

Peter Gill

From: Ellen Bynum <skye@cnw.com>
Sent: Monday, June 15, 2020 3:08 PM
To: PDS comments
Cc: Lisa Janicki; Ken Dahlstedt; Ron Wesen; Hal Hart; Randy Good; Kevin Murphy; Mark Hamilton; Andrea Xaver; Lori Scott
Subject: Comments regarding language changes proposed for County Planning Policies

Follow Up Flag: Follow up
Flag Status: Completed

June 15, 2020

Dear Planning Commissioners, PD&S Staff, Board of County Commissioners & SCOG/GMASC staff:

Friends of Skagit County has reviewed the proposed changes created by the GMATAC to the County Planning Policies and disagrees that all of the proposed changes are needed to clarify the policies and/or make the proposed comply with the GMA, Skagit County Comprehensive Plan and codes.

In particular the original language of the Countywide Planning Policies did so in order to ensure compliance with the GMA and the original Skagit County Comprehensive Plan, policies and codes.

We are concerned that the proposed language changes, changes the intent, meaning, historical construction and strength of the County Planning Policies.

There is no reference to legal decisions, new legislation, case precedent or technical reasons that support these proposed changes. We did not see a copy of any legal review that was done for the proposed changes in the documents posted on the SCOG/GMASC website.

The proposed language changes remove some instances of the use of "shall", but not others. Nor is it clear from each of the changes how the mandatory nature of "shall" will be possible in instances where the changing of the word changes the intent and language of the policy as it is applied in law.

The fact that the GMATAC is not open to the public for comments is a public participation issue that is of concern. The CPPs as part of the Skagit Comprehensive Plan enjoy the same opportunities for public comments and public participation in the creation of and update of these policies.

We question how the GMATAC has the authority to oversight whether the CPP1 was revised by the BOCC in 2016 but never integrated into the existing CPPs. In the past when changes were made to CPP1 to update population figures, the change was added to the annual update process, reviewed in that process by the department, the planning commissioners and then the BOCC either as part of the GMASC or in their own authority. We fail to understand why an update not reviewed in a timely manner cannot be re-submitted and approved at any subsequent annual update process. As we understand it, technically, the County would continue to use the population projections from the prior update until the amendment is made.

We appreciate the efforts of the GMASC members to clarify the language of the proposed changes, but ask that the Planning Commission request legal review of the changes, if they have not already done so or received this information, before agreeing to a blanket change in the policies.

More work is needed for the public to understand how these changes are in the public interest. Please take the time to get and distribute additional information and integrate it into the proposed document, and distribute the revised update to the public so citizens can understand how the language revisions may or may not change the intent of Skagit's Comprehensive Plan, policies and codes.

Thanks for your time and public service,
Ellen

Ellen Bynum, Executive Director
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