form:


BRADFORD FURLONG
LaConner Town Attorney

(LaConner's signature page)

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