

# **APPENDIX F**

## **Public Involvement Process - Notice to agencies and the public**

## **RESPONSIVENESS SUMMARY**

*August 27, 2012*

***The local government must prepare a summary responding to all comments received during the public hearing and the public comment period, discussing how the draft SMP addresses the issues identified in each comment.***

1. Notification of the availability of the final Shoreline Master Program documents was sent to the mailing list and posted on line on April 12, 2012. The only comment letter received was from the State of Washington, Department of Fish and Wildlife, Bob Warriner, Watershed Steward.

The two major comments were the omission of a restoration section and a map displaying the shoreline environment designations. Appendix B, Restoration Plan, was added to the Shoreline Master Program and has been reviewed by DOE; and the map was relocated to the SMP as requested.

There were positive comments as well, and it is the city's intent to focus on continued restoration opportunities, partnering with other agencies as practical, such as Dike District #12 for the major restoration opportunity in the River at Johnson Bar.

2. The Planning Commission served as the Citizen Advisory Committee and they were involved with the development of the SMP for over 3 years, so their comments were integrated into the documents over time. There are severe limitations on development in the Shoreline due to levees along the river, there is an agreement regarding ESA compliance for levee repairs among all federal agencies. For these reasons, combined with the focus on public access, wetland buffer restoration, there were no comments at the Planning Commission public hearing.

## **CITY OF BURLINGTON**

### **NOTICE OF PUBLIC HEARING**

A public hearing is scheduled before the Burlington City Council on Thursday, September 13, 2012 at 7:00 p.m. in the City Council Chambers located at 833 South Spruce Street to hear comments on the proposed Shoreline Master Program for the City of Burlington that includes the Skagit River and Gages Slough wetlands, and adopt the regulations, leading to final review by the Department of Ecology. Proposed regulations are available at the Permit Center at 833 S. Spruce and on line at [http://www.ci.burlington.wa.us/page.asp\\_Q\\_navigationid\\_E\\_317](http://www.ci.burlington.wa.us/page.asp_Q_navigationid_E_317)

Regulations cover wetland critical areas, restoration plans, and because of the levees along the riverfront, shoreline uses other than public access remain limited. The Shoreline Management Act of 1971, RCW 90.58 and the Shoreline Guidelines 173-26 WAC provide the legislative framework.



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000  
[www.commerce.wa.gov](http://www.commerce.wa.gov)

July 3, 2012

Margaret Fleek  
Planning Director  
City of Burlington  
900 East Fairhaven Avenue  
Burlington, Washington 98233-1945

Dear Ms. Fleek:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

**City of Burlington - Proposed adoption of the City of Burlington shoreline master program. These materials were received on June 28, 2012 and processed with the Material ID # 18222.**

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov), or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team  
Growth Management Services

**CITY OF BURLINGTON**

**NOTICE OF  
PUBLIC HEARING**

A public hearing is scheduled before the Burlington City Council on Thursday, September 13, 2012 at 7:00 p.m. in the City Council Chambers located at 833 South Spruce Street to hear comments on the proposed Shoreline Master Program for the City of Burlington that includes the Skagit River and Gages Slough wetlands, and adopt the regulations, leading to final review by the Department of Ecology. Proposed regulations are available at the Permit Center at 833 S. Spruce and on line at [http://www.ci.burlington.wa.us/page.asp\\_Q\\_navigationid\\_E\\_317](http://www.ci.burlington.wa.us/page.asp_Q_navigationid_E_317)

Regulations cover wetland critical areas, restoration plans, and because of the levees along the riverfront, shoreline uses other than public access remain limited. The Shoreline Management Act of 1971, RCW 90.58 and the Shoreline Guidelines 173-26 WAC provide the legislative framework.

**Published  
August 16, 2012  
SVH-731979**



**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**MAY 16, 2012**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

9. Call the meeting to order.
10. Flag Salute.
11. Minutes of April 18, 2012.
12. Public hearing to hear comments on proposed amendments to the Zoning Code to provide for civil infraction penalties, amend existing enforcement provisions, and amend the sign code to clarify standards for temporary signs.
13. Public hearing is scheduled before the Burlington Planning Commission to hear comments on the proposed Shoreline Master Program for the City of Burlington.



**MINUTES OF THE  
PLANNING COMMISSION**

*May 16, 2012*

*Council Chambers, City Hall  
833 S. Spruce Street, Burlington, WA*

**MEMBERS:** Rebecca Lowell, Marianne Manville-Ailles, Jana Vater, Ken Frye, Rock White and Sally Straathof. Brian Hanson, excused.

**STAFF:** Margaret Fleek

The meeting was called to order by *Lowell*. Flag Salute. Motion by *Manville-Ailles/Vater* to approve the meeting minutes of April 18, 2012 as written. Motion carried.

**FENCE REQUEST  
500 S. SKAGIT STREET  
CORY METZ, APPLICANT**

Request to construct a 6 foot solid privacy fence in the 20 foot front yard setback on a corner lot at South Skagit Street and Tiger Lane.

The applicant would like more privacy by fencing a portion of the front yard on the west and north side of their lot. The applicant proposes to place a 6 foot solid wood fence on the property line on Skagit Street and Tiger Lane.

*Fleek* explained after a staff assessment of the site, it was determined that the fence should be setback at least 10 feet from the Skagit Street side so it does not impair the vision of vehicles approaching the stop sign on Tiger Lane or adjacent neighbors backing out of their driveway.

A motion was made by *Mavnille-Ailles/Frye* to approve a 6 foot tall wood fence subject to the following conditions:

1. Setback fence 10 feet from sidewalk abutting Skagit Street.
2. The fence boards shall be spaced one-half inch to three-quarter inches apart.
3. Any portion of the fence constructed in the right of way or utility easement shall be removed at owner's expense in the event that access or improvements are needed to the right of way or utilities.

Motion carried.

**PUBLIC HEARING  
AMENDMENTS TO ZONING CODE CHAPTERS 1.34 AND 17.63**

Public hearing on proposed amendments to the Zoning Code to refer to the new Civil Penalty Chapter 1.34 and to make a minor change to Sign Code Chapter 17.63 to the prohibited portable sign provisions.

*Fleek* stated 72 of 88 complaint cases are in compliance. The civil penalty chapter has recently been adopted, but we need to complete adopting the rest of the chapters so it can be utilized.

Public hearing opened. No public comments. Public hearing closed.

Motion by *White/Vater* recommending adoption of the proposed code amendments to the City Council.

**PUBLIC HEARING  
SHORELINE MASTER PROGRAM**

Public hearing on proposed adoption of a Shoreline Master Program for the City of Burlington.

*Fleek* stated there is no regulatory change of substance. Basically you cannot anything along the river but levees and recreation. The City is not opting for any expansion of shoreline jurisdiction to the Gages Slough wetlands; it is wetlands only and not the buffer areas. Bob Fritzen from Department of Ecology is asking for minor changes. Once approved by Planning Commission the Shoreline Master Program will go to Department of Ecology for 90 day review period, then to the City Council for final action.

Public hearing opened. No public comments. Public hearing closed.

Motion by *Manville-Ailles/Frye* to recommend approval of the Shoreline Master Program, subject to final edits by the Department of Ecology. If the effect of any edits is significant, the Planning Commission will review prior to final action by the City Council. Motion carried.

**CITY OF BURLINGTON  
STAFF REPORT – SHORELINE MASTER PROGRAM PUBLIC HEARING**

**DATE:** April 18, 2012  
**PROJECT:** Public hearing on proposed adoption of a Shoreline Master Program for the City of Burlington  
**LOCATION:** City Limits of Burlington  
**APPLICANT:** City of Burlington  
**STAFF:** Margaret Fleek, Planning Director

**REQUEST:** The City of Burlington is proposing to adopt a Shoreline Master Program for the City of Burlington that includes the Skagit River Shorelines and the Gages Slough wetland corridor.

**BACKGROUND:** The process for adopting the Burlington Shoreline Master Program is very stretched out and the state requirements for components that must be addressed are piled high with mandatory language and contents.

The actual requirements for shoreline development are changing modestly, in that the area of shoreline jurisdiction along the river extends 200 feet from the waterward top of the levee, as opposed to 200 feet from the Ordinary High Water Mark of the river, but the substance of what is permitted remains the same.

The Gages Slough wetland corridor (not including wetland buffers) will be officially in Shoreline jurisdiction, with no substantive changes otherwise. The City is NOT opting for any expansion of shoreline jurisdiction to the Gages Slough wetlands; it is wetlands only and not the buffer areas. A property owner survey is just getting rolling to get more input on what their concerns and desires might be, both in the City Limits and west of the City Limits to the Gages Slough pump station.

The documentation and the specific language that is required results in a Shoreline Master Program and Critical Areas Appendix that is 98 pages in length. This does not include all the related documentation, such as documentation of all the studies completed for Gages Slough, the history of the Sterling Dam that cut the Slough off from the Skagit River, and many other accessory items.

Once a recommendation is made by the Planning Commission, the draft will go on to City Council where a Resolution will be on the agenda, stating the Council's intention to adopt it once the Department of Ecology review is completed; that review will take several months.

The following table is from the Shoreline Analysis Report, and it gives the overview of the extremely limited development opportunities in the Burlington Shoreline area.

Shoreline Reach	Zoning	Existing Condition	Development Potential
1. Skagit River Northeast	Open Space Parks and Agriculture	Levee adjacent to Park, one boat pier, one boat launch ramp, one sewer plant with outfall, two forested riparian buffers located water side of levee at distance ok for trees Vegetation strictly regulated by USACE Levee Vegetation Mgmt Standards & PL84-99; small willows along riprap with size limit and mowed levee banks.	No development potential; Restoration potential at Johnson's Bar; limited restoration at Whitmarsh crossdike. A separate Biological Opinion was prepared by the National Marine Fisheries Service, issued October 20, 2011, pursuant to section 7(a)(2) of the Endangered Species Act on the effects of the proposed Skagit River – Diking Districts 1,3,12,17 and 22 Levees Rehabilitation of Flood Control Works Project in Skagit County, Washington and the levee rehabilitation projects are in full compliance with the ESA consultation standards.
2. Skagit River West 3-bridge corridor Levee Setback Area	Commercial with GMA Interim Controls in effect for no development while planning is completed for levee setbacks; following land acquisition, site will be rezoned OSPA (Open Space Parks, Agriculture). Underlying zoning remains in place until that time to ensure that property owners will be fairly compensated when land is acquired by Dike District #12.	Levee along river; land acquisition and federal environmental review in process for setback area. Vegetation strictly regulated by USACE Levee Vegetation Mgmt Standards & PL84-99; small willows along riprap with size limit and mowed levee banks;	Interim Controls in place to prevent development while planning in process; Future potential recreation and restoration area along existing levee corridor. New setback levee will comply with ESA consultation standards as may be modified for the location.
3. Gages Slough Pump Station to Anacortes Street. Note: Pump Station to City Limits is subject to Interlocal Agreement with Skagit County for maintenance.	Agriculture, Commercial & Residential	Degraded wetland with identified restoration and public access sites; Goldenrod Road Restoration site in great condition; 5 years of monitoring and maintenance to date; WSDOT restoration site is being maintained just outside City Limits.	Minimal redevelopment or infill on some parcels adjacent to buffer area; significant potential for nonmotorized trail along the Slough, public access, interpretative signs, and additional buffer restoration planting programs.
4. Remaining Gages Slough wetlands in City Limits and UGA	Single Family Residential	Degraded wetland with some piped outfall locations and several identified future buffer restoration sites	Minimal infill; focus on public education and BMPs
5. Gages Slough east of the UGA	Agricultural and Residential	Degraded wetland	Interlocal with Skagit County needed to promote BMPs; cattle and no buffers among water quality problems

**RECOMMENDATION:** Recommendation to approve the Shoreline Master Program, subject to final edits by the Department of Ecology. If the effect of any edits is significant, the Planning Commission will review prior to final action by the City Council.



**CITY OF BURLINGTON**

**NOTICE OF AVAILABILITY**

**SHORELINE MASTER PROGRAM FINAL DOCUMENTS**

April 12, 2012

RE: Shoreline Master Program

TO: MAILING LIST

FROM: City of Burlington Planning Department  
Margaret Fleek, Planning Director

View the documents on the City's website

[http://www.ci.burlington.wa.us/page.asp Q\\_navigationid E 317](http://www.ci.burlington.wa.us/page.asp?Q_navigationid=E_317)

Now is the time to review and comment on the City of Burlington Shoreline Master Program. These are the final proposed documents and your comments are very important to make sure that nothing has been overlooked. Burlington's shorelines include the Skagit River, its buffers and land within 200 feet of the waterward top of the levees, and the Gages Slough wetlands.

**Comments will be accepted through May 16, 2012, the date of the Planning Commission public hearing on the proposed adoption of the Shoreline Master Program.**

If you do not have access to the internet and would like a copy of the documents on a CD, please give us a call at 360-755-9717.



State of Washington  
Department of Fish and Wildlife

Mailing Address: PO Box 1100, La Conner, WA 98257  
(360)466-4345, Fax (360)466-5015

May 16, 2012

Margaret Fleek  
City of Burlington Planning Department  
833 S. Spruce Street  
Burlington, WA 98233

Dear: Ms. Fleek,

The Washington Department of Fish and Wildlife (WDFW) has reviewed the City of Burlington Shoreline Master Program (SMP) adopted 2012. WDFW generally finds the document satisfactory. We are especially pleased with the level of protection that is provided for the Natural and Conservation areas and are pleased to hear about the restorations planned for Gauges Slough and the dike set-back planned for Skagit River reaches 2 and 3 as indicated in the document. During review of the document a couple of omissions were noted, specifically the required restoration section and a map displaying the shoreline environmental designations of the shoreline areas; I will elaborate below.

To provide for possible shoreline impacts and ensure "no net loss" of shoreline habitats and functions (WAC 173-26-186(8)), local governments must plan for restoration in their shoreline master programs. Restoration is not a direct requirement for private development. Local government must consider its restoration needs, identify resources available to conduct restoration, prioritize restoration actions, and make sure development activities don't interfere with planned restoration efforts in the community. As written, the Burlington SMP has many excellent restoration opportunities identified in Gauges Slough and on the banks of the Skagit River. WDFW recommends that the City formalize the restoration portion of the document by combining all these opportunities and their descriptions into a discreet restoration chapter.

A map displaying shorelines designations should be available as part of the City's Shoreline Master Program resources. It is mentioned in the document that such a map is available at the City's Planning Community and Development Department; WDFW suggests that this map or a similar document be made available on the City's Shoreline Master Program webpage.

Thank you for the opportunity to comment on this important document. If you have any questions or if you are in need of assistance from WDFW please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Warinner".

Bob Warinner  
Watershed Steward  
Washington Department of Fish and Wildlife  
PO Box 1100  
La Conner, WA 98229  
360.466.4345 ext. 252  
[robert.warinner@dfw.wa.gov](mailto:robert.warinner@dfw.wa.gov)



State of Washington  
Department of Fish and Wildlife

Mailing Address: PO Box 1100, La Conner, WA 98257  
(360)466-4345, Fax (360)466-5015

cc: David Brock, Regional Habitat Program Manager, WDFW  
Bob Fritzen, Shoreline Planner, Ecology  
Katie Knight, Land Use Policy Lead, WDFW  
Theresa Nation, Land Use and Environmental Planner, WDFW

Northwest Air Pollution  
1600 S. 2<sup>nd</sup> Street  
Mount Vernon WA 98273

Ms. Marilyn Scott  
Upper Skagit Tribal Council  
25944 Community Plaza Way  
Sedro-Woolley WA 98284

Mrs. Gloria Y. Green  
Sauk-Suiattle Tribal Council  
5318 Chief Brown Lane  
Darrington, WA 98241-9421

Mr. M. Brian Cladoosby  
Swinomish Indian Tribal Community  
11404 Moorage Way P.O. Box 817  
La Conner WA 98257

Skagit County Health Department  
700 S. Second Street  
Mount Vernon WA 98273

Mount Vernon Planning Department  
Jana Hanson, Director  
P.O. Box 809  
Mount Vernon WA 98273

Skagit County Planning Department  
Gary Christensen, Director  
1800 Continental Place  
Mount Vernon WA 98273

Skagit Watershed Council  
Shirley Solomon, Executive Director  
815 Cleveland Ave. Suite 201  
Mount Vernon WA 98273

Futurewise  
Dean Patterson, Shoreline Planner  
614 S. 30<sup>th</sup> Avenue  
Yakima WA 98902

Skagitonians to Preserve Farmland  
Allen Rozema, Executive Director  
414 Snoqualmie Street  
Mount Vernon WA 98273

Skagit Land Trust  
Molly Doran, Executive Director  
P.O. Box 1017  
Mount Vernon WA 98273

Thomas Hooper  
NMFS, NW Region  
510 Desmond Dr. SE Suite 103  
Lacey, WA 98503-1263

Washington State  
Dept. of Commerce  
Growth Management Division  
ATTN: Douglas Peters  
P.O. Box 48300  
Olympia, WA 98504-8300

The Nature Conservancy  
Kevin Morse, NPS Program Director  
Washington Field Office  
1917 1<sup>st</sup> Avenue  
Seattle WA 98101

Washington State  
Department of Natural Resources  
N. W. Regional Office  
919 N. Township  
Sedro Woolley WA 98284

Dike District #12  
1317 S. Anacortes St.  
Burlington WA 98233

Sedro-Woolley Planning Department  
Jack Moore, Director  
325 Metcalf Street  
Sedro-Woolley WA 98284

Department of Ecology  
Environmental Review Section  
P.O. Box 47703  
Olympia, WA 98504-7703

State of Washington  
Department of Ecology  
Bob Fritzen  
1440 10<sup>th</sup> Street, Suite 102  
Bellingham WA 98225

Dept. of Agriculture  
USNRC  
2021 E. College Way, Suite 214  
Mount Vernon WA 98273-2373

Skagit Conservation District  
2021 E. College Way  
Suite 203  
Mount Vernon WA 98273

Federal Emergency Management Agency  
Mark Carey  
130 228<sup>th</sup> St SW  
Bothell WA 98021

Washington State Dept. of Transportation  
Mount Baker Area Headquarters  
Attn: Roland Storme  
1043 Goldenrod Road Suite 101  
Burlington, WA 98233-3415

Skagit System Cooperative  
Stan M. Walsh  
P.O. Box 368  
La Conner WA 98257

Skagit County Public Works  
1800 Continental Place  
Mount Vernon WA 98273

Washington State Office of  
Archeology & Historic Preservation  
111 West 21st Avenue  
Olympia WA 98504-8343

HUGO FLORES  
WA DNR AQUATIC RESOURCES  
PO BOX 47027  
OLYMPIA WA 98504-7027

Federal Highway Administration  
FWHA Area Engineer  
711 S. Capitol Way, Suite 501  
Olympia WA 98501-1284

Washington State  
Department of Wildlife  
Attn: Bob Warner  
P.O. Box 1100  
La Conner, WA 98257

BECKY KELLEY  
WASHINGTON ENVIRONMENTAL  
COUNCIL  
615 2<sup>ND</sup> AVE – SUITE 380  
SEATTLE WA 98104

Ms. Marilyn Scott  
Upper Skagit Tribal Council  
25944 Community Plaza Way  
Sedro-Woolley WA 98284

Mrs. Gloria Y. Green  
Sauk-Suiattle Tribal Council  
5318 Chief Brown Lane  
Darrington, WA 98241-9421

Mr. M. Brian Cladoosby  
Swinomish Indian Tribal Community  
11404 Moorage Way P.O. Box 817  
La Conner WA 98257

Skagit System Cooperative  
Stan M. Walsh  
P.O. Box 368  
La Conner WA 98257

Tom Wooten  
Samish Indian Nation  
2918 Commercial Avenue  
Anacortes WA 98221

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**FEBRUARY 15, 2012**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
**7:00 P.M.**

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

18. Call the meeting to order.
19. Flag Salute.
20. Minutes of January 18, 2011.
21. Proposed 2-lot short plat to create a separate lot for Walgreen's and the building on the corner of Rio Vista and Burlington Boulevard that is now occupied by Armed Forces Recruiting. Applicant is Gull Industries Inc. represented by Sound Development Group.
22. Update on Shoreline Master Program focused on the Critical Areas Appendix and the most recent lawsuit by the National Wildlife Federation claiming that FEMA has not complied with the Reasonable and Prudent Alternatives of the Biological Opinion. Relief requested is no new flood insurance policies until FEMA makes substantive changes in the National Flood Insurance Program. Discussion of possible strategies for providing documentation for Burlington.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**JANUARY 18, 2012**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

23. Call the meeting to order.
24. Flag Salute.
25. Minutes of November 16, 2011.
26. Public hearing on proposed contract rezone from RS, Semi-Public to C-1, General Commercial to allow the installation of a delicatessen in the building in addition to the current office use. Site is located at 800 E. Fairhaven Avenue and the applicant is Greta Aitken.
27. Walk through of the Draft Shoreline Master Program. Discussion of issues that might be covered if a Supplemental Environmental Impact Statement is put together to address both adoption of the Shoreline Master Program and compliance with the FEMA Biological Opinion.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**NOVEMBER 16, 2011**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Flag Salute.
3. Minutes of October 19, 2011.
4. Public hearing on proposed conditional use permit to allow two drive through uses; demolish existing buildings and develop site in two lots for construction of two free standing retail pad buildings, with drive through facilities. The retail sites will be interconnected with the existing shopping center facilities in and around the Costco center. The site is 1.71 acres, the buildings will be from about 4,100 to 4,400 square feet with associated parking and landscaping. Site is located at 1739 S. Burlington Boulevard and the applicant is First Western Development Services.
5. Scoping out the issues you see of significance at the edges of Burlington.
6. Shoreline Master Program discussion on wetland regulations and decision NOT to include Gages Slough wetland buffer in SMP. Timeline for action and looking for a recommendation by Planning Commission on public hearing process.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**SEPTEMBER 21, 2011**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

12. Call the meeting to order.
13. Flag Salute.
14. Minutes of August 17, 2011.
15. Public hearing on a proposal to reactivate the Contract Rezone for the Heights at Burlington Hill, modify the proposal to construct one multi-family building on the site of the existing unfinished foundation, rezone the adjoining single family lot to accommodate parking, and short plat the remainder of the site into four lots.
16. Plan review of proposed 5000 square foot medical clinic with 30 parking spaces located at 340 E. George Hopper Road. Applicant is TB Properties represented by Tom Strotkamp.
17. Update and discussion on Shorelines Master Program and other Grant opportunities focused on getting to clean water heading for Puget Sound.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**JULY 20, 2011**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

24. Call the meeting to order.
25. Flag Salute.
26. Minutes of June 15, 2011.
27. Public hearing to hear public comments on a proposed Conditional Use Permit to allow a drive through ATM kiosk in the Cascade Mall parking lot at 146 Cascade Mall Drive. Newport CM for Key Bank, applicant.
28. Planning Commission review of proposed Wall Graphics for Karmart Chrysler Dodge located at I-5 Auto World. Applicant is FSI Architects.
29. Update on Shoreline Master Program and opportunities to fund planning for Commercial Redevelopment in Burlington that have the potential to be coordinated with other projects in the region.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**FEBRUARY 16, 2011**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

44. Call the meeting to order.
45. Flag Salute.
46. Minutes of January 19, 2011.
47. Request for Temporary Use Permit for six months for a SnoCone/Hot Dog Mobile Food Cart at 157 S. Burlington Boulevard. Applicant is Yolive Cruz Salgado.
48. Public hearing to hear comments on a proposed Conditional Use Permit to establish a home occupation with space for a home based financial advising business that includes an employee in addition to the residents, to be located at 843 E. Victoria Avenue in the single family zoning district. Applicant is Jody Lease.
49. Plan review of proposed Oil Can Henry's drive through oil change facility on a portion of the site located at 1720 South Burlington Boulevard, with long range plans for additional development. Applicant is Grandview North LLC, represented by Ravnik & Associates.
50. Update on Shoreline Master Program project and Nonmotorized Plan.
51. Adjourn the meeting.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**JANUARY 19, 2011**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

53. Call the meeting to order.
54. Minutes of November 17, 2010.
55. Request for Temporary Use Permit for one year for Caretaker's Quarters at 1481 S. Burlington Boulevard. Applicant is Ken Huenstein.
56. Public hearing to hear comments on a proposed Conditional Use Permit to build a drive through window as part of a planned sit down coffee house located at 1126 S. Burlington Boulevard, including construction of an addition to an existing building in the C-1 Commercial zoning district. Applicant is Bob Coe, represented by Carletti Architects.
57. Update on Shoreline Master Program and opportunities for getting clean water out of the end of Gages Slough, as well as making progress on the Non-motorized Plan.

Adjourn the meeting.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**NOVEMBER 17, 2010**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Minutes of October 20, 2010.
3. Request for Temporary Use Permit for one year for the outdoor sales of food (hot dogs and sno-cones) at a food cart located at 157 S. Burlington Boulevard. Applicant is Yolive Cruz Selgado.
4. A public hearing is scheduled before the Burlington Planning Commission on Wednesday November 17, 2010 at 7:00 p.m. in the City Council Chambers located at 833 South Spruce Street to hear comments on a proposed ordinance to amend Burlington Municipal Code Section 17.68.100 Notice of Decision Requirements and Contents of Notice to delete the use of the Council minutes as the findings and conclusions except in contested cases.
5. A public hearing is scheduled before the Burlington Planning Commission on Wednesday November 17, 2010 at 7:00 p.m. in the City Council Chambers located at 833 South Spruce Street to hear comments on proposed amendments to the 2010-2016 Parks and Recreation Comprehensive Plan based on the 2010 Community Survey results.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**NOVEMBER 17, 2010**  
**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
**7:00 P.M.**

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Minutes of October 20, 2010.
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**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**MAY 19, 2010**

**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
**7:00 P.M.**

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

29. Call the meeting to order.
30. Minutes of April 21, 2010.
31. Public hearing on a proposed amendment to the Zoning Code to establish the Burlington Agricultural Heritage Credit program, to allow increased residential density in R-3, MR-NB, B-1 and C-1 zones with purchase of credits to help fund acquisition of farmland development rights around Burlington.
32. Public hearing on the proposed update of the Comprehensive Transportation Plan, with companion amendment to the Chapter 12.28, Construction of streets, sidewalks and storm drains.
33. Shoreline Master Program update: Draft Shoreline Analysis Report and Master Program is now available on line for public comment through the end of June. Notice has been sent to the Shoreline Mailing list. Community survey is going out this month, additional inventory work is being scheduled.
34. Adjourn the meeting.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***  
**APRIL 21, 2010**

**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
**7:00 P.M.**

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Rock White, Marianne Manville-Ailles, Brian Hanson and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Minutes of February 17, 2010.
3. Plan review of proposed development of three duplex townhouse units located at 1231 E. Fairhaven Avenue. Applicant is Roger Helgeson.
4. Proposed temporary use permit to continue the operation of the Taco Van at 983 South Burlington Boulevard for an additional year. Applicant is Raymond Rincon.
5. Public hearing on to hear public comments on a proposed 14 lot subdivision to create zero lot line residences in an approved duplex development that meets all the underlying zoning district requirements. Site is located at 513 North Oak Street. Applicant is Commonwealth LP.
6. Plan review of proposed addition of second story apartment to the existing store and gas station located at 157 S. Burlington Boulevard. Applicant is H. Singh and K. Kaur.
7. Temporary Use Permit for one year to open a used car lot with a temporary trailer at 2001 Bouslog Road. Applicant is Murphy Russell.
8. Shoreline Master Program update: Discussion of the planned community survey in the spring citywide newsletter that will cover shorelines and parks and recreation, and any questions that the Commission would like to see included. Introduction to the Draft Shoreline Analysis Report that will be available on line and hard copy on request for review and comment over the next couple of months.
9. Adjourn the meeting.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**JANUARY 20, 2010**

**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Steve Sexton, Marianne Manville-Ailles, Brian Hanson and Eddie Tjeerdsma.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Minutes of November 21, 2009.
3. Review of proposed amendment to the Sign Code to allow Electronic Message Centers along Interstate 5 for developments larger than 20 acres meeting specific conditions. Applicant is Outlet Shoppes.
4. Public hearing on proposed contract rezone to increase zoning density on an R-3 Multi-family lot from 4.5-6 units. Applicant is Roger Helgeson.
5. Temporary Use Permit for one year for sales of fruit at 157 South Burlington Boulevard. Applicant is Mr. Ciscernos.
6. Shoreline Master Program update:
  - Review and comment on Shoreline Jurisdiction Map
  - Discuss Shoreline Inventory
  - Discuss shoreline challenges and recommendations for protection and restoration of shoreline functions, in light of the Biological Opinion issued by National Marine Fisheries.
7. Adjourn the meeting.

# ***PLANNING COMMISSION***

**NOVEMBER 18, 2009**

**BURLINGTON CITY COUNCIL CHAMBERS  
833 S. SPRUCE STREET  
7:00 P.M.**

## **AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Steve Sexton, Marianne Manville-Ailles, Brian Hanson and Eddie Tjeerdsma.

***Staff:*** Margaret Fleek, Planning Director

8. Call the meeting to order.
9. Minutes of October 21, 2009.
10. Public hearing on proposed conditional use permit to establish a religious institution in an existing building located in the C-2 Heavy Commercial Zoning District, located at 988 Fountain Street. Applicant is Christ the King Community Church.
11. Temporary Use Permit for one year for mobile food van located at the northwest corner of W. Fairhaven Avenue and Burlington Boulevard. Applicant is Alejandro Rocha.
12. Modification to Conditional Use Permit #1-04 to relocate the Doggy Day Care to 590 N. Burlington Boulevard. Applicant is Joan Crane.
13. Discussion of the Public Participation Plan for the Shoreline Master Program update, including expanding the scope to cover the implementation of the Gages Slough plans, providing a forum for people with flood insurance concerns and map elevation issues, and coming up with a path for complying with the Biological Opinion based on the choices that will soon be offered by FEMA. The Biological Opinion was issued directing FEMA to change the rules for floodplains because floodplain development is killing Orca Whales and Chinook Salmon.
14. Adjourn the meeting.

## . Environmental Mitigation

This is the package that must be assembled with great care.

Perhaps a list of issues to begin:

- A. Shoreline Master Program update in 2010 – requires Ecosystem Function restoration component;
- B. Stormwater Management Planning consists to a great extent of Gages Slough planning which needs update to address the mixture of engineering and biology that will improve stormwater conveyance, deliver clean water quality to the Skagit River, improve riparian habitat functions and values.
- C. Low Impact Development code standards for both public and private projects are needed, including street standards and private development standards. This is the best way around a lot of bad ideas if it can be appropriately tailored for Burlington, not to mention a pending requirement for NPDES II AND the response to the FEMA Biological Opinion.
- D. Skagit River riparian buffer areas are only possible where the levee is setback a long distance and levee vegetation standards are met. Two areas exist in Burlington, the Gardner Road Boat Launch Ramp and the Whitmarsh Road playfields.

The remainder of the river frontage is levees and riprap, and the channelized river is key to moving the sediment. There is a war going on at the Corps of Engineers about levee vegetation and the City will comply with those standards HOWEVER THEY TURN OUT because of the critical importance of being in PL84-99.

Setback levees will be constructed through the bridge corridor; however, removal of old levees and installation of any habitat features would be linked to the protection of Interstate 5, critical transportation infrastructure.

E. Compliance with the Biological Opinion options will focus on the "guidance to demonstrate that current measures are adequate" with possibly some minor code changes.



**CITY OF BURLINGTON**

**NOTICE OF AVAILABILITY**

**DRAFT SHORELINE ANALYSIS REPORT AND MASTER PROGRAM**

May 7, 2010

RE: Shoreline Master Program Update

TO: MAILING LIST

FROM: City of Burlington Planning Department  
Margaret Fleek, Planning Director

View the documents on the City's website

[http://www.ci.burlington.wa.us/page.asp?Q\\_navigationid=E\\_317](http://www.ci.burlington.wa.us/page.asp?Q_navigationid=E_317)

Now is the time to review and comment on the draft City of Burlington Shoreline Analysis Report and Shoreline Master Program. This is the first draft and your comments are very important to make sure that the program is moving in the right direction and that all issues are identified and discussed. Burlington's shorelines include the land within 200 feet of the water side toe of the levees and the Gages Slough wetlands.

Staff is still working on the photo inventory and is very interested in your suggestions on practical restoration and habitat improvement projects, considering the serious constraints along the Skagit River because of levees that provide critical flood protection. There are exciting opportunities for improving public access and nonmotorized connections in and around the area, that include the Gages Slough corridor and the Skagit River shorelines.

**Comments will be accepted through the end of June, and a final proposal will be presented after review of comments.**

If you do not have access to the internet and would like a copy of the documents on a CD, please give us a call at 360-755-9717.

**Planning & Permit Center**

833 S. Spruce Street • Burlington, WA 98233

Phone (360) 755-9717 • Fax (360) 755-9309 • [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)



November 23, 2009

RE: Shoreline Master Program Update

TO: MAILING LIST

FROM: City of Burlington Planning Department  
Margaret Fleek, Planning Director

The City of Burlington is moving forward with an in depth review of the Shoreline Master Program that includes the Gages Slough Management Plan. The purpose of this letter is to ensure early outreach to identify your interests, available information and methods for coordination and input.

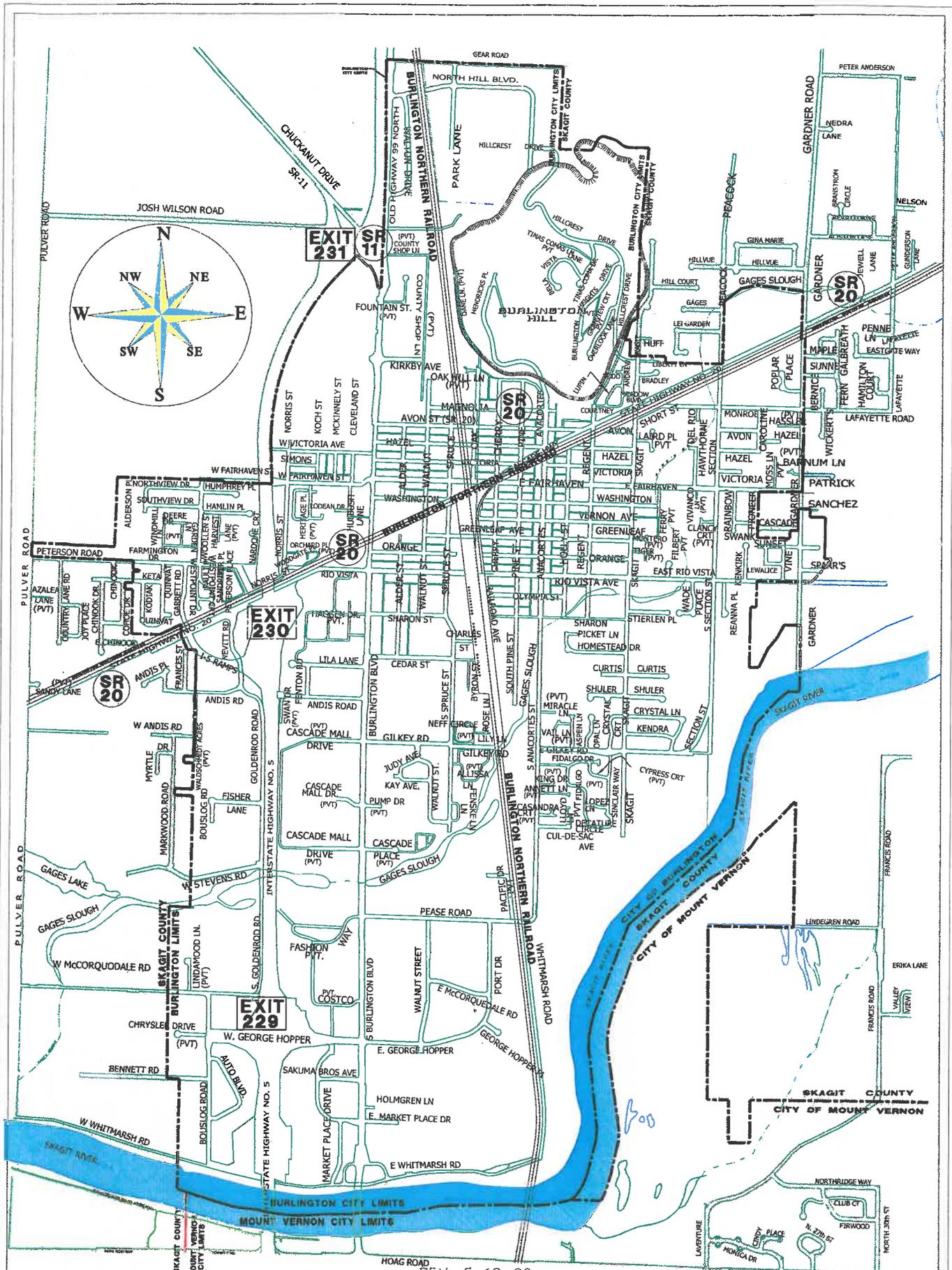
This is part of the City's Action Plan to integrate all of the state and federal mandates relating to "WATER" into a coordinated approach to the real issues facing Burlington. What are they?

- Location in the floodplain with a federal mandate to address the endangered species act; new federal regulations/guidance coming out soon.
- Levee certification mandate to protect the community from artificially high base flood elevations proposed by FEMA - computer models and assumptions gone wild with severe results for the community.
- Integrating storm water management upgrades to the ecosystem in order to achieve clean storm water, including Gages Slough and buffer restoration, low impact development standards, cleaning up areas of the Slough to address sedimentation and a variety of other measures.
- Improve flow through Gages Slough.
- Ecosystem function restoration planning along Skagit River to include upgrading the two existing forested riparian buffer areas; continue to maintain the levees to the current federal levee vegetation management standards
- Minimizing development in the Skagit River shoreline and limiting activity to flood hazard mitigation projects; water dependent uses such as boat launch ramp and dock, utility system and outfall maintenance and upgrade.

There will be a Community Meeting held on the third Wednesday of each month at 5:00 p.m. on the Shoreline Master Program and related issues, beginning on January 20, 2010. This will be followed by the Planning Commission at 7:00 p.m., where the Shoreline Master Program will be a monthly agenda item. If you have issues or concerns that the City should be addressing, and/or want to be involved in the Shoreline Master Program update, just let us know by sending a comment letter, attending a meeting, telephone (360-755-9717), or e-mail [mfleek@ci.burlington.wa.us](mailto:mfleek@ci.burlington.wa.us) .

Planning & Permit Center

833 S. Spruce Street • Burlington, WA 98233  
Phone (360) 755-9717 • Fax (360) 755-9309 • [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)



REV: 5-12-09  
 H:\AUTOCAD FILES\DRAWINGS\CITY MAPS\CITY2009\STREET MAP INDEX\STREET MAP INDEX.DWG  
 (BURLINGTON ENGINEERING) BY: SCOTT KIDDER



# CITY OF BURLINGTON 2009 STREET MAP

CITY OF BURLINGTON	
DATE: 5-12-09	BY: SCOTT KIDDER
SCALE: NOT TO SCALE	PROJECT: 2009 STREET MAP
<b>NOT TO SCALE</b>	
BURLINGTON GIS MAPPING	

Northwest Air Pollution  
1600 S. 2<sup>nd</sup> Street  
Mount Vernon WA 98273

Ms. Marilyn Scott  
Upper Skagit Tribal Council  
25944 Community Plaza Way  
Sedro-Woolley WA 98284

Mrs. Gloria Y. Green  
Sauk-Suiattle Tribal Council  
5318 Chief Brown Lane  
Darrington, WA 98241-9421

Mr. M. Brian Cladoosby  
Swinomish Indian Tribal Community  
11404 Moorage Way P.O. Box 817  
La Conner WA 98257

Skagit County Health Department  
700 S. Second Street  
Mount Vernon WA 98273

Mount Vernon Planning Department  
Jana Hanson, Director  
P.O. Box 809  
Mount Vernon WA 98273

Skagit County Planning Department  
Gary Christensen, Director  
1800 Continental Place  
Mount Vernon WA 98273

Skagit Watershed Council  
Shirley Solomon, Executive Director  
815 Cleveland Ave. Suite 201  
Mount Vernon WA 98273

Futurewise  
Dean Patterson, Shoreline Planner  
614 S. 30<sup>th</sup> Avenue  
Yakima WA 98902

Skagitonians to Preserve Farmland  
Allen Rozema, Executive Director  
414 Snoqualmie Street  
Mount Vernon WA 98273

Skagit Land Trust  
Molly Doran, Executive Director  
P.O. Box 1017  
Mount Vernon WA 98273

Thomas Hooper  
NMFS, NW Region  
510 Desmond Dr. SE Suite 103  
Lacey, WA 98503-1263

Washington State  
Dept. of Commerce  
Growth Management Division  
ATTN: Douglas Peters  
P.O. Box 48300  
Olympia, WA 98504-8300

The Nature Conservancy  
Kevin Morse, NPS Program Director  
Washington Field Office  
1917 1<sup>st</sup> Avenue  
Seattle WA 98101

Washington State  
Department of Natural Resources  
N. W. Regional Office  
919 N. Township  
Sedro Woolley WA 98284

Dike District #12  
Chuck Bennett, Commissioner  
1317 S. Anacortes St.  
Burlington WA 98233

Sedro-Woolley Planning Department  
Jack Moore, Director  
325 Metcalf Street  
Sedro-Woolley WA 98284

Department of Ecology  
Environmental Review Section  
P.O. Box 47703  
Olympia, WA 98504-7703

Dept. of Agriculture  
USNRC  
2021 E. College Way, Suite 214  
Mount Vernon WA 98273-2373

Skagit Conservation District  
2021 E. College Way  
Suite 203  
Mount Vernon WA 98273

Federal Emergency Management Agency  
Mark Carey  
130 228<sup>th</sup> St SW  
Bothell WA 98021

Washington State Dept. of Transportation  
Mount Baker Area Headquarters  
Attn: Roland Storme  
1043 Goldenrod Road Suite 101  
Burlington, WA 98233-3415

Skagit System Cooperative  
Stan M. Walsh  
P.O. Box 368  
La Conner WA 98257

Skagit County Public Works  
1800 Continental Place  
Mount Vernon WA 98273

Washington State Office of  
Archeology & Historic Preservation  
111 West 21st Avenue  
Olympia WA 98504-8343

HUGO FLORES  
WA DNR AQUATIC RESOURCES  
PO BOX 47027  
OLYMPIA WA 98504-7027

Federal Highway Administration  
FWHA Area Engineer  
711 S. Capitol Way, Suite 501  
Olympia WA 98501-1284

Washington State  
Department of Wildlife  
Attn: Bob Warner  
P.O. Box 1100  
La Conner, WA 98257

BECKY KELLEY  
WASHINGTON ENVIRONMENTAL  
COUNCIL  
615 2<sup>ND</sup> AVE – SUITE 380  
SEATTLE WA 98104



State of Washington  
Department of Fish and Wildlife

Mailing Address: PO Box 1100, La Conner, WA 98257  
(360)466-4345, Fax (360)466-5015

March 10, 2010

Margaret Fleek  
City of Burlington Planning Department  
833 S. Spruce Street  
Burlington, WA 98233

Dear: Ms. Fleek,

The Washington Department of Fish and Wildlife (WDFW) looks forward to working with you on your planned update to the City of Burlington Shoreline Master Program (SMP). I will be your staff contact from WDFW for the inventory and analysis, shoreline designation, and restoration planning phases of your update. I'm available to review draft Shoreline Inventory & shoreline Analysis and Characterizations (Phase 2), Restoration Plan (Phase 4) and provide additional technical assistance as you need it. Please include me on your mailing list for distribution of meeting notices, review drafts, and other information related to the project.

WDFW offers a variety of resources that can help as you embark on your update. These include:

- Online data related to salmon distribution, status, and habitats (<http://wdfw.wa.gov/mapping/salmonscape/>)
- Priority Habitats and Species (PHS) maps/data that identify the location of endangered, threatened, and sensitive species and other priority species and habitats that may occur in the shoreline ( <http://wdfw.wa.gov/hab/release.htm>)
- Management recommendations for species and habitat protection, including riparian areas, numerous riparian species and a new guidance on dungeness crab (<http://www.wdfw.wa.gov/hab/phsrecs.htm>)
- Aquatic Habitat Guidelines covering a number of topics related to shoreline protection and restoration (<http://wdfw.wa.gov/hab/ahg/0>)
- Salmonid stock inventory information (<http://www.wdfw.wa.gov/fish/sasi/index.htm>)
- Citizen guidance on riparian restoration ([www.wdfw.wa.gov/outreach/volunter/riparian.pdf](http://www.wdfw.wa.gov/outreach/volunter/riparian.pdf))
- Land Use Planners Guide to Salmonid Protection and Recovery October 2009. (<http://wdfw.wa.gov/habitat/plannersguide/index.html>)

I am particularly interested in the opportunity to work with you on important connections between the SMP update and Puget Sound recovery and salmon recovery. Please feel free to contact me to discuss how WDFW can best provide you with assistance in your update efforts.



State of Washington  
Department of Fish and Wildlife

Mailing Address: PO Box 1100, La Conner, WA 98257  
(360)466-4345, Fax (360)466-5015

I will be coordinating my review with WDFW Environmental Planner Katie Knight who will provide technical assistance and review as you develop goals, policies and regulations for your shoreline areas. Please also include Katie on your distribution lists. She can be reached at [katie.knight@dfw.wa.gov](mailto:katie.knight@dfw.wa.gov) or 360-902-2618.

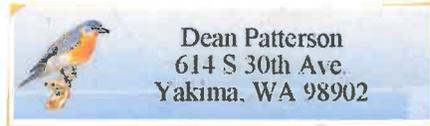
Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Warinner".

Bob Warinner  
Watershed Steward  
Washington Department of Fish and Wildlife  
PO Box 1100  
La Conner, WA 98229  
360.466.4345 ext. 252  
[robert.warinner@dfw.wa.gov](mailto:robert.warinner@dfw.wa.gov)

November 30, 2009

Margaret Fleek, Planning Director  
City of Burlington  
833 S. Spruce Street  
Burlington, WA 98233



**Subject: Request for science resources**

Dear Ms. Fleek:

Thank you for your request inquiring about scientific resources you might use in your Shoreline Master Program (SMP) update effort.

As you are aware, the Shoreline Management Act requires the use of science in developing Shoreline Master Programs. Specifically, RCW 90.58.100(1)(a) requires jurisdictions to “Utilize a systematic interdisciplinary approach which **will insure the integrated use of the natural and social sciences** and the environmental design arts.” While the Growth Management Act’s requirement to use Best Available Science has different wording than the Shoreline Management Act, accomplishing both requirements results in the same work and same outcome – (1) a review of the science, and (2) the establishment of regulations based on the science unless there is a logical and compelling reason for not doing so.

Your inquiry focused on inventories, assessments, etc. for the immediate geographic area around the City of Burlington. Our scientific resources are oriented more generally, and are not only focused on your area; however, we are providing more general scientific resources for your consideration and use in the development of regulations to protect shoreline resources.

Our specific concern is that regulations for different types of development accurately address the particular impacts of those different types of development on the natural ecological functions of shoreline systems. This cannot be done without an understanding of the scientific underpinnings of shoreline systems, coupled with the construction methods and resulting impacts of the different types of development. For example, roads and bridges, utilities and water crossings, and shoreline armoring all affect shoreline river systems differently, and the regulations should be specialized to deal with the specific impacts of those types of development.

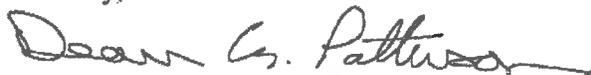
Below are our scientific resource recommendations:

- 1) Futurewise’s CAO on CD science compilation addresses many critical areas issues prevalent in shoreline jurisdiction.
- 2) King County’s Best Available Science document (both on the CD and available for download at <http://www.kingcounty.gov/property/permits/codes/CAO.aspx>) also addresses critical areas issues, and includes relevant buffer and vegetation management information applicable to the Carnation area.
- 3) The Yakima County Best Available Science review document (available for download at <http://www.yakimacounty.us/publicservices/cao/BAS/Draft2BASreview.pdf>) includes much information about riverine ecological functions and science. The heavy concentration of rivers and floodplains in Yakima County is similar to the City of Burlington’s situation.

- 4) A review of the science of water features will show that the riparian vegetation around them performs ecological functions important for these water bodies. We have observed that many city jurisdictions do not have adequate critical areas buffers, and yet propose to use their CAOs for protecting shoreline waters. We have not reviewed Burlington's CAO, nor do we know what strategy the SMP update will use. However, please note that this kind of strategy is unsupported under the science and no-net-loss provisions of the SMA and SMP guidelines. Small buffers or setbacks are not supportable, unless the built-in impacts that they come with are accompanied by built-in mitigation in the form of vegetation enhancement.

Thank you for your inquiry. We hope this helps in your effort. We look forward to reviewing your draft SMP.

Sincerely,



Dean Patterson  
**Shoreline Planner**  
**Futurewise**

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**OCTOBER 21, 2009**

**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
***7:00 P.M.***

**AGENDA**

***Planning Commission Members:*** Rebecca Bradley, Ken Frye, Jana Vater, Steve Sexton, Marianne Manville-Ailles, Brian Hanson and Eddie Tjeerdsma.

***Staff:*** Margaret Fleek, Planning Director

15. Call the meeting to order.
16. Minutes of September 16, 2009.
17. Public hearing on proposed contract rezone to allow two drive through lanes on a site located at 115 Cedar Street that does not have access to a signalized intersection; develop site with a 3,500 square foot Credit Union building with parking, and a future retail or office building at 5,219 square feet, including about 2,200 yards of fill on a 1.05 acre site, retaining existing 3,000 square foot storage building. Applicant is NW Plus Credit Union by Carletti Architects.
18. Discussion of the Public Participation Plan for the Shoreline Master Program update, including expanding the scope to cover the implementation of the Gages Slough plans.
19. Status report on the Sign Code that is at the City Council for consideration.
20. Adjourn the meeting.

**CITY OF BURLINGTON**  
***PLANNING COMMISSION***

**NOVEMBER 18, 2009**

**BURLINGTON CITY COUNCIL CHAMBERS**  
**833 S. SPRUCE STREET**  
**7:00 P.M.**

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E. Compliance with the Biological Opinion options will focus on the "guidance to demonstrate that current measures are adequate" with possibly some minor code changes.

## **SHORELINE MASTER PROGRAM PUBLIC PARTICIPATION PLAN**

### **October 2009 Update to Planning Commission**

**This is an excerpt from the Grant Contract Scope of Work  
Any suggestions you might have would be appreciated – We have 0  
volunteers to date**

The SMP update process includes completion of updated inventory and analysis reports with corresponding maps and illustrations that characterize shoreline ecological conditions; development of shoreline policies, environment designations, and use regulations; as well as analysis of cumulative impacts and uses, preparation of a shoreline restoration plan and the formal local adoption process that includes State Environmental Policy Act review with public notice and comment periods, Public Hearings before the Planning Commission and City Council.

Public participation will include Website updates, a regular column in the monthly Land Use Bulletin, Press Releases, and a Citizen Advisory Task Force. Consultant support will be used for specific work program components, as outlined in the work program.

Coordinate throughout the SMP update process with Ecology and other applicable state agencies, neighboring jurisdictions, and Indian tribes as provided in the Guidelines and SMA procedural rules.

- State agencies in addition to the Department of Ecology include the Washington State Department of Fish and Wildlife and Community, Trade and Economic Development. The tribes include the Sauk-Suiattle, Upper Skagit, Swinomish and Samish tribes, and the Skagit System Cooperative. Skagit County, Mount Vernon, Sedro-Woolley are the neighboring jurisdictions along with Dike District #12 and 17.

In addition, consult with all other appropriate entities which may have useful scientific, technical, or cultural information, including federal agencies, watershed management planning units, salmon recovery lead entities, universities and other institutions, local individual outdoor recreationists and conservationists, and organizations with special expertise representing these interests.

- This includes the Skagit Watershed Council, Puget Sound Energy (recently relicensed dams in the area), the Federal Emergency Management Agency, National Marine Fisheries Service (ESA biological opinion), the Nature Conservancy, Skagit Land Trust, Futurewise, and other entities that have an interest. A local fishing enthusiast will be tapped for the task force, as Burlington has a major boat launch ramp in the city. Identification of universities, and local individuals that have an interest in being consulted will continue as the process begins and broad public notice is posted.

Coordinate with adjacent jurisdictions that share areas within shoreline jurisdiction (for example, jurisdictions on the same lake or stream) for the purpose of efficiently using grant funds; sharing information and methods of analysis; drafting compatible SMP policies, regulations, environment designations; and coordinating public involvement.

- The City of Mount Vernon, Skagit County, Lyman, Hamilton, Concrete and Burlington will definitely share information and resources. To date, all the cities and are under the umbrella of the County SMP and even though shoreline policies are in the respective comprehensive plans, the cities and towns have known for years that they need to complete a separate document that specifically addresses the unique location and issues facing each urban growth area.
- Shorelines regulations will be designed to be compatible throughout the system; taking into consideration the fact that there are substantially different issues and interests in each reach of the river system, and significant differences in approach to restoration with the Burlington levee system than in areas without levees.

Throughout Phases 1 through 5 of the SMP update planning process, the City will inform and involve the public in updating the SMP consistent with the Shoreline Management Act (see RCW 90.58.130) and WAC 173-26.

Staff will prepare a public participation plan that identifies specific objectives, outreach strategies, key parties (Planning Commission and elected officials, shoreline property owners, state agencies, Tribes, local residents, neighboring jurisdictions, etc.), and establish timelines for public participation activities. All parties will be engaged early and continuously in the update process, particularly those relevant individual recreationists and conservationists or organizations that may not typically seek involvement in new shoreline regulations. Documenting all public outreach and public events related to SMP development is required. Initial outreach will be broad and will include a request for participation on the Shorelines Advisory Task Force. **The Planning Commission will oversee the process and there will be a monthly update.**

Ecology recommends that the public participation process be coordinated by a designated facilitator (with responsibilities distinct from the local planner managing the update effort). A knowledgeable local consultant will be hired as the designated facilitator.



## PLANNING COMMISSION

*JANUARY 20, 2010 – 7:00 p.m.*

CITY COUNCIL CHAMBERS  
833 S. SPRUCE STREET, BURLINGTON

### AGENDA

***Planning Commission Members:*** Rebecca Bradley-Lowell, Ken Frye, Jana Vater, Brian Hanson, Marianne Manville-Ailles, Rock White and Sally Straathof.

***Staff:*** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Flag Salute.
3. Minutes of November 18, 2009.
4. Introduction of new Planning Commission members: Rock White and Sally Straathof who will be replacing Ed Tjeerdsma and Steve Sexton.
5. Review of proposed amendment to the Sign Code to allow Electronic Message Centers along Interstate 5 for developments larger than 20 acres meeting specific conditions. Applicant is Outlet Shoppes.
6. Public hearing on proposed contract rezone to increase zoning density on an R-3 Multi-family lot from 4.5 to 6 units. Site is located at 1231 E. Fairhaven Avenue. Applicant is Roger Helgeson.
7. Temporary Use Permit for one year for sales of produce at 157 South Burlington Boulevard. Applicant is Mr. Ciscernos.
8. Shoreline Master Program update:
  - Review and comment on Shoreline Jurisdiction Map
  - Discuss Shoreline Inventory
  - Discuss shoreline challenges and recommendations for protection and restoration of shoreline functions, in light of the Biological Opinion issued by National Marine Fisheries.
9. Adjourn the meeting.

# NEXT STEPS

## **PHASE 2: SHORELINE INVENTORY, ANALYSIS & CHARACTERIZATION**

### **Task 2.1: Complete shoreline inventory**

Compile all pertinent and reasonably available data, plans, studies, inventories, maps and other applicable information. Collect the following information to the extent that such information is relevant and reasonably obtainable:

- Shorelines of the State (all marine shorelines, streams >20 cfs mean annual flow, lakes >20 acres, and shorelands) as defined in RCW 90.58.030, located in the Recipient's jurisdiction.
- General location of channel migration zones, floodplains, and the floodway.
- Critical areas, including wetlands, aquifer recharge areas, fish and wildlife conservation areas, geologically hazardous areas, and frequently flooded areas, as defined in RCW 36.70A, the Growth Management Act.
- Shoreline and adjacent land use patterns/density and transportation and utility facilities, including the extent of existing structures, impervious surfaces, vegetation and shoreline modifications within shoreline jurisdiction. Platted lots including undeveloped lots (except those not developable under local subdivision ordinance).
- Degraded areas and sites with potential for ecological restoration.
- Areas of special interest, such as priority habitats, rapidly developing waterfronts, previously identified toxic or hazardous material clean-up sites, and eroding shorelines.
- Existing and potential shoreline public access sites, including public rights-of-way and utility corridors. The inventory will include descriptions of recorded public access easements, their prescribed use, maintenance and terms.
- Historical aerial photographs documenting past conditions to assist in preparing an analysis of cumulative impacts of development.
- Archaeological and historic resources in shoreline jurisdiction.
- Policies and regulations in shoreland and adjacent areas that affect shorelines, such as surface water management and land use plans and regulations (Critical Areas Ordinance, flood ordinance, etc.).

#### *Deliverables:*

1. Draft list of inventory data sources (digital copy) for review and comment.
2. Digital working maps of inventory information displayed at appropriate scales.
3. An SMP Submittal Checklist completed as relevant to task.

*Due Dates: April 2010 with some items delayed because of more data needed such as the archeological and historical resources in some locations.*

***(Note: Please provide Ecology with sufficient time, approximately 30 days, to review and comment on the draft inventory data sources list and working maps.)***

## **Task 2.2: Conduct shoreline analysis**

Conducting the shoreline analysis will result in a shoreline characterization report. The report will define the ecological functions of the shorelines in this jurisdiction, identify shoreline management challenges, and present recommendations for protection and restoration of shoreline functions. (Please see description of this report in Task 2.3.)

Conduct an analysis of the inventory information and data collected in Task 2.1 as it relates to development of an effective SMP. Develop a characterization of the ecosystem processes and shoreline functions. Identify opportunities for shoreline protection and restoration. Identify current and potential public access sites. Conduct a shoreline use analysis. Identify measures and actions to protect and restore shoreline functions and ecosystem wide processes (e.g. appropriate land use activities or environment designations, regulations, development standards, etc.) These tasks will be an update of the work done in 1999, combined with the ongoing restoration projects in the Gages Slough corridor, the 2007 update of the Gages Slough Technical Report, and a plan component for riparian buffer restoration in some riverfront locations where the levees are setback or proposed to be setback. This work will be conducted as it is relevant to shorelines in this jurisdiction.

### **2.2.1 Characterize ecosystem-wide processes**

This characterization will include a coarse-scale analysis of the broader area that influences the shoreline jurisdiction. It will include a narrative with reference to maps that describes and illustrates the processes in the larger drainage area that are linked to the shoreline through hydrologic flows. These processes include the uptake, transport and deposition of sediment, nutrients, woody debris, and pollutants. There is a lot of current information available for the Skagit River watershed. Specifically, this characterization will:

- Present the geographic context for shoreline jurisdiction areas –with geology, soils, topography, vegetation, and drainage patterns of the watersheds. Describe how these large scale upland areas relate to and affect the shoreline. Review existing regional watershed or natural resource related plans for inclusion of relevant information.
- Identify areas throughout the watersheds, or, within and beyond shoreline jurisdiction, that are important to maintaining shoreline ecological functions (e.g. wetlands, forest cover, floodplains, higher permeability deposits, discharge, organic/clay soils, etc.)
- Identify areas that are key impairments (e.g. forest clearing, impervious cover, channelized streams, altered wetlands, roads and ditches, dams/diversions, groundwater withdrawals, and listed impairments such as those published in the 303(d) list.
- Identify opportunities for protection/restoration of upland and adjacent areas essential for maintaining shoreline processes and function.

### **2.2.2 Characterize shoreline functions**

This will be a more detailed analysis of the shoreline jurisdiction that includes a narrative with reference to maps and GIS data. Delineate shoreline reaches based on land use and ecological processes (such as man-made physical features, stream confluences, or littoral drift cell boundaries). Describe functions that are associated with each shoreline reach. Specifically, this characterization will:

- Detail the physical, biological, and land-use components within the shoreline jurisdiction.

- Evaluate and assess shoreline ecological function using current scientific understanding of the relationship between the conditions of ecosystem-wide processes and functions within shoreline jurisdiction. Identify functions that are healthy, functions that are adversely impacted and functions that may have existed and are now missing.

### **2.2.3 Conduct Shoreline Use Analysis; analyze opportunities for public access**

- Conduct shoreline use analysis:
  - Identify current patterns of land uses in shoreline areas.
  - Identify likely or projected uses in shoreline areas.
  - As applicable, analyze potential use conflicts and identify possible adverse impacts those could have on current ecological functions.
  - Estimate future demand for shoreline space consistent with WAC 173-26-201(3)(d)(ii) requirements.
  - Identify opportunities and demand for SMA preferred uses and potential use conflicts based on current use patterns and projected trends.
- Identify current public access sites and opportunities for future access sites.

### **Task 2.3 Prepare shoreline inventory and characterization report**

Prepare a shoreline inventory and characterization report with accompanying maps that provides an analysis of the inventory data, ecosystem characterization and shoreline functions, shoreline use and public access findings as it relates to development of an effective SMP. The report will present findings and recommendations in a way that is useful for making SMP planning decisions. This report will provide a foundation for establishing environment designations, policies and implementing regulations. The report should identify data gaps, focusing on information that would be useful to support shoreline program development and implementation. The report should:

- Present the geographic and jurisdictional context for the SMP update.
- Characterize ecosystem processes and functions.
- Present reach level analysis information. Detailed information on shoreline reaches will identify opportunities and constraints in:
  - Protecting intact and restoring degraded ecological processes and functions.
  - Addressing the requirements for shorelines of statewide significance per WAC 173-26-251.
  - Providing public access.
  - Accommodating appropriate water-oriented uses.
- Identify potential use conflicts to inform environment designation and allowed use decisions.
- Develop shoreline management measures for protection and restoration of ecological functions, SMP policies, regulations, and environment designations based on the findings of the inventory and characterization. (For example, recommendations may include appropriate land use activities or environment designations, regulations, development standards, restoration and protection actions and strategies.)
- Organize relevant data for efficient review and use in the cumulative impact analysis. (A table is recommended.)

The report will also include refined shoreline jurisdiction boundaries and synthesis maps at appropriate viewing scales that will inform the report and illustrate findings that correspond with the narrative. For example, the user will be introduced to the area with coarser resolution vicinity maps indicating the county/city location in the state and delineating county/city and

watershed boundaries. Maps at the shoreline reach scale will clearly differentiate the land and water contained within SMA jurisdiction from adjacent lands and contributing drainages. Maps at this scale will present the significant geologic, hydrologic, and ecologic features most essential to maintaining shoreline form and function and those land uses that may have altered upland processes influencing shoreline function. The reach scale maps also will indicate applicable inventory features such as known presence of listed species, critical riparian or aquatic vegetation, existing land uses, designated critical areas, and shoreline modifications. Potential areas for shoreline uses, public access, restoration and/or protection will be indicated. The portfolio will include a comprehensive list and map of public access to shorelines.

*Deliverables (digital copy with accompanying maps):*

1. Shoreline characterization and analysis report with map portfolio that addresses the above task requirements in 2.1, 2.2 and 2.3, above.

*Due Date: June 2010 submittal to DOE.*

***(Note: Please provide Ecology with sufficient time, approximately 45 to 60 days, to review and comment on the draft characterization and analysis report.)***

**Task 2.4: Demonstrate how Phase 2 complies with the Guidelines**

Fill in the SMP Submittal Checklist for the tasks that you have completed under Phase 2.

*Deliverables:*

1. An SMP Submittal Checklist completed as relevant to task (adding incrementally to earlier completed tasks).

*Due Date: June 2010*

**YEAR 2**

**PHASE 3: COMPLETE DRAFT SMP and CUMULATIVE IMPACTS ANALYSIS**

**Task 3.1 Conduct community visioning process**

***Conduct a community visioning process that includes as many citizens as possible to determine goals for future use of the shoreline. This process should be conducted with respect to the findings of the shoreline inventory and characterization report. The visioning process will identify shoreline problems and opportunities. It will result in a strategy for shoreline uses, public access, resource protection, and restoration that is consistent with SMA policy and SMP Guidelines objectives.***

*Deliverable: (digital copy)*

1. Strategy for shoreline uses, public access, resource protection and restoration (Task 3.1).

*Due date: December 2009*



## PLANNING COMMISSION

*APRIL 21, 2010 – 7:00 p.m.*

CITY COUNCIL CHAMBERS  
833 S. SPRUCE STREET, BURLINGTON

### AGENDA

**Planning Commission Members:** Rebecca Bradley-Lowell, Ken Frye, Jana Vater, Brian Hanson, Marianne Manville-Ailles, Rock White and Sally Straathof.

**Staff:** Margaret Fleek, Planning Director

1. Call the meeting to order.
2. Minutes of February 17, 2010.
3. Plan review of proposed development of three duplex townhouse units located at 1231 E. Fairhaven Avenue. Applicant is Roger Helgeson.
4. Proposed temporary use permit to continue the operation of the Taco Van at 983 South Burlington Boulevard for an additional year. Applicant is Raymond Rincon.
5. Public hearing on to hear public comments on a proposed 14 lot subdivision to create zero lot line residences in an approved duplex development that meets all the underlying zoning district requirements. Site is located on Oak Hill Lane. Applicant is Commonwealth LP.
6. Plan review of proposed addition of second story apartment to the existing store and gas station located at 157 S. Burlington Boulevard. Applicant is H. Singh and K. Kaur.
7. Temporary Use Permit for one year to open a used car lot with a temporary trailer at 2001 Bouslog Road. Applicant is Murphy Russell.
8. Shoreline Master Program update: Discussion of the planned community survey in the spring citywide newsletter that will cover shorelines and parks and recreation, and any questions that the Commission would like to see included. Introduction to the Draft Shoreline Analysis Report that will be available on line and hard copy on request for review and comment over the next couple of months.
9. Adjourn the meeting.



## FLOOD & NATURAL HAZARD REDUCTION PUBLIC INFORMATION BULLETIN #34

Fall 2009



***This Bulletin is being sent to you because your property has been determined to be in the floodplain.***

Burlington is in partnership with Dike District #12 and together, great progress is being made on local flood hazard mitigation planning. Over the summer, extensive geotechnical work was completed on the levee segment that begins on the east side and extends from Lafayette Road south to the Railroad Bridge. This is a critical step in identifying any potential problems with the levee strengthening and enlargement work that has been in process for several years. Additional detailed topographic studies have added to the accuracy of the computer modeling work. At the same time, federal environmental review of the proposal to set the levees back, from the Railroad Bridge through the three bridge corridor past Interstate 5, on both sides of the Skagit River, is moving forward as a joint effort of Skagit County, Burlington, Mount Vernon and Dike Districts #12 and 17. These two program components, levee enlargement and setback levees, are the major efforts in process to directly protect Burlington from the 100-year base flood event.

Local efforts aimed at getting the key experts at the national level to agree with city and county consultants on the major issue of hydrology (how much water gets here in a 100 year flood event) have not yet been successful. A Final Environmental Impact Statement will be issued by Burlington and Dike District #12 when adequate information is available to clearly present the city's best options and answer the questions that have been raised to date.

The major positive news is that the City of Burlington will be receiving a Flood Insurance Rate Reduction of 25%, effective on October 1, 2009. The rate reduction is increasing from 20-25% because almost every City department, the School District, Retirement Communities, and the Dike District are actively working on keeping Burlington prepared and involved, whether it is monitoring storm drainage facilities or making sure the emergency plan is ready to implement. **THANK YOU** for participating!!!

As of September, it appears that the preliminary release of the long pending update of the Flood Insurance Rate Maps is still on track for this December.

The Federal Emergency Management Agency is still working on how to save the Chinook Salmon and the Orca Whale, and they expect to have Regional Guidance and a model ordinance and checklist ready for distribution in late fall or early winter.

## Flood Safety & Disaster Preparedness

**Every home needs to be prepared and STAY PREPARED!** Review your Flood procedure at home with your household and take the time to put your Emergency Preparedness Kit together, or check your flashlight batteries in your existing kit. Remember, a supply of drinking water, emergency food and first aid kit are the bare minimums, along with flashlights. In addition to the basic three day supply of food and water, consider having supplies for sheltering for up to two weeks. Keep a small "grab and go" kit for your place of work with food, water, first aid supplies. For the emergency kit in the car, add flares, jumper cables and seasonal supplies.

There is an excellent FEMA publication entitled "Are You Ready? An In-depth Guide to Citizen Preparedness" available. This publication offers disaster information for natural hazards, technological hazards and terrorism. It will guide you for preparation in advance and recovery from a disaster. If you want to order a free copy for your home, call 1-800-480-2520. On the internet, <http://www.fema.gov/areyouready/> is the website link. A copy is available in the Burlington Public Library. **THIS COVERS THE BASIC DISASTER SUPPLIES KIT IN DETAIL.**

***Earthquakes are an example of a disaster that cannot be predicted and that is not seasonal. Be prepared at all times!***

## Local Flood Hazard Areas

There are three flood zones in the City Limits of Burlington, the Floodway (river side of the dike), the 100 Year Flood Zone and the Special Flood Risk Zone. Most of Burlington is in the 100 Year Flood Zone.

The Special Flood Risk Zone includes all land within 300 feet of the landward toe of the Dike. All structures must be designed so that floodwaters can pass underneath and there is no occupied space below one foot above the 100 year flood elevation, unless the site is within 100 feet of the Dike where nothing can be built. All property in Gages Slough that is three feet or more below the 100 year flood elevation was designated as Special Flood Risk in the mid-1980's as part of a negotiating process over the uniquely complex Skagit River delta area when the Flood Insurance Rate Maps were finalized. The status of Gages Slough will be revisited when new base flood elevation maps are released by the Federal Emergency Management Agency.

Burlington and Dike District #12 are implementing an Interlocal Agreement to move ahead with plans for Levee Certification, to get 100-year flood protection for Burlington. Engineering analysis is being done systematically to document the levee design. The levee enlargement work started in 1990 and earthwork is still underway. Land acquisition and environmental review are also moving ahead for setting the levees back through the three-bridge corridor (Railroad bridge, Old 99 bridge, and Interstate 5 bridge) to protect the urban areas of Burlington and Mount Vernon in a 100-year flood event.

## Natural & Beneficial Functions of Floodplains

Filling property to increase elevation in the floodplain is allowed today, but the long term goal is to minimize fill to protect fish and wildlife habitat. Burlington supports habitat improvements in the floodplain, and the Gages Slough restoration projects are a major effort in the city. Storm water quality monitoring in Burlington clearly shows that better water quality treatment systems are needed and this is a major focus of the surface water utility. The focus on the environment will continue to grow as FEMA implements a response to a Biological Opinion about the harm being done to Endangered Species because of the FEMA floodplain regulations, including Chinook Salmon and Orca Whales.

The Gages Slough habitat management plan has identified locations for restoration and water quality improvement projects, so mitigation projects will be ready to build when the opportunity arises. Wetland buffer restoration and maintenance projects are in process to improve habitat and several more are in the planning stages. Improving public access to habitat areas is another important goal for the program. Urban areas are unique because it is not simple to protect the public and at the same time, restore the environment; this is one of many challenges today and in the future.

Protecting agricultural lands is part of protecting the Natural and Beneficial Functions of Floodplains. The city is working towards implementing the Burlington Agricultural Heritage Credit program which will raise funds for farmland preservation in exchange for increased residential density in Downtown and the Retail Core. An area of 5,628 acres has been identified as the target area for purchase of development rights.

Key elements of the Skagit County Natural Hazard Mitigation Plan include giving the Skagit River more room by setting the dikes back in Burlington and looking at a variety of measures through the delta area to the mouth of the Skagit River, carefully coordinating and managing the hydroelectric power dams in the river system during a flood event, permanently moving homes and development rights out of the floodway, improving the environment for wildlife, and creating new public access opportunities to improve everyone's quality of life.

## Floodplain Development Permit Requirements

Before you build, add fill, or make changes to your property and structures, be sure to contact the Planning and Building Departments to determine if any permits or approvals are necessary. The Federal Emergency Management Agency and the Insurance Industry make frequent changes in the interpretation of floodplain standards, and you need to be sure you are using the most current information for any construction project.

## Flood Warning System

Each and every citizen has a role to play in the event of a flood. BE PREPARED!!! The Burlington Flood Emergency Team prepares and coordinates activities needed to be ready for any flood event with the involvement of all the responsible agencies. A new siren system is in the works that will have several locations for better coverage; meanwhile the existing siren is ready if needed.

The procedure for warning the public is coordinated through the Skagit County Department of Emergency Management. The Emergency Alert System is activated when necessary and includes the following local radio stations:

**KBRC 1430 AM • KWLE 1340 AM • KAPS 660 AM**

If evacuation is necessary, there will also be door-to-door notification and loudspeakers broadcasting from public safety vehicles in the neighborhood. Flaggers will be stationed at key intersections along the Evacuation Route to direct traffic.

Today, there are three neighborhoods in the Neighbor-to-Neighbor notification plan for very early warning. Contact your neighbors to ask if they want to be part of taking responsibility for each other, through a simple Telephone Tree, and call the Planning Department to get on the list. Now is the perfect time to identify your block captains and work together to BE PREPARED. Meetings are now being scheduled for the upcoming Flood Season.

## Flood Insurance

Any property owner in the City of Burlington is eligible to obtain Flood Hazard Insurance, since the city participates in the National Flood Insurance Program. Purchasing or refinancing a home will trigger a requirement for flood insurance by the lender. Coverage in the event of flooding is not included in typical homeowner's insurance policies. Flood insurance is available through your own agency or broker and includes flooding from ponding/drainage problems, snowmelt flooding, runoff on hillsides, or any flooding involving surface water. Contents of the building are a separate addition to the policy. There is limited coverage available for flood-related erosion and mudslide. Replacement cost coverage is available for principal residences. *Concerned about high Flood Insurance Rates?* You may qualify for a substantial reduction if you have an Elevation Certificate that shows your home or business is located at or above the 100 year flood elevation. You will have to retain the services of a Licensed Engineer to complete the paperwork, unless an Elevation Certificate is on file already with the Building Department, so please check here first.

If you are concerned that your flood insurance rates are increasing, contact the Building Department and review your Elevation Certificate to make sure that all the information is correct.

Lowering flood insurance premiums: elevate, elevate, elevate... Not only should the low floor be elevated but make sure that the floor of the crawlspace meets Technical Bulletin 11-01. Flood insurance rates are higher for buildings with crawl spaces that are two feet or more below the lowest adjacent exterior grade. Also make sure that all mechanical equipment is elevated above the BFE. This includes ductwork, heat pumps, furnaces, and propane tanks or oil tanks. Make sure any garages that have the floor below BFE are also vented along with the crawlspace.

## Property Protection Measures

Let's get started on improving flood protection in your home! Staff is available to provide site specific flood and flood-related data, make site visits to review flood, drainage and sewer problems and to advise and assist on retrofitting techniques.

Stop by the Permit Center or give the Building Department a call at 755-0077 and let the city provide you with technical assistance on improving flood protection in your home. A site visit will be scheduled at your convenience to put a checklist together for home flood protection improvements. Staff is also available from the Public Works Department if additional assistance is needed to assist with drainage and sewer problems.

If you want to do your own research, here are some of the recommended FEMA technical bulletins that you will find at the Burlington Public Library and the Building Department for your use:

- **Homeowner's Guide to Retrofitting, FEMA-312**
- **Design Manual for Retrofitting Flood-prone Residential Structures, FEMA-114**
- **Protecting Building Utilities from Flood Damage, FEMA-348**

Take a few minutes to look over the possible areas where you may need to floodproof important parts of your home. A good example is protecting utility systems. This is one of the easiest and least expensive retrofitting methods to accomplish. Whether it is elevating, relocating, or anchoring; items such as electrical panel boxes, furnaces, water heaters, washers/dryers and heating fuel tanks are typically very cost effective items to upgrade. There are also recommendations for drainage and crawl space improvements.

If you have a newer (post 1985) home, check to be sure these items have been taken care of when the home was constructed. Identify the potential for moving essential items and furniture to upper floors or the attic of your home. Materials like sandbags, plywood, plastic sheeting, and lumber handy for emergency waterproofing can already be on hand. This action will help minimize the amount of damage caused by floodwaters and requires minimal storage space.

**DO NOT DRIVE THROUGH FLOODED AREAS.**

## Map Determination & Library Information

A map determination is figuring out where the 100 year flood elevation is located relative to the first occupied floor of your home or business. This information is used to prepare an Elevation Certificate. A citywide system of elevation benchmarks is maintained in the Building Department. An average of an additional \$200 in savings is possible on your flood insurance policy if you have an elevation certificate, in addition to the 25% rate reduction available in Burlington on October 1, 2009, as a result of community participation in the federal Community Rating System program. There are issues with flood insurance providers, and if you feel that you are not getting good information, please contact the city and we will try to help.

Information on other flood improvements, such as elevating your building, filling the crawl space, or floodproofing the lower portion, is available from the City and in the Burlington Public Library. There is a flood reference area in the library and staff will assist in directing you to the information you need.

Every land use newsletter includes a flood and natural hazard mitigation topic. Call the Planning Department at 755-9717 to get on the mailing list! Take the time to participate because your ideas will be taken seriously and you will have a say in the future of your community.

## Substantial Improvement/Damage Requirements

The National Flood Insurance Program requires that if the cost of reconstruction, rehabilitation, addition, or other improvements to a building equals or exceeds 50% of the building's market value, then the building must meet the construction requirements for a new building. Substantially damaged buildings must also be brought up to the same standard. The major issue is elevating the structure one foot above the 100 year flood elevation, along with all mechanical equipment, ductwork and electrical equipment, and installing properly located and sized vents. However, if you are located in the Gages Slough Special Flood Risk Zone, "breakaway walls" are required below the 100 year flood elevation, and they must be designed by a licensed structural engineer.

## Drainage System Maintenance

This is the sixth year of water quality studies in Gages Slough and wetland restoration projects to improve water quality are a high priority. The commitment to long term maintenance, monitoring and habitat improvement is beginning to show, with the success of the first two wetland restoration projects that are beginning to mature. Clean water, efficient flow of water when needed, and a quality environment are the goals. Gages Slough and the Skagit River are important amenities for the community. Burlington is fortunate to have the Skagit Conservation District as a partner in Gages Slough water quality sampling.

The drainage maintenance and inspection program is part of flood hazard mitigation. Every year, all detention ponds, pipes, catch basins and other drainage control structures are inspected and corrections required as needed to ensure that the capacity of the ponds is maintained and that the ability of the system to clean the storm water is retained, in addition to inspection and maintenance of the city street system. The public drainage system, including culverts, pipes and ditches is well maintained. Gages Slough is maintained at each street intersection and culvert location. A well maintained drainage system that functions in small storms will provide the best assistance possible in large storms and floods, by quickly and efficiently carrying the excess water out of town.

Thank you for respecting the signs that state "No Dumping – thank you" at public access points to Gages Slough! Each property owner along the Slough is responsible for cleaning up any litter or trash that is on their property. The problem of illegal dumping of yard waste in Gages Slough and the problem of trash dumped at points of public access to the River can only be solved if everyone helps out. It is illegal to dump or to fill along Gages Slough or the Skagit River. You may report illegal dumping (this includes yard waste) in the Slough, by calling the Code Enforcement Officer at either 755-9717 or 755-2307, or in writing.

**CITY OF BURLINGTON**  
**Planning Department**  
**833 S. Spruce Street**  
**Burlington WA 98233**  
**Phone: (360) 755-9717**  
**[bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)**



*This bulletin provides an update on all pending land use actions ranging from opportunities for citizen involvement and appeal of proposed development projects, to the meeting calendar for land use and planning related activities.*



**PLAN TO ATTEND A  
COMMUNITY MEETING  
TUESDAY, SEPTEMBER 29**  
at 7:00 P.M. IN THE  
CITY COUNCIL CHAMBERS  
833 S. SPRUCE STREET

*There are several controversial issues facing the Community and YOUR opinions make a difference!*

**HISTORY OF BURLINGTON**

► Should the Grafton House be relocated to Railroad Park from Burlington Boulevard? Plans are to build an Urban Plaza for Community Events and construct a replica of the old Burlington Northern Train Station to house the Visitor Information Center, Public Restrooms, and provide a covered platform for outdoor events in the park, such as live music and art shows. There will also be a Transportation Museum component. If the Grafton House is also placed in the Park, there would be the opportunity to display more of the overall history of the community.

► What about the History of Agriculture? Do you like the display of old Farm Equipment in the Roundabout?

► Should the History of People and Places be the major focus for building Public Art? Memorials and monuments and a self-guiding history walk could be the focus for the next steps in adding public art to the city.

**PARK AND OPEN SPACE NEEDED IN PETERSON ROAD AREA**

► Citizens are concerned about Garrett Road and the Pulver/Peterson Road School District proposal – what do you want to see?

**FLOODING AND THE FUTURE**

*The Federal Emergency Management Agency will be attending the meeting to provide an update on major issues.*

► Good news is that there will be a 25% reduction in Flood Insurance Rates in Burlington effective October 1, 2009, up from 20%, because we participate in the Community Rating System program.

► Bad news is that the new Flood Insurance Rate Maps MAY be issued in late December of this year.

► Difficult issues include improving the habitat and water quality of the Skagit River and how to protect the City with better Levees when environmental groups are demanding planting trees that may make flood protection much more difficult.

► A new set of federal guidance and a model ordinance and checklist will be ready late fall or early winter, and everyone needs to be aware of what may directly impact your property.

**BOARD OF ADJUSTMENT**

Change of date for September meeting.  
See page 2 for details.





## APPLICATIONS IN PROCESS

**PLANNING COMMISSION** – is scheduled for *Wednesday, September 16, 2009 at 7:00 pm* in the **City Council Chambers** located at **833 S. Spruce Street**.

Public hearing on the City of Burlington's *2010-2015 proposed Capital Improvement Plan*.

Discussion of the Alternative Futures Project, the Shoreline Master Program update, the plans to complete the long pending update of the Zoning Code including Rezoning quite a large area of Burlington, and adding the Burlington Agricultural Heritage Density Bonus Credits where appropriate. The issue at hand is the need for citizen involvement and input. One suggestion is to regularly include at least one of these issues on the Planning Commission Agenda each month and to better advertise the Planning Commission meetings to get more comments from the public. Other recommendations are needed!

**DATE CHANGE:**

**BOARD OF ADJUSTMENT** – is scheduled for **TUESDAY, September 29, 2009 at 6:00 pm** in the **City Council Chambers** located at **833 S. Spruce Street**.

Public hearing on a proposed variance from the front yard setback for a carport. 20 feet required, 0 feet proposed. Site is located at **807 Quinnet Drive**. Cindy Galvan, applicant.

### HOW TO GET INVOLVED

If you are interested in keeping up on events and issues in Burlington, contact the Planning Department at 755-9717 or stop by the office at 833 South Spruce Street.



If you have neighbors who are interested in what is happening, we will be happy to put them on our mailing list!



### MEETING CALENDAR FOR SEPTEMBER

- » **CITY COUNCIL** — Thursday, September 10 and 24, 2009 at 7 p.m.
- » **PLANNING COMMISSION** — Wed., September 16, 2009 at 7 p.m.
- » **BOARD OF ADJUSTMENT** — Tues., September 29, 2009 at 6 p.m.

Meetings are held in the City Council Chambers at 833 S. Spruce Street, Burlington



## APPLICATIONS IN PROCESS WITH NO ACTION TAKEN

CONTACT THE PLANNING DEPARTMENT AT 755-9717  
FOR MORE INFORMATION ON ANY PROJECT.

### MITIGATED DETERMINATION OF NONSIGNIFICANCE

**Description of Proposal:** Development of Railroad Park to provide a Downtown Event Plaza and Welcome Center, a phased project, including approximately 5,000 cubic yards of fill in the park area, development of the public plaza and a new Welcome Center that is a replica of the original Train Station including the Visitor Information Center, Public Restrooms and a covered platform facing the park for events and activities on one parcel; and parking for about 100 cars.

**Proponent:** City of Burlington in partnership with the Chamber of Commerce and the Burlington Parks Foundation

**Location of Proposal:** 520 E. Fairhaven Ave.

**Lead agency:** City of Burlington

**Background:** Development of Railroad Park as an urban plaza and public event space is the first phase, so that use of the site will begin in 2010, and then construct a replica of the original Burlington Train Station as the Welcome Center, including the Visitor Information Center and Chamber of Commerce office, Public Restrooms.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the following condition: Comply with Stormwater Best Management Practices for all site work.

*This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.*

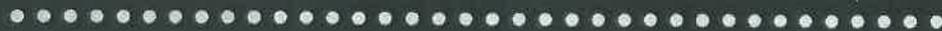
**Responsible Official:** Margaret Fleek  
City of Burlington

**Position/Title:** Planning Director

**Address:** 833 South Spruce Street,  
Burlington, Washington 98233

**Date:** September 3, 2009

You may appeal this determination to the Planning Department at 833 South Spruce, Burlington, WA 98233. Appeals must be in writing and filed no later than **September 17, 2009**. You should prepare to make specific factual objections. Contact the Planning Department to read or ask about the procedures for SEPA appeals.



### CITY OF BURLINGTON AND DIKE DISTRICT #12 FLOOD HAZARD MITIGATION

Final Environmental Impact Statement will be prepared this Fall when the design process is far enough along to be able to clearly address the issues. The project goal is to upgrade appropriate sections of the existing levees and construct new levees, or provide other measures as necessary to result in Certified Levees where appropriate to protect the City of Burlington's Urban Area. The purpose is to stabilize the base flood elevations for the long term future, ensuring predictable development standards, protect the public from the 100-year flood (which has a 1% probability of occurring in any year). Also, a parallel process is underway to complete National Environmental Policy Act review of the proposed levee setback in the three-bridge corridor.

## GAGES SLOUGH & SKAGIT RIVER CORRIDOR UPDATE



Lowering flood insurance premiums: elevate, elevate, elevate... Not only should the low floor be elevated but make sure that the floor of the crawlspace meets Technical Bulletin 11-01 (yes, there are copies available at the Building Department). Also make sure that all mechanical equipment is elevated above the Base Flood Elevation (BFE). This includes ductwork, heat pumps, furnaces, and propane tanks or oil tanks. Make sure any garages that have the floor below BFE are also vented along with the crawlspace.

Please plan to attend the annual meeting of the *Natural Hazard Mitigation Planning Committee on September 30, 2009, at*

4:00 p.m. in the City Council Chambers. There will be an update on a wide array of projects and programs, including what is happening in Burlington on Flood Hazard Mitigation.

When the rain comes to Burlington, all the runoff filled with pollutants wash into Gages Slough, and the water quality monitoring program clearly shows that more work is needed by every citizen and business to keep oil, grease, pesticides, chemical fertilizers OUT of the WATER! There is lots of good information available at City Hall on steps you can take at home and work.



**PLANNING DEPARTMENT**  
833 S. Spruce Street  
Burlington, WA 98233

Phone 360-755-9717 ■ Fax 360-755-9309  
E-mail: [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)  
Website: [www.ci.burlington.wa.us](http://www.ci.burlington.wa.us)

**LAND USE BULLETIN**

## CODE CHANGES & NEIGHBORHOOD PLANNING ISSUES

*Please contact the Planning Department if you are interested in participating in any of these programs and projects!!!*

- ▶ A Shoreline Master Program Advisory Committee will begin meeting this fall, developing a shoreline master program for Gages Slough and the Skagit River Shorelines. A major focus will be on restoration opportunities.
- ▶ More volunteers are needed to participate in a Task Force on how to implement the Burlington Agricultural Heritage Density Bonus Credits. Should we allow higher density in single family neighborhoods, or focus only on Downtown and the Retail Core? Should we include Commercial Uses in the program? We need more than two volunteers here!!!
- ▶ An Economic Development Committee is being set up in coordination with the Chamber of Commerce to look at a full slate of ideas and opportunities for Burlington's future.

## LAND USE BULLETIN



VOL. 19,  
ISSUE 6  
October 2009

*This bulletin provides an update on all pending land use actions ranging from opportunities for citizen involvement and appeal of proposed development projects, to the meeting calendar for land use and planning related activities.*



### APPLICATIONS IN PROCESS

**PLANNING COMMISSION** – is scheduled for Wednesday, October 21, 2009 at 7:00 pm in the City Council Chambers located at 833 South Spruce Street.

▶ Public hearing on proposed contract rezone to allow two drive through lanes on a site located at 115 Cedar Street that does not have access to a signalized intersection; develop site with a 3,500 square foot Credit Union building with parking, and a future retail or office building at 5,219 square feet, including about 2,200 yards of fill on a 1.05 acre site, retaining existing 3,000 square foot storage building.

Applicant is NW Plus Credit Union by Carletti Architects.

▶ Discussion of the Public Participation Plan for the Shoreline Master Program update, including expanding the scope to cover the implementation of the Gages Slough plans.

▶ Status report on the Sign Code that is at the City Council for consideration.

**BOARD OF ADJUSTMENT** – meeting is cancelled for October.

### MEETING CALENDAR

- ▶ **CITY COUNCIL**— October 22, November 12 & 24, December 10, 2009 at 7:00 p.m.
- ▶ **PLANNING COMMISSION** — Wednesday, October 21, 2009 at 7:00 p.m.

Meetings are held in the  
City Council Chambers at:  
833 S. Spruce Street



# Flood Awareness Week

## OCTOBER 19-23

Get ready for the season by updating your emergency kits and participating in some events.

For more information check out the Fall Flood Bulletin on the city website. Click on Departments/Planning/Flood Information/Flood Bulletins @:

[www.ci.burlington.wa.us](http://www.ci.burlington.wa.us)

# APPLICATIONS IN PROCESS WITH NO ACTION TAKEN

CONTACT THE PLANNING DEPARTMENT AT 755-9717 FOR MORE INFORMATION ON ANY PROJECT

## ▶ NOTICE OF APPLICATION FOR ENVIRONMENTAL REVIEW AND REQUEST FOR COMMENTS BEFORE A THRESHOLD DETERMINATION OF SIGNIFICANCE OR NONSIGNIFICANCE IS PREPARED

**Description of Proposal:** Implement Gages Slough Plans including improving water quality, improving the ability of the slough to function as a drainage facility, restore wetland functions and values, and implement the component of the adopted Connected Open Space Plan to provide a pedestrian transportation corridor and public access. This will include buffer restoration and trail construction, construction of bioswales in nonwetland locations, and completion of planning for capital project.

**Proponent:** City of Burlington

**Location of Proposal:** 833 S. Spruce Street

**Lead agency:** City of Burlington

**Background:** The framework for this project was addressed in the Environmental Impact Statement finalized in April 1994, prepared for the adoption of the Comprehensive Plans and subsequent updates to implement the Growth Management Act in the City of Burlington. The initial program was developed through on-going Neighborhood Planning Committees that met regularly for many years.

This is additional planning and project development work that follows up on the work of the 1998-1999 Citizen's Advisory Committee who developed the first Gages Slough Management Plan and proposed adding the Gages Slough wetland to the shoreline jurisdiction. There have been subsequent technical updates in 2006 and 2009. The development of the Connected Open Space Plan was designed through a community involvement process in 2003, adopted in the Parks and Recreation Comprehensive Plan in 2005.

Implementing the Gages Slough Plans includes improving water quality, improving the ability of the slough to function as a drainage facility, restoring wetland functions and values, and implementing the component of the adopted Connected Open Space Plan to provide a pedestrian transportation corridor and public access. This will include buffer restoration and trail construction, construction of bioswales in nonwetland locations, and completion of planning for capital project.

Work will be coordinated with the Citizens Advisory Committee for the Shoreline Master Program and integrated with the on-going public education and outreach that are part of the existing Federal Emergency Management Agency Community Rating System program, the NPDES Phase II Municipal Stormwater Permit and the update of the Shoreline Master Program.

*If there is any work done in the wetland itself, appropriate permits will be obtained that may include Hydraulic Project Approval, Corps of Engineers Permit and Water Quality Certification. Gages Slough is not presently included in the Shoreline Management Act jurisdiction.*

*The lead agency for this proposal has NOT yet made a threshold determination of whether or not the proposed project has a probable significant adverse impact on the environment. An environmental impact statement (EIS) may be required under RCW 43.21C.030(2)(c), or it may be possible to prepare a Mitigated Determination of Nonsignificance. If a Mitigated Determination of Nonsignificance is prepared, it would be subject to the following conditions, along with others you recommend in your comments:*

1. Construction shall be subject to Best Management Practices per Department of Ecology Manual.
2. Review for Historic and Cultural Resources if dredging is proposed.
3. Other?

**Comments must be submitted by November 4, 2009 on environmental concerns.**

**Responsible Official:** Margaret Fleek,  
City of Burlington

**Position/Title:** Planning Director

**Address for comments:**  
833 S. Spruce Street  
Burlington, WA 98233

**Date:** October 14, 2009

*Continued on Page 2*

## GAGES SLOUGH & SKAGIT RIVER CORRIDOR UPDATE



This year, beginning October 1, 2009, Burlington property owners who have flood insurance will receive a **25% discount**, up from 20%, because Burlington participates in the Community Rating System program. If you are considering buying flood insurance, you may want to gather more information at the Building Department about your property, including *whether there is an Elevation Certificate on file*. **Call 755-0077.**

The City will provide broad public notice at the time new flood insurance rate maps are published, currently planned for the end of this year.

Burlington is partnering with the Skagit Conservation District to monitor water quality in Gages Slough, and because of the pollution and the need to get clean water into the Skagit River to protect endangered species, not to mention all the wildlife, Burlington is gearing up to implement the Gages Slough Plans. Give us a call at **755-9717** if you want to be on the **Citizen Advisory Committee**.



### HOW TO GET INVOLVED

If you are interested in keeping up on events and issues in Burlington, please contact the Planning Department at 755-9717 or stop by the office at 833 South Spruce Street. If you have neighbors who are interested in what is happening, we will be happy to put them on our mailing list!

**WANTED!**

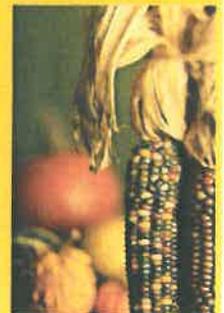
The Mayor is looking for an interested citizen who wants to be on the Board of Adjustment. This is a great opportunity to be a part of your community and learn how the city makes decisions in the neighborhoods. Give us a call at 755-9717 if you are interested!



*continued from Page 2*

### APPLICATIONS IN PROCESS WITH NO ACTION TAKEN

► **CITY OF BURLINGTON AND DIKE DISTRICT #12 FLOOD HAZARD MITIGATION** – Final Environmental Impact Statement will be prepared this Fall when the design process is far enough along to be able to clearly address the issues. The project goal is to upgrade appropriate sections of the existing levees and construct new levees, or provide other measures as necessary to result in Certified Levees where appropriate to protect the City of Burlington's Urban Area. The purpose is to stabilize the base flood elevations for the long term future, ensuring predictable development standards, protect the public from the 100-year flood (which has a 1% probability of occurring in any year). Also, a parallel process is underway to complete National Environmental Policy Act review of the proposed levee setback in the three-bridge corridor.



## CODE CHANGES & NEIGHBORHOOD PLANNING ISSUES

Please contact the Planning Department at 755-9717 if you are interested  
In participating in any of these programs and projects!!!

▶ A Shoreline Master Program Advisory Committee will begin meeting this fall, developing a shoreline master program for Gages Slough and the Skagit River Shorelines. A major focus will be on restoration opportunities. A new and exciting addition to the committee will be implementing the Gages Slough Plans as described on Page 3! **Call today and volunteer @ 755-9717.** Meetings will be either daytime or late afternoon, depending on Volunteers schedules.

▶ The Task Force on how to implement the Burlington Agricultural Heritage Density Bonus Credits is coming together, so if you are interested, now is the time. Should we allow higher density in single family neighborhoods, or focus only on Downtown and the Retail Core? Should we include Commercial Uses in the program?

▶ An Economic Development Committee is being set up in coordination with the Chamber of Commerce to look at a full slate of ideas and opportunities for Burlington's future.



**PLANNING DEPARTMENT**  
833 S. Spruce Street  
Burlington, WA 98233

Phone: 360-755-9717 • Fax: 360-755-9309  
E-mail: [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)  
Website: [www.ci.burlington.wa.us](http://www.ci.burlington.wa.us)



**LAND USE BULLETIN**



*This bulletin provides an update on all pending land use actions ranging from opportunities for citizen involvement and appeal of proposed development projects, to the meeting calendar for land use and planning related activities.*



### APPLICATIONS IN PROCESS

**PLANNING COMMISSION** – is scheduled for **Wednesday, January 20, 2010 at 7:00 pm** in the **City Council Chambers** located at **833 S. Spruce Street.**

- \* Public hearing on proposed contract rezone to increase the residential density from 4.5 to 6 dwelling units on a lot zoned R-3 Multi-Family. Site is located at 1231 E. Fairhaven Avenue. Roger Helgeson, applicant.
- \* Discussion of the work program and next steps for the Shoreline Master Program update, including expanding the scope to cover the implementation of the Gages Slough plans.
- \* Proposed amendment to the Sign Code to allow Electronic Message Centers along and facing Interstate 5 only, up to 80 square feet in area, as a component of a pylon sign, for developments larger than 20 acres in size subject to specific standards. Presentation by Outlet Shoppes.

**BOARD OF ADJUSTMENT**— meets **Wednesday, January 20, 2010 at 6:00 p.m.** in the **City Council Chambers.**

- \* Public hearing to hear public comments on a proposed Variance to establish existing nonconforming front yard setback on a corner lot for the record in order to complete a Boundary Line Adjustment to create two small residential lots. 20 feet required; 12 feet existing on the Holly Street side. Site is located at 830 E. Vernon Ave. Miguel Quezada, applicant.

**JANUARY 2010 - Meeting Calendar**

- CITY COUNCIL** — Thursday, January 14 & 28, 2010 at 7 pm
- PLANNING COMMISSION** - Wed., January 20, 2010 at 7 pm
- BOARD OF ADJUSTMENT** - Wed., January 20, 2010 at 6 pm

**Meetings are held in the City Council Chambers at:**  
**833 S. SPRUCE STREET, BURLINGTON WA**

**VOLUNTEER NEEDED:**

The Mayor is looking for an interested citizen who wants to be on the Board of Adjustment. This is a great opportunity to be a part of your community and learn how the city makes decisions in the neighborhoods. Give us a call if you are interested!

# GAGES SLOUGH & SKAGIT RIVER CORRIDOR UPDATE



Pivotal times are here for the great little City of Burlington, as the Federal Emergency Management Agency continues to deluge the community with difficult issues, ranging from rerating flood insurance policies that were assumed to be grandfathered in, to putting out new Flood Insurance Rate Maps only to withdraw them a week later because of major errors, to the implementation of the National Marine Fisheries Services Biological Opinion that is very complicated and difficult for our city that is mostly located in the 100-year floodplain.

Updating our Gages Slough Management Plan to increase the focus on stormwater features, such as holding capacity,

sediment removal and better water quality is also in process and is being covered in the update of the Shoreline Master Program that includes the Skagit River and 200 feet landward of the edge of the Skagit River, along with Gages Slough wetlands.

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## **NOTE:**

*The Planning Department is having a monthly citizen meeting at City Hall in the Council Chambers on the third Wednesday of each month at 5:00 p.m., for one hour, if you want to discuss any of the issues with the city. If you have questions that require research and contacting other agencies, every effort will be made to follow up.*



- City Council – 7:00 pm
- Planning Commission – 7:00 pm
- X** = City Holiday

## 2010 MEETING CALENDAR

Meetings held in City Hall Council  
Chambers – 833 S. Spruce Street

JANUARY							FEBRUARY							MARCH						
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OCTOBER							NOVEMBER							DECEMBER						
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24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	<del>X</del>	
31																				

# APPLICATIONS IN PROCESS WITH NO ACTION TAKEN

**CONTACT THE PLANNING DEPARTMENT AT 755-9717 FOR MORE INFORMATION ON ANY PROJECT.**

## CITY OF BURLINGTON AND DIKE DISTRICT #12 FLOOD HAZARD MITIGATION –

Final Environmental Impact Statement is in process as the complicated puzzle must be clearly presented to address the issues. The Proposed Action is:

Construct 100-year certified levees that are accredited by FEMA along the Skagit River frontage of Burlington based on the Federal Emergency Management Agency's (FEMA) final Flood Insurance Study, when this study is adopted following resolution of any appeals. Provide long term protection measures for the edges of the existing Urban Growth Area that address open space, farmland, greenbelt and public health.



## HOW TO GET INVOLVED

*If you are interested in keeping up on events and issues in Burlington, please contact the Planning Department at 755-9717 or stop by the office at 833 South Spruce Street. If you have neighbors who are interested in what is happening, we will be happy to put them on our mailing list!*

  
CITY OF  
**Burlington**  
SKAGIT COUNTY, WASHINGTON INCORPORATED 1901

**PLANNING DEPARTMENT**  
833 S. Spruce Street  
Burlington, WA 9833

Phone 360-755-9717 • Fax 360-755-9309

E-mail: [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)

Website: [www.ci.burlington.wa.us](http://www.ci.burlington.wa.us)

**LAND USE BULLETIN**

LAND USE  
BULLETIN



VOL. 20,  
ISSUE 2  
February 2010

*This bulletin provides an update on all pending land use actions ranging from opportunities for citizen involvement and appeal of proposed development projects, to the meeting calendar for land use and planning related activities.*

**APPLICATIONS IN PROCESS**

**PLANNING COMMISSION** – is scheduled for *Wednesday, February 17, 2010 at 7 pm* in the City Council Chambers located at 833 S. Spruce Street.

-  Public hearing on a proposed rezone from R-S Semi-Public to C-1 General Commercial for the block bounded by E. Victoria, Cascade Highway and Cherry Street. Applicant is the City of Burlington.
-  Public hearing on a proposed amendment to the Sign Code to allow I-5 corridor focused electronic message center signs on a multiple tenant development larger than 20 acres. Applicant is Outlet Shoppes.
-  Public hearing on the proposed update of the Parks and Recreation Comprehensive Plan 2010-2016. This includes comments on elements that will become part of the updated Shoreline Master Program, the Urban Wildlife Habitat plan and the plan for the shoreline in the levee setback area.

**BOARD of ADJUSTMENT** meeting for February is canceled.

# How to Get Involved

If you are interested in keeping up on events and issues in Burlington, please contact the Planning Department at (360) 755-9717 or stop by the office at 833 S. Spruce Street. If you have neighbors who are interested in what is happening, we will be happy to put them on our mailing list!

The Mayor is looking for an interested citizen who wants to be on the Board of Adjustment. This is a great opportunity to be a part of your community and learn how the city makes decisions in the neighborhoods. Give us a call if you are interested!



**MEETING CALENDAR FOR FEBRUARY**

**CITY COUNCIL**  
Thursday, February 11 & 25, 2010; at 7 p.m.

**PLANNING COMMISSION**  
Wednesday, February 17, 2010 at 7 p.m.

Meetings are held in the City Council Chambers at  
833 S. Spruce Street, Burlington WA 98233



## APPLICATIONS IN PROCESS WITH NO ACTION TAKEN



CONTACT THE PLANNING DEPARTMENT AT 755-9717 FOR MORE INFORMATION ON ANY PROJECT.

### CITY OF BURLINGTON AND DIKE DISTRICT #12 FLOOD HAZARD MITIGATION –

Final Environmental Impact Statement is in process as the complicated puzzle must be clearly presented to address the issues. The Proposed Action is:

Construct 100-year certified levees that are accredited by FEMA along the Skagit River frontage of Burlington based on the Federal Emergency Management Agency's (FEMA) final Flood Insurance Study, when this study is adopted following resolution of any appeals. Provide long term protection measures for the edges of the existing Urban Growth Area that address open space, farmland, greenbelt and public health.

## CODE CHANGES & NEIGHBORHOOD PLANNING ISSUES

*Please contact the Planning Department if you are interested in participating in any of these programs and projects!!!*

-  **Burlington Arts Council** – Presenting a Downtown Art Walk during the Tulip Festival in April
-  **Downtown Task Force** that is working on the design and development of Railroad Park and connecting the Trail through downtown.
-  **Gages Slough Management Plan and Shoreline Master Program Update**

## GAGES SLOUGH & SKAGIT RIVER CORRIDOR UPDATE

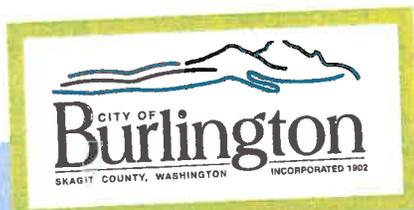


Stop by City Hall in the Council Chambers on the *third Wednesday of each month at 5:00 p.m.*, if you have comments or *concerns about Gages Slough or the Skagit River Shorelines!!!*

The City is updating the Gages Slough Management Plan to increase the focus on stormwater features, such as holding capacity,

sediment removal, and better water quality and your *ideas* are needed on places where trails should *go*, priorities for restoration and cleanup.

Because the Skagit River Shoreline includes levees, restoration plantings are focused on the Gardner Road Boat Launch area and the Whitmarsh Road soccer field area. If you have ideas for improving public access or any other Shoreline topics, now is the time to let the city know.



PLANNING DEPARTMENT  
833 S. Spruce Street  
Burlington, WA 98233

Phone: 360-755-9717

Fax: 360-755-9309

E-mail: [bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)



LAND USE BULLETIN

LAND USE  
BULLETIN



VOL. 20,  
ISSUE 3  
April 2010

*This bulletin provides an update on all pending land use actions ranging from opportunities for citizen involvement and appeal of proposed development projects, to the meeting calendar for land use and planning related activities.*

APPLICATIONS IN PROCESS



**PLANNING COMMISSION** — is scheduled for **Wednesday, April 21, 2010 at 7:00 p.m.** in the **City Council Chambers located at 833 S. Spruce Street.**

☞ Public hearing a proposed 14-lot subdivision to create zero lot line residences in an approved duplex development that meets all the underlying zoning district requirements. Site is located on **Oak Hill Lane.** Commonwealth LP, applicant.

☞ Plan review of proposed construction of three duplexes located at **1231 E. Fairhaven Avenue**, established as a contract rezone. Applicant is Roger Helgeson.

☞ Introduction of the Burlington Shoreline Analysis Report and Shoreline Master Program draft that is out for public comment in April and May.

**BOARD OF ADJUSTMENT** — No meeting for April.

**CODE CHANGES & NEIGHBORHOOD PLANNING ISSUES**

**Downtown Burlington Art Walk**



**Burlington Arts Council** — Visit the **Downtown Art Walk** during the Tulip Festival in April!!!! Several businesses on Fairhaven Avenue are displaying local artists work in their stores.

The Burlington Shoreline Master Program will soon be available for public comments on the city's website, [www.ci.burlington.wa.us](http://www.ci.burlington.wa.us), on the Planning Department page. Comments are appreciated.



Tell us what you think of the recently blacktopped Highway 20 trail between Gardner Road & Lions Park.

Send your comments to:  
[bplanning@ci.burlington.wa.us](mailto:bplanning@ci.burlington.wa.us)

**MEETING CALENDAR FOR APRIL**

» **CITY COUNCIL** — *Thursday, April 22 and May 13, 2010 at 7 p.m.*

» **PLANNING COMMISSION** *Wednesday, April 21, 2010 at 7 p.m.*

Meetings are held in the **City Council Chambers at 833 S. Spruce Street**



## APPLICATIONS IN PROCESS WITH NO ACTION TAKEN

CONTACT THE PLANNING DEPARTMENT AT 755-9717 FOR MORE INFORMATION ON ANY PROJECT



### CITY OF BURLINGTON AND DIKE DISTRICT #12 FLOOD HAZARD MITIGATION

Final Environmental Impact Statement is nearing completion. The Proposed Action is: Construct 100-year certified levees that are accredited by FEMA along the Skagit River frontage of Burlington based on the Federal Emergency Management Agency's (FEMA) final Flood Insurance Study, when this study is adopted following resolution of any appeals. Provide long term protection measures for the edges of the existing Urban Growth Area that address open space, farmland, greenbelt and public health.

## GAGES SLOUGH & SKAGIT RIVER CORRIDOR UPDATE

The cities and towns located in the Skagit River Delta area are attempting to come up with a reasonable approach to comply with the Federal Emergency Management Agency's response to the Biological Opinion that claims that floodplain development is killing Orca Whales and Chinook Salmon. The unique situation here in the Skagit River basin is not addressed adequately in the proposed Model Ordinance, and it is hoped that an alternative approach can be put in place that will protect citizens from overregulation in existing communities. Stay tuned!

One of the important projects for the long term future is to complete a really great nonmotorized plan for Burlington, for bikes and pedestrians. Links along Gages Slough and the Skagit River that connect around and through the city are planned.

The stormwater code has just been updated to add the latest and greatest options for Low Impact Development to help improve water quality by filtering runoff through grassy swales and native plants in rain gardens. Every citizen can help by using organic gardening techniques and keeping high strength fertilizers and pesticides out of Burlington!

Spring planting and yard work is here and there are lots of choices for a cleaner more natural approach.



### How to Get Involved

*If you are interested in keeping up on events and issues in Burlington, please contact the Planning*

*Department at 755-9717 or stop by the office at 833 S. Spruce Street. If you have neighbors who are interested in what is happening, we will be happy to put them on our mailing list!*

*The Mayor is looking for an interested citizen who wants to be on the Board of Adjustment. This is a great opportunity to be a part of your community and learn how the city makes decisions in the neighborhoods. Give us a call if you are interested!*



PLANNING DEPARTMENT

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LAND USE BULLETIN