An Ordinance Adopting the 2026 Amendments to the Comprehensive Plan, Zoning Map, Development Regulations, and Countywide Planning Policies

Whereas, the Growth Management Act requires the County to have a process for receiving suggestions for amendments to the Comprehensive Plan policies, Comprehensive Plan map, and development regulations; and

Whereas, the Growth Management Act allows amendment of the Comprehensive Plan only once per year, and this action constitutes that amendment; and

Whereas, the County received proposals from the public by the last business day in July deadline established by SCC 14.08.030; and

Whereas, the County issued public notice on March 12, 2026, and received public comment, and the Board of Commissioners held a public hearing on April 14, 2026; and

Whereas, on May 19, 2026, the Board of County Commissioners established the 2026 Comprehensive Plan Amendment docket through Resolution R20260102, which included the following proposals: and

- LRPLN-2025-0001 Wilson-Diedrich Small Scale Business Rezone
- LRPLN-2025-0003 Rasar Mineral Resource Overlay (MRO) Designation
- C26-1 General Code Language Clean-Up

Whereas, the County issued notice on July 16, 2026, and received public comment, and the Planning Commission held a public hearing on August 18, 2026, and separately deliberated and issued a Recorded Motion on September 15, 2026 (**Attachment 1**); and

Whereas, the Planning Commission recommended approval of the following docketed amendments: LRPLN-2025-0001, LRPLN-2025-0003, C26-1; and

Whereas, the Board of County Commissioners has reviewed the public comments and the Planning Commission's Recorded Motion for the 2026 docket; and

Whereas, Adoption of this ordinance resolves the concerns identified in Interim Ordinance O20260005, which temporarily prohibited the acceptance of permit applications for data centers exceeding 2,000 square feet and that have a total planned electrical load of 2 megawatts or greater.

Now Therefore Be It Ordained by the Board of County Commissioners:

Section 1. Item LRPLN-2025-0001 is approved, consistent with the Planning Commission's Recorded Motion (**Attachment 1**), rezoning 0.3 acres of Parcel # P23311 from Rural Village Residential (RVR) to Small-Scale Business (SSB), effectively zoning the entire property SSB.

Section 2. Item LRPLN-2025-0003 is approved, consistent with the Planning Commission's Recorded Motion (**Attachment 1**), designating five parcels (P109100, P109099, P109098, P34222, and P34223), totaling approximately 13.93 acres within the Mineral Resource Overlay (MRO) to provide for potential future mineral extraction opportunities.

Section 3. Item C26-1 is approved as shown in the Planning Commission's Recorded Motion (**Attachment 1**) and redline code changes (**Attachment 2**).

Section 4. The moratorium adopted by Interim Ordinance O20260005 is hereby rescinded.

Witness Our Hands and the Official Seal of Our Office this 19 day of Oct., 2026.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Ron Wesen

Ron Wesen, Chair

SKAGIT COUNTY COMMISSIONERS SEAL COURT STATE OF WASHINGTON

Peter Browning, Commissioner

Joe Burns, Commissioner

ATTEST:

Clerk of the Board

APPROVED AS TO CONTENT:

For Jack Moore

Jack Moore, Director
Planning & Development Services

APPROVED AS TO FORM:

Civil Deputy
Skagit County Prosecutor's Office

Skagit County Planning Commission

www.skagitcounty.net/planningcommission

Chair Tim Raschko **Vice Chair** Angela Day
Members Xuhua Mu, Ian Larsen, Patricia Good, Kiera Wright, Joe Woodmansee

Tuesday, September 15, 2026
Skagit County Planning Commission's Recorded Motion regarding 2026 Docket of Comprehensive Plan, Map, and Development Code Amendments

Proposal publication date:	July 16, 2026
Proposal name:	**2026 Docket of Comprehensive Plan, Map, and Development Code Amendments**
Documents available at:	www.skagitcounty.net/2026CPA
Public hearing body:	**Skagit County Planning Commission**
Public hearing date:	Tuesday, August 18, 2026, at 6:00 p.m.
Written comment deadline:	**Thursday, August 20, 2026 at 4:30 p.m.**
PC deliberations:	September 15, 2026

On May 19, 2026, the Skagit County Board of Commissioners deliberated on the proposals for the 2026 docket, including public comments received, and passed Resolution R20260102.

The Planning Commission held a work session on the docket on July 14, 2026, prior to the public hearing. The staff report published on July 7, 2026, contains findings related to each docket petition, department recommendations, and public notice.

On July 16, 2026, the Planning and Development Services Department published a Notice of Availability (including SEPA determination of non-significance and notice of written comment period and public hearing) and staff report and transmitted a 60-day Notice of Intent to Adopt to the Department of Commerce. The public comment period was open from July 16, 2026, until August 20, 2026, in which the County received 16 comments.

All written comments and hearing testimony were provided to the Planning Commission.

Planning Commission deliberated on the docket on September 15, 2026.

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

Recommendations, Findings of Fact and Reasons for Action

LRPLN-2025-0001 Old Day Creek Road Small Scale Business Rezone

The Planning Commission recommends that the Board of County Commissioners - **Approval** the zoning map amendment to rezone 0.3 acres of parcel P23311 from Rural Village Residential (RVR) to Small Scale Business (SSB).

Findings of fact and Reasons for Action:

1. Goal 3C-9 of the Comprehensive Plan recognizes the land use needs of existing and new Small Scale Businesses (SSB) that are beyond the size and scale of Home-Based Businesses (HBBs).
2. The subject property is already located in a Type 1 Limited Areas of More Intense Rural Development (LAMIRD) and the proposed rezone from Rural Village Residential (RVR) to Small Scale Business (SSB) will not create a new LAMIRD.
3. Comprehensive Plan Policies 3B-1.1, 3B-1.6, and 3C-9.1 through 3C-9.7 support small-scale businesses on existing nonresidential sites when the use is compatible with the surrounding rural area.
4. The proposed rezone would not change the County's population forecasts or non-urban population distribution. The property is below the minimum lot size for subdivision, and the site has limited potential for residential development.
5. Rezoning the property to SSB would not require urban services, and would not result in urban-scale development.
6. The proposed rezone is not expected to create a significant additional demand for public services or facilities and would not create an amendment to the levels of service established in the Capital Facilities Plan.

Recommendation:

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	x			
Angela Day, Vice Chair	x			
Xuhua Mu	x			
Ian Larsen	x			
Patricia Good	x			
Joe Woodmansee	x			
Kiera Wright	x			
Total	7			

LRPLN-2025-0003 Rasar Mineral Resource Overlay Designation Amendment

The Planning Commission recommends that the Board of County Commissioners **Approve** the petition seeking to designate five parcels—P109100, P109099, P109098, P34222, and P34223—within the Mineral Resource Overlay (MRO).

Findings of fact and reasons for action:

1. The Growth Management Act requires counties to designate mineral resource lands based on maps and information on location and extent of mineral deposits provided by the department of natural resources, the United States Geological Service and any relevant information provided by property owners. (RCW 36.70A.050 and WAC 365-190-070).
2. The Countywide Planning Policies support the protection and continued availability of mineral resources for long-term commercial use.
3. The properties proposed to be added to the MRO are zoned Rural Resource–Natural Resource Lands (RRc-NRL) and are located next to an existing mining operation and the existing MRO boundary.
4. Comprehensive Plan Policy 4D-1.1(a) considers lands containing minerals that are minable, recoverable and that are anticipated to be commercially traded, marketable. Site-specific geologic information identifies commercially significant sand and gravel resources on the property that are at recoverable depths.
5. Comprehensive Plan Policy 4D-1.3(c) prefers mining operations to be located within one to two miles of a public road. The properties proposed to be designated MRO are within one mile of a public road (Old Hwy 99) and are already served by an existing driveway utilized by the existing mining operation.
6. Comprehensive Plan Policy 4D-1.3(e) supports mining within two hours driving distance from incorporated cities or other points of use. The properties proposed for designation are approximately 10 minutes from the closest city.
7. The properties proposed to be added to the MRO are not within one-quarter mile of a Rural Village, Rural Intermediate zone, or an Urban Growth Area.
8. The proposed MRO designation would not change the underlying RRc-NRL zoning or the County's population forecasts and non-urban population distribution.

9. Designation of the properties within the MRO does not authorize mining. Any future mining operation would require a Hearing Examiner Special Use Permit under SCC 14.52 and would be subject to SEPA review and other applicable County requirements, including requirements related to buffers, aquifer protection, and critical areas.
10. Planning Commission recognizes the absence of the policy of aggregation. However, we also recognize that these lots aggregate in a practical way with the adjacent existing mine site.

Recommendation:

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	x			
Angela Day, Vice Chair	x			
Xuhua Mu		x		
Ian Larsen	x			
Patricia Good	x			
Joe Woodmansee	x			
Kiera Wright		x		
Total	5	2		

C26-1 General Code Language Clean Up

The Planning Commission recommends that the Board of County Commissioners **Approve** the amendments included in the annual code language clean up.

Findings of fact and reasons for action:

1. **Title 14 Code Reorganization.** RCW Chapter 36.70B, which governs local project review procedures, was recently updated by state legislation with the passage of 2SSB 5290 (2023), with the goal of consolidating, streamlining, and enhancing local permit review processes to achieve better outcomes for applicants, customers, planners, builders, and designers. In response, Skagit County adopted Ordinance 020250005 which reorganized its development regulations with a focus on streamlining residential permitting and improving the code's readability, usability, and administrative efficiency through a clearer and more logical chapter structure.
1. **Opportunities for Further Improvement to Title 14.** Since the adoption of 020250005, PDS staff and the public have used and implemented the reorganized code and have identified opportunities for further improvement, as well as errors that resulted from the reorganization. The amendments proposed by Planning and Development Services staff seek to address these identified opportunities and issues.

Recommendation:

1. Party of Record- Planning commission recommends to the Board Of County Commissioner that they consider whether the addition of number Four creates an unintended substantive change to a Party of Record definition.
2. Party of Record – What are the legal rights of Party of Record?

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	X			
Angela Day, Vice Chair	X			
Xuhua Mu	X			
Ian Larsen	X			
Patricia Good		X		
Joe Woodmansee		X		
Kiera Wright		X		
Total	4	3		

The Planning Commission recommends that the Board of County Commissioners adopt the 2026 Docket of Comprehensive Plan, Map, and Development Code Amendments as recommended.

This recorded motion **is approved** on the 15th day of September 2026.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	X			
Angela Day, Vice Chair	X			
Xuhua Mu	X			
Ian Larsen	X			
Patricia Good	X			
Joe Woodmansee	X			
Kiera Wright	X			
Total	7			

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON

Tim Raschko, Chair — Date: 9/15/26

Jack Moore, Secretary — for Robby Eckroth — Date: 9/15/2026

Exhibit A

2026 Docket—C26-1–General Code Language Cleanup—DRAFT

Plain text = existing code with no changes
~~Strikethrough~~ = existing code to be deleted
Underlined = new code to be added
~~Double Strikethrough~~ = existing code moved to another location
Double Underline = existing code moved from another location
Italics = Instructions for code reviser/reviewer

Markup DRAFT, July 1, 2026

Current Skagit County Code can be viewed by clicking link below:
https://www.codepublishing.com/WA/SkagitCounty/#!/SkagitCounty14/SkagitCounty14.html

Table of Contents

Chapter 14.04 Definitions 3

Chapter 14.06 Permit Procedures 3

Division 1 Zoning and Land Uses 8

Chapter 14.12 Rural Commercial/Industrial Zones and Uses 17

Chapter 14.15 Bayview Ridge UGA Zones and Uses 10

Chapter 14.18 Use Standards and Use Definitions 10

Division 2 Project Design Standards 12

Chapter 14.24 Critical Areas Ordinance 12

Chapter 14.28 Setbacks 12

Chapter 14.29 Signs 12

Division 5 Special Permits 14

Chapter 14.59 Wireless Facilities 14

Division 7 Land Divisions and Boundaries 15

Chapter 14.78 Standards for CaRD Land Divisions 15

Chapter 14.04 – Definitions

ℹ The amendment to the definition of "Party of Record" clarifies that an individual must submit written comments during the official public comment period or provide testimony at an open-record public hearing in order to qualify as a Party of Record, or have formally requested notifications in writing and provided a complete mailing address, consistent with RCW 36.70B.130. The revised definition also expressly includes property owners and applicants.

14.04.020 Definitions.

"Party of Record" means any person who:

1. Participates in a hearing by providing verbal testimony or submitting a written statement regarding a project permit application or legislative action during an open record hearing, and provides the County with a complete mailing address; or
2. Submits a written comment regarding the project or legislative action, and includes a complete mailing address, within the official public comment period; or
3. Is the property owner (when not also the applicant) of a project permit application; or
4. Formally requested to receive information via a written statement with a complete mailing address.

~~"Party of Record" means any person who: has testified at a hearing or has submitted a written statement related to a project permit application and who provides the County with a complete address, or a person who has formally requested to receive information via a written statement with a complete mailing address within the official comment period.~~

Chapter 14.06 – Permit Procedures

14.06.150 Types of review.

(1) – (3) No Changes

ℹ Amendment to Table 14.06.150-1 Types of Review with the following amendments:
- Added Urban Reserve Development Permits (URDP) which was inadvertently not included in Table 14.06.150-1. SCC 14.57.030(e) refers to Hearing Examiner review being required for URDPs.

ℹ Administrative Decision is proposed to be removed as a Type 1 permit, as its only application was for change-of-use requests within the Rural Business zone.

Table 14.06.150-1: Types of Review

	Type 1 Director decision without notice	Type 2 Director decision with notice	Type 3 Hearing Examiner decision	Type 4 Board of County Commissioner decision
(1) **Applications Subject to this Type of Review**	• Accessory dwelling • ~~Administrative decision~~ • Administrative order (SCC 14.09) • Application expiration (SCC 14.06.260) • Boundary line adjustment (SCC 14.72) • Building permit (SCC 15.04) • Critical Areas Review (SCC 14.24) • Flood area development permit (SCC 14.34) • Hazard tree removal (SCC 14.24.130) • Land disturbance permit (SCC 14.22) • Lot certification (SCC 14.06.140) • Minor revision to permit (14.06.520) • Permit extension (SCC 14.06.510) • Shoreline exemption	• Administrative Special Use Permit (SCC 14.51) • Administrative variance (SCC 14.58) • Reasonable Use Exception (SCC 14.24) • Director interpretation (SCC 14.06.130) • SEPA threshold determination • Stormwater exception per SCC 14.32.090(2)	• Critical areas variance to reduce a standard buffer width (SCC 14.24) • Local essential public facility (SCC 14.54) • Hearing Examiner Special Use Permit (SCC 14.51) • Mining operation special use permit (SCC 14.52) • Hearing Examiner variance (SCC 14.58) • Revocation of an SUP (SCC 14.51.070) • Shoreline permit (SCC 14.48) • Urban Reserve Development Permit (URDP) (SCC 14.57)	• Development agreement (SCC 14.53) • Regional essential public facility (SCC 14.54) • Site-specific rezone authorized by the comprehensive plan

	Type 1 Director decision without notice	Type 2 Director decision with notice	Type 3 Hearing Examiner decision	Type 4 Board of County Commissioner decision
	• Stormwater adjustment per SCC 14.32.090(1) • Suspension or revocation of permit (SCC 14.06.530)			
(2) **Pre-Application Conference**	No	Yes, but can be waived	Yes, but can be waived	Yes, but can be waived
(3) **Notice of Application**	No	Yes	Yes	Yes
(4) **Comment Period**[1]	None	15 days	15 days	15 days
(5) **Recommendation By**	None	None	Director	Hearing Examiner
(6) **Pre-Decision Open-Record Public Hearing**	No	No	Yes, held by Hearing Examiner	Yes, held by Hearing Examiner
(7) **Decisionmaker**	Director	Director	Hearing Examiner	Board of County Commissioners
(8) **Notice of Decision**	No	Yes	Yes	Yes
(9) **Review Time Period**[2]	65 days	100 days	170 days	170 days
(10) **Local Appeal Available To**	Hearing Examiner	Hearing Examiner, then BOCC	Board of County Commissioners	None
(11) **Appeal Hearing**	Open-record	Open-record before Hearing Examiner; closed-record before BOCC	Closed-record	None

(4) No Changes

Table 14.06.150-2 No Changes

ℹ Amendments to 14.06.230 and 310 are being made to be consistent with updates to RCW 36.70B.070(2) which states a "project permit application is complete for purposes of this section when it meets the procedural submission requirements of the local government, as outlined on the project permit application."

14.06.230 Application contents.

(1) Applicability. This Section applies to any application submitted for review under this Chapter.

(2) Contents.

(a) The applicant must apply for all permits and approvals required by the Skagit County Code. An application for a project permit must be declared procedurally complete when the County has received all of the following:

(i) – (xi) *No Changes.*

(b) *No Changes.*

14.06.310 Review for procedural completeness.

(1) Applicability. This Section applies to all applications for any project permit.

(2) Criteria. An application is procedurally complete for purposes of this Section when it:

(a) Fully complies with SCC 14.06.230 regarding required contents of applications, including payment of fees;

(b) Is sufficient for continued processing even though additional information may be required, or project modifications may be undertaken subsequently.

(3) *No Changes.*

ℹ Amendment to 14.06.380(5)(a) brings code into consistency with RCW 36.70.970(3).

14.06.380 Decision.

(1) – (4) *No Changes.*

(5) Timing. The decisionmaker must issue a decision on the application:

(a) For a Type 3 review, within ~~30~~10 days following the public hearing, or the public comment deadline, whichever is later, unless a longer period is mutually agreed to in writing by the applicant and the decisionmaker. If the decisionmaker does not issue the decision within the allotted time, the Board of County Commissioners may reassign the matter to another decisionmaker to make a decision on the record as prepared.

(b) For a Type 4 review, within 60 days after receipt of the Hearing Examiner's recommendation.

i New section to include procedural rules for closed record appeal hearing that were not included when 14.06 was rewritten.

14.06.425 Closed Record Appeal Hearings.

(1) Record.

(a) The Hearing Examiner's Office shall transmit to the Board the record from the Hearing Examiner, a copy of the decision or recommendation being reviewed, within 14 days of receiving the notice of appeal.

(b) No new evidence or testimony shall be given or received. The parties to the appeal may submit written statements or arguments prior to the hearing.

(2) Hearing.

(a) The hearing may be continued to a date, time and place certain, without requiring additional public notice, as long as the requirements of the Open Public Meetings Act, Chapter 42.30 RCW, are met.

(b) Closed record appeals and hearings shall be conducted in accordance with the Board's rules of procedure and shall serve to provide argument and guidance for the Board's decision. Closed record appeals or hearings shall be conducted generally in the order provided in SCC 14.06.420(4)

(3) Decision.

(a) Closed record appeals shall be conducted and a decision rendered as set forth in SCC 14.06.410(9).

(b) The Board shall examine the record, the decision, and the arguments presented in the closed record hearing and decide one of the following courses of action:

(i) Affirm the Hearing Examiner's decision and deny appeal.

(ii) Grant the appeal if the Board believes the Examiner's decision is clearly erroneous. If the appeal is granted the Board may:

(A) Remand the matter as set forth in SCC 14.05.430; or

(B) Adopt its own findings, conclusions and decision based upon the record made before the Hearing Examiner.

(c) If the Boad makes a decision under subsection (10)(b)(i) or (ii)(A) the decision does not need to comply with SCC 14.06.410(9)(a) and the decision is sufficient if the decision expresses the Board's determination as to whether the burden of proof had been met.

Division 1 Zoning and Land Uses

Chapter 14.12 – Rural Commercial/Industrial Zones and Uses

ℹ Amendment removes car wash as an allowed use in the Rural Business zone which was inadvertently added to the code in 2025 code reorganization.

14.12.020 Allowed uses.

(1) The uses shown in the table below are allowed in the specified zones. For development standards for these uses, see the use section in SCC Chapter 14.18.

Table 14.12.020-1 Allowed Uses in the Rural Commercial/Industrial Zones

	RB	RFS	SSB	NRI	RMI	SRT
Commercial/Retail Uses						
~~Car Wash~~	~~P~~					

ℹ The term "principal use" is proposed to be removed from the setback requirements for Rural Commercial/Industrial zones because it excludes accessory structures. Prior to the 2025 reorganization, the code did not distinguish between setbacks for principal and accessory structures, and this amendment restores that consistent approach.

Table 14.12.030-1 Dimensional Standards in the Rural Commercial/Industrial Zones

	RB	RFS	SSB	NRI	RMI	SRT
Lot Dimensions						
Minimum lot size (ac)	–	–	–	–	–	–
Minimum lot width (ft)	–	–	–	–	–	–
Lot Coverage						
Maximum lot coverage (%)	50	25	25	–	*	*
Minimum Setbacks ~~(principal use)~~						
Front	35	35	35	50	50	35
Interior side	35	35	*	50	50	35
Rear	35	35	*	50	50	35
Building Size Limits						
Maximum height (ft)	40	40	50	50	50	50

Notes:

1. Values marked with an asterisk (*) are specified within the individual sections for each zoning district of this chapter. Refer to the corresponding sections below for specific setback requirements.

i The amendments to 14.12.100(2) clarify that an applicant with an existing building in the Rural Business zone, even if the building has not been in continuous use, may reoccupy the building and continue the use. The applicant may also replace the building and rebuild within the same footprint, provided the structure complies with the size limitations in subsection (c). The amendments also remove the administrative decision permit process, which is the only instance in the code where that permit type is required. Corresponding updates are made in SCC 14.06.150-1.

14.12.100 Rural Business (RB).

(1) Purpose. The Rural Business zone is intended to provide reasonable expansion and change of use opportunities for existing isolated nonresidential uses in the rural area that provide job opportunities for rural residents and that are not consistent with the other commercial and industrial Comprehensive Plan designations and zones.

(2) Allowed Uses. In addition to the uses in SCC 14.12.020, the following uses are allowed in this zone:

(a) Continuation of ~~an existing~~ commercial use. Commercial uses that have been abandoned may be reoccupied by a new business, provided the use complies with this chapter and all other applicable sections of the Skagit County Code. Structures used for a Rural Business may be demolished and rebuilt in the same location, provided the new structure is compliance with the size limitations in (c).

(b) ~~Subject to an administrative decision, a~~ A change of use from the existing use to a use which is substantially similar to the existing use in terms of the type of commercial activity performed. A substantially similar use must continue the same basic operational characteristics as the existing use, and must be of no greater intensity, density, or generate no greater environmental or traffic impact than the existing use.

(c) A use designated Rural Business may be expanded, but any expansion is limited to a maximum of 50 percent of the gross floor area existing as of June 1, 1997, or 1,500 square feet, whichever is less. The maximum floor area of allowed expansion must be determined based on the gross floor area dedicated to the Rural Business use as of June 1, 1997. The expansion, as well as all associated development including but not limited to parking areas, driveways, septic systems, wells, and landscaping, must occur on the same lot upon which the existing use is located.

(d) Outdoor working areas may be expanded by a maximum of 50 percent, but any expansion must occur on the same lot as the existing outdoor working area. The area of allowed expansion must be determined based on the outdoor working area dedicated to the Rural Business use as of June 1, 1997.

(3) *No Change.*

Chapter 14.15 – Bayview Ridge UGA Zones and Uses

ℹ Amendments to Table 14.15.020-1 allow data centers in the Bayview Ridge-Light Industrial and Bayview Ridge-Heavy Industrial zones. See SCC 14.18.810 amendments below for proposed definition and requirements for data centers.

14.15.020 Allowed uses.

(1) The uses shown in the table below are allowed in the specified zones. For development standards for these uses, see the use section in SCC Chapter 14.18.

Table 14.15.020-1 Allowed Uses in the Bayview Ridge UGA Zones

	AVR	BR-LI	BR-HI	BR-R
Utility Uses				
Data Centers		P	P	

Chapter 14.18 – Use Standards and Use Definitions

ℹ Adds RRc-NRL zone limitations to Limited Event Venues which was in code prior to 2025 code reorganization.

14.18.261 Limited event venues.

(1) Definition. Commercial use of a property for any musical, cultural, or social event held either indoors or outdoors.

(2) Restrictions. The "limited event venues" use is also subject to the following criteria:

(a) Events may occur on no more than 24 calendar days per year.

(b) Parking for all events must be fully contained on the subject property and must not include the use of any road right-of-way.

(c) The use must not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.

(d) All lighting must directed away from neighboring residences or businesses.

(3) Limitations in the RRc-NRL, IF-NRL, and SF-NRL zones:

(a) The limited event venue use must be related to the resource use.

(b) No resource land may be converted.

(c) No permanent structures may be constructed.

(4) Events at permitted restaurants, churches, grange halls or community centers, and parks are not regulated as limited event venues.

The addition of SCC 14.18.810 establishes a definition for data centers and limits them to a maximum size of 2,000 square feet with an electrical load not exceeding 2 megawatts. Amendments to SCC 14.18.870(1) further clarify that data centers are not classified as utility developments. These size and electrical load limitations restrict data centers to small-scale operations, such as typical business server rooms.

14.18.810 Data Centers.

(1) Definition. One or more facilities used to house computing and networking equipment, along with storage and management systems, to support the storage, processing, retrieval, and distribution of digital data and applications.

(2) Requirements.

(a) Data centers are limited to 2,000 square feet in size and cannot exceed an electrical load of 2 megawatts (mW).

(b) Server rooms may be permitted as an accessory use to a permitted business.

14.18.870 Utility development.

(1) Definition. Includes, but is not limited to, facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications and pipelines for fuel, oil, natural gas, and petroleum products. Utility developments do not include data centers, which are regulated under SCC 14.18.810.

(2) – (4) *No Changes.*

Division 2 Project Design Standards

ℹ Amendment to SCC 14.24.230(5)(c) corrects an error to a code citation. Table 14.24.230-3 does not exist, and the reference is intended to reference 14.24.230-2.

Chapter 14.24 – Critical Areas Ordinance

14.24.230 Wetland protection standards.
(1) – (4) *No Changes*

(5) Where a buffer has been previously established through a County development review and is permanently recorded on title or placed within a separate tract or easement, the buffer will be as previously established provided:

(a) It is equal to or greater than 50 percent of the current required standard buffer width for the wetland classification; and

(b) It is densely vegetated with native plants and invasive plant cover is low; or it is restored to meet vegetated buffer standards (Subsection (1)(c) of this Section); and

(c) Impact minimization measures are applied (Table 14.24.230-~~3~~2).

ℹ SCC 14.28.040 and SCC 14.29.110 are being amended to remove the setback exemption for billboards. It was previously unclear whether freestanding signs included billboards. Due to their size, staff recommends requiring billboards to meet side and rear property line setbacks.

Chapter 14.28 – Setbacks

14.28.040 Setback exemptions.

(1) The setback rules in this Chapter (SCC 14.28.030 through 14.28.080) do not apply to:

(a) – (c) *No Changes*

(d) Freestanding signs, excluding billboards and off-premises signs;

(e) – (q) *No Changes*

Chapter 14.29 – Signs

14.29.110 Off-premises signs.
(1) – (2) *No Changes*

(3) Special Off-Premises Sign Requirements.

(a) – (b) *No Changes*

(c) Billboard Sign Requirements. Billboards are outdoor advertising structures advertising an establishment, merchandise, service, or entertainment which is sold, produced or manufactured and/or furnished at a place other than on the property of which the billboard is located. Billboards must meet the following requirements:

(i) Sign surface area: maximum 300 square feet per face.

(ii) Maximum number of signs: one sign per structure, which may be single- or double-faced.

(iii) Maximum height: 40 feet.

(iv) Minimum setbacks:

(A) Front Setback. 45 feet from the nearest right-of-way line. ~~; and~~

(B) Setback from Right-of-Way Intersection. 100 feet from the right-of-way line intersection point measured at any angle.

(C) Side and Rear Setbacks. Off-premises signs and billboards must observe the minimum setbacks side and rear setbacks applied by SCC 14.28 and for the subject zone in Division 1 of Title 14.

(v) Minimum spacing: 500 feet on the same side of the road from another billboard.

(vi) Only one sign is allowed to face the same direction per location. This allows back-to-back or "V" formation, but prohibits two signs (side-by-side) facing the same location.

Division 5 Special Permits

Chapter 14.59 – Wireless Facilities

i Updates to SCC 14.59.020 will allow county facilities leased from a private property owner, as well as privately owned equipment used exclusively for public safety purposes, to be exempt from the Wireless Facilities Chapter. This change is intended to streamline permitting for emergency services, including Skagit 911.

14.59.020 Applicability.

(1) This Chapter applies to all new towers, poles, antennas, equipment, and small wireless facilities.

(a) New towers or poles exceeding the maximum height limitation of the affected zone require a special use permit and building permit.

(b) New antenna arrays meeting the requirements of this Chapter require a building permit.

(c) Antennas attached to utility poles and streetlights in the right-of-way must not extend more than 10 feet above the highest point of the structure.

(2) Exempt Facilities. The following are exempt from this Chapter:

(a) FCC-licensed amateur (ham) radio facilities;

(b) Satellite earth stations, dishes and/or antennas used for private television reception;

(c) A wireless facility installed upon the declaration of a state of emergency by the Federal, State, or local government, or a written determination of public necessity by the County; except that such facility must (i) comply with all Federal and State requirements; and (ii) will be exempt from the provisions of this Chapter for up to 30 days after the declaration of the state of emergency;

(d) Antennas attached to existing structures (such as commercial buildings, houses or apartments) for internet purposes and used solely for occupants of the building to which the antennas are attached as long as the height limitations of the zone are not exceeded;

(e) County facilities, equipment, and services—including those related to sheriff, fire, public health, and safety—may be located on property or equipment leased from a private owner, and may include privately owned equipment used exclusively for public safety purposes; ~~County facilities, equipment, and services, including, but not limited to, those involving sheriff, fire, public health, and safety;~~ and

(f) Fixed wireless broadband service.

Division 7 Land Division and Boundaries

ℹ The amendment to 14.78.100(2) clarifies that uses within open space tracts designated OS-NRL for CaRD land divisions located in a Natural Resource Lands zone must directly support natural resource production, rather than simply follow the general allowed uses of that zone. This requirement is already reflected elsewhere in subsection (c) and is intended to provide additional clarity.

Chapter 14.78 Standards for CaRD Land Divisions

14.78.100 Open space types.
This Section describes the types of open space that may be utilized in a CaRD pursuant to Table 14.78.050-1 and SCC 14.78.090.

(1) *No Changes.*

(2) Open Space—Natural Resource Lands (Os-NRL).

(a) The purpose of this open space is to preserve the natural resource lands within the County by clustering development and leaving the remainder open for resource production.

(b) The open space within CaRDs zoned Ag-NRL, IF-NRL, SF-NRL, or RRc-NRL must be placed in this category, unless designated Os-PA, subject to the provisions of SCC Chapter 14.24, the Critical Areas Ordinance.

(c) All open space designated Os-NRL must be placed in a natural resource lands easement (NRLE) that restricts the grantor and its heirs, successors, and assigns from exercising rights to use and subdivide the land for any and all residential, recreational, commercial, and industrial purposes and activities that are not incidental to the purpose of the NRLE until such time that the land no longer has long-term commercial significance for the production of food, agriculture products, timber or extraction of minerals. The property is restricted to natural resource production as defined in the NRLE and it may be used for those uses outlined in the underlying zone that directly support natural resource production as defined in the NRLE (except for a dwelling unit). In the case of Agriculture and Industrial Forest lands, restrictions defined in the NRLE may only be extinguished upon a finding by a court of competent jurisdiction that it is no longer possible to commercially use the property for the production of food, agriculture products, timber, or extraction of minerals.

(3) – (6) *No Changes.*