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JOB NO. 09006B

RAVNIK & ASSOCIATES, INC.
CIVIL ENGINEERING
& LAND-USE PLANNING

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Linda Hammons	John Ravnik
COMPANY:	DATE:
Skagit County Commissioners	November 22, 2011
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
360-336-9307	6
PHONE NUMBER:	
360-336-9300	
RE:	
Written Comment Submittal to PL 11-0250	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PER YOUR REQUEST

NOTES/COMMENTS:

The enclosed information is submitted as a written comment to the proposed Comprehensive Plan Amendment PL 11-0250 for William Wooding.

Thank you very much,

John Ravnik

John P. Ravnik, P.E.

PO BOX 361/1633 LINDAMOOD LANE
BURLINGTON, WA 98233
PHONE: (360) 707-2048 FAX: (360) 707-2216

Ravnik & Associates, Inc.

CIVIL ENGINEERING & LAND-USE PLANNING

November 22, 2011

Submitted by fax to 360-336-9307

Skagit County Board of Commissioners
c/o Linda Hammons
1800 Continental Place
Mount Vernon, WA 98273

Reference: Applicant's Response to Public Comments Submitted Regarding Proposed 2011 Comprehensive Plan Amendment Docket Recommendation for PL 11-0250

Dear Commissioners:

At the Board of County Commissioners public hearing on November 8, 2011, four private comprehensive plan amendment applications were publicly discussed. The written comment period for these applications was left open until Tuesday November 22, 2011, wherein all written public comments must be received by 4:30 pm on that date.

As of November 21, 2011, Skagit County had received written comments regarding the Wooding proposal (PL11-0250). Please accept the information enclosed herein as the applicant's response to public comments submitted from the following parties:

Friends of Skagit County, dated November 8, 2011
Evergreen Islands, dated November 8, 2011
Skagit Citizens Alliance for Rural Preservation, SCARP, dated November 8, 2011

Accompanying this cover letter are individual responses to comments submitted by the above listed parties. For your convenience, the alleged issues are listed and the applicant's responses are provided in italic format.

Thank you very much for your careful review and consideration of this matter.

Sincerely yours,

John Ravnik

John P. Ravnik, P.E.
Applicant Representative for William Wooding

PC: Mr. Bill Wooding, applicant

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Applicant's Response to Comments Submitted by Friends of Skagit County

The submittal from Friends of Skagit County recommends denial based on two main points.

1) "Skagit County does not have to our knowledge an analysis of the effects of cumulative conversion of forest resource lands" and

2) "This proposal should be considered in the context of the South Fidalgo sub-area plan that the County has accepted and whose citizen council is active in determining changes to the plan."

Regarding comment 1) noted above: This comment is not applicable for the simple fact that the subject parcel is inaccurately identified as a "forest resource land". As previously submitted to the County Commissioners, the Comprehensive Plan has established three types of criteria for establishing a "resource land".

a) The parcel must be approximately 40 acres or greater that contain private forest lands grades, PLFG, (1-3).

The Wooding parcel contains approximately 20 acres of PLFG 3 and 15 acres of PLFG 4. Collectively, the subject property is then ***not*** *classified as resource land, and, 20 acres does not equate to "approximately 40 acres". Therefore, the subject parcel does not meet this criterion as a resource land.*

b) Lands meeting (a) that comprise contiguous areas of approximately 160 acres and larger.

Although Mr. Wooding does own abutting Rural-Resource-designated lands to the north, his total ownership only comprises approximately 83 acres, with much of the northerly resource land dedicated to an active surface mining gravel pit. Surrounding zonings abutting the subject CPA parcel comprise Rural Reserve to the south and east with Rural Intermediate to the southwest and west. Mr. Wooding's total ownership is certainly not "approximately 160 acres and larger of forest land", nor is there an approximate 160-acre block of resource land in this area.

c) Parcels meeting **both (a) and (b)** shall be further evaluated for inclusion or exclusion in Rural Resource Lands based upon additional factors such as participation in a current-use tax assessment program, whether the area is currently in small-scale agriculture or forestry use for has been within the proceeding ten years, and minimal improvements or financial expenditures have been made to non-resource related uses in the area as a whole, and whether the area has limited availability of public services and facilities (although the area may be located within a public water district.

Evaluating the subject parcel by the third criteria is not applicable because the subject parcel does not meet the standards of criteria (a) and (b). However, even if the parcel did meet the criteria (a) and (b) above, it does not meet the criteria of the further evaluation requirements listed in items (i)-(iii) as it (1) does not participate in a current-use tax assessment program, (2) is not nor in the past ten years has been used for agriculture or forestry, and (3) does not have limited availability of public services.

Regarding comment 2) noted above: During research and preparation of the Wooding comprehensive plan amendment, the draft South Fidalgo sub-area plan was reviewed as described in the supporting information submitted with the application. Reiterating these criteria:

Per the Draft 2006 Fidalgo Island Subarea Plan, it was estimated that growth would result in the need for between 700 and 950 new homes by 2025. The capacity of the remaining undeveloped area is complicated by the critical area constraints as well as by utility availability and the restrictions on rural density mandated by the GMA. The Subarea Plan states: "If the question is: Is there enough land capacity under current zoning to accommodate up to 950 new homes during the next 20 years? - the answer is: Almost."

Based on analysis, the Citizens' Advisory Committee, CAC, noted that the Fidalgo Island development capacity was already limited by a number of factors such as critical areas, parcel configurations, and utility availability, therefore resulting in a loss of potential opportunities for "Fidalgo-style" rural development. This discussion led to the CAC's recommendation that all of the currently zoned Rural Resource lands be up-zoned to Rural Intermediate which would allow an increase in density from 1 dwelling unit per 10 acres to 1 per 2.5 acres. However it was also proposed that further density increases associated with the CaRD subdivision approach would not be allowed in the Subarea.

Applicant's Response to Comments Submitted by Evergreen Islands

Evergreen Islands states that the Wooding parcel does not warrant removal from the RRc-NRL designation based on the following four comments which clearly mirror comments that County staff initially presented at the hearing on November 8, 2011, as follows:

1) "Although the parcel itself is less than 40 acres in size, it is part of a larger block of RRc-NRL."

This is a true statement; however the remaining parcels within this "larger block" are partially overlain by an approximate 25.2-acre Mineral Resource Overlay, MRO, which allows the existing, ongoing gravel pit uses. The subject CPA parcel was zoned RRc-NRL based on the adjacent gravel pit use, however gravel mining is not an allowed use on the subject parcel based on current zoning because there is no MRO. Also, it has been previously shown that the subject parcel does not meet the criteria for an agricultural or forest natural resource land. It is therefore very clear that the subject parcel has been incorrectly zoned as undoubtedly it does not contain the elements of a resource land as defined by Skagit County's Comprehensive Plan.

2) "According to soils maps, a majority of the parcel (approximately 56%) contains soils rated PFLG 3 as identified in the Rural Resource-NRL designation criteria, with the remainder rated PFLG 4."

The requirement of having Private Forest Land Grade of 1 – 3 is only one of the three necessary criteria listed for determining a Rural Resource land as described previously regarding comments from the Friends of Skagit County. It should be noted that the Comprehensive Plan criteria also stipulates that the parcel shall be "approximately 40 acres or larger and have a PFLG 3 designation". The subject Wooding parcel only has approximately 21 acres of land having a PFLG 3 designation, while the remainder of the 35 acre parcel has a PFLG 4 designation which is not considered a forest resource criteria.

3) An initial examination of the property by the Department's geologist indicates uniform tree growth across the subject site and across the two soils types.

The fact still remains that the subject property does not meet all three of the necessary criteria for it to be recognized as a forest natural resource land.

This proposed increase in rural density should only be allowed in conjunction with the development of the South Fidalgo subarea plan.

It is not the intent of a Subarea plan to identify specific zoning for a specific property. A subarea plan is intended to be a broad planning document used to identify and encourage sensible growth patterns outside of incorporated cities and UGA, and is intended to ensure compatible land uses and consistency with Skagit County's Comprehensive Plan. As proven, the subject property has been incorrectly designated as a natural resource land. As such, the zoning should be corrected to reflect an accurate zoning which fits the surrounding residential area, while still being able to provide the desirable buffer from the ongoing gravel mining activities located to the north. Furthermore, as noted in the response to comments from the Friends of Skagit County, the subarea plan actually identifies a need for more land that can be reasonably developed for residential uses.

Applicant's Response to Comments Submitted by Skagit Citizens Alliance for Rural Preservation, SCARP

SCARP submitted comments proposing rejection of the Wooding proposal stating "Protection of resource lands is essential to maintaining Fidalgo Island's environmental health." Adding "Increasing density in this particular area is ill-advised."

As previously noted herein and within the original application submitted, the Wooding parcel does not even closely fit the criteria of a resource lands. Also, the addition of four additional residences to the approximate 9,500 acres assumed to be located within the Fidalgo Island subarea is not significant and is not anticipated to impact Fidalgo Island's environmental health. All future residential development would be required to meet current regulatory requirements for water, sewer, storm drainage, traffic, noise, glare, odor, etc to best mitigate potential impacts.