



# Goldeneye BESS Land Use Consistency

**Jordan Grace**

Land Use Consistency Hearing

August 13, 2024

- SCC 14.04.02 (Definitions)

**Utility development:** includes, but is not limited to, facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications and pipelines for fuel, oil, natural gas, and petroleum products. A utility development is one of the following types:

(1) **Minor utility development:** an unmanned utility development designed to serve a small local community that would be considered a normal utility service for the area.

(2) **Major utility development:** a utility development that is not a minor utility development or a major regional utility development.

(3) **Major regional utility development:** a utility development that is designed to serve a region.

# Major Utility Development

- Defined as between “small, local, normal for the area” and “designed to serve a region”
  - Project objective is to provide medium-voltage support to balance energy supply and demand within Skagit County
  - Will serve a customer base of primarily residential and small industrial customers in the County, with irrigation customers in the rural service areas
  - Not “regional” in the sense that it is not intended to have a service area or project impact areas extending across large areas or multiple counties

# Administrative Interpretation

## 7. DECISION

The Director, as Administrative Official, hereby **APPROVES** the request to allow consideration of the proposed BESS project as a major utility development.

Prepared By:   
Brandon Black  
Current Planning Manager

Reviewed By:   
Jack Moore  
Planning and Development Services Assistant Director

Approved By:   
Jennifer Johnson  
Interim Planning Director

**Date of decision:** February 1, 2023

Notice of this decision will be published in the newspaper of record and will be posted on the Skagit County's website. The applicant or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of SCC 14.06.040(3)(d) and SCC 14.06.110(7). An appeal must submit the appeal form and appeal fees to Planning and Development Services within 14 calendar days of the date the Notice of Decision was issued.

**Appeals must be submitted by:** February 15, 2023

# Skagit County Code 14.16.400

## Agricultural-Natural Resource Lands (Ag-NRL) zone

### *(4) Hearing Examiner Special Uses.*

*(h) Major utility developments where there is no other viable parcel or non-agricultural designated land to serve the affected area. Analysis of alternatives to the development of the utility in the natural resource land must be provided.*

- In compliance with the above code language, the Applicant prepared an alternatives analysis that demonstrates why the parcel proposed for this project is the only viable parcel for these project components (Appendix B to the Land Use Consistency Memo included with the ASC).

# Skagit County Code 14.16.320 Rural Reserve (RRv) zone

## *(4) Hearing Examiner Special Uses.*

### *(p) Major utility developments*

- Segment of water line to be upgraded for the project (permitting and ultimate ownership by Skagit PUD) is in RRv zone

# Land Use Consistency

- Located entirely within unincorporated Skagit County
- Located in the Ag-NRL and RRv zones
- Classified as a Major Utility Development per Skagit County Administrative Interpretation, which is a “Hearing Examiner Special Use” allowed use in both zones
- Council may conclude that the proposed Goldeneye BESS is an allowed use in the proposed zone and therefore is consistent with local land use codes