

**Skagit County Planning Commission**  
**Workshop: PC Comments on Public Participation Program**  
**Workshop: Presentation of New Housing Element**  
**February 13, 2024**

**Planning**

**Commissioners:** Kathy Mitchell  
Vince Henley  
Angela Day  
Amy Hughes  
Tim Raschko, Chair  
Joe Woodmansee (absent)  
Tammy Candler, Vice Chair  
Martha Rose  
Jen Hutchison

**Staff:** Robby Eckroth, Senior Planner  
Tara Satushek, Senior Planner

**Public**  
**Commenters:** Suzanne Rohner  
William Diephuis

Chair Tim Raschko: (gavel) Good evening. The February 13<sup>th</sup>, 2024, meeting of the Skagit County Planning Commission is now in session. We are missing Commissioner Woodmansee, for the record, please. I'd entertain a motion to approve the minutes.

Commissioner Amy Hughes: I'll move to approve the minutes.

Commissioner Kathy Mitchell: Second.

Chair Raschko: It's been moved and seconded to approve the minutes. Is there any discussion on the minutes?

Unidentified Female Voice: Excuse me. I can't hear a word you're saying.

Chair Raschko: Is there any discussion of the minutes?

(silence)

Chair Raschko: None? All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Opposed?

(silence)

Chair Raschko: Okay, so the minutes are approved. We have time tonight for Public Remarks. This is an opportunity for anyone to speak to the Planning Commission about any topic except items on the agenda for a public hearing, which we have none, or items that have a public hearing and are still under Planning Commission deliberation, and there's none of those. So you can speak about whatever you wish tonight, limited to three minutes. Do you care to address the Commission? No?

Suzanne Rohner: Is this the time?

Chair Raschko: Now is the time.

Ms. Rohner: Do you want me over there?

Chair Raschko: Yep. And three minutes and please state your name and address.

Ms. Rohner: My name is Suzanne Rohner from Anacortes, and I just have a question concern – I know that you may not be able to answer it, but concerning the use of the word “mandate” versus “requirement” versus “law.” I’ve been looking at some of the documents and I see “mandate” there a lot, and it’s my understanding a mandate is not a law, and I just want to know if that’s your understanding also.

Chair Raschko: Does anybody wish to answer? Well, we do not need to –

Commissioner Vince Henley: Well, I’m not an attorney so I would not even attempt it.

Commissioner Martha Rose: Okay, Tammy. You’re on.

Vice Chair Tammy Candler: Yeah, I am an attorney but I need more context and I’m not going to answer it right now.

Ms. Rohner: Well, if there was a statement saying “County mandates” – and I saw that in some of these documents – does that mean it *must* happen? Or we could *like* it to happen?

Chair Raschko: Well –

Vice Chair Candler: I would refer you, obviously, to the Department, but there are such things as “unfunded mandates” and a mandate doesn’t always mean what you think it would. So I’ll just refer you to the Department.

Ms. Rohner: The Department of ?

Vice Chair Candler: The Planning Department.

Ms. Rohner: Okay. Thank you.

Chair Raschko: Thank you.

Commissioner Mitchell: Robby’s raising his hand.

Robby Eckroth: Would you like me to address that? May I ask in what context we’re speaking about? Is there a specific topic that you’re looking at?

Ms. Rohner: Somewhere in this pile of papers I saw it today when I was getting \_\_\_\_\_. I wouldn't be able to find it quickly.

Mr. Eckroth: Is it related to the Housing presentation that I'm going to give later?

Ms. Rohner: It might be.

Mr. Eckroth: Okay, if it is, I would assume that a "mandate" would mean that it's a requirement from the state.

Ms. Rohner: Okay.

Mr. Eckroth: We'll get into more once we get to that agenda item.

Ms. Rohner: Okay. Thank you.

Mr. Eckroth: Yep.

Chair Raschko: Have we anybody Zooming?

Mr. Eckroth: Yeah. William, would you like to say something?

(silence)

Mr. Eckroth: I think we're having a hard time hearing you.

William Diephius: Can you hear me at all, or am I just really quiet?

Mr. Eckroth: Yes. Yeah, we can hear you now. So do you mind stating your name and address for the record, please?

Mr. Diephius: Yes, my name is William Diephius and I live at 414 Park Street in Mount Vernon.

Chair Raschko: Go ahead.

Mr. Diephius: Okay. Well, good evening and thank you to all on the Planning Commission for your time. My name's William, like I said. I live and work in Skagit County and I sat in on the previous Commission meeting where the climate change planning element was discussed. In those discussions I heard a lot of great points that whatever the County does to reduce greenhouse gas emissions will have negative downstream effects. For example, if there's higher building standards for greater efficiency that may lead to higher housing prices, and transitioning to electric cars may just increase CO<sub>2</sub> emissions from coal plants in other places along the supply chain. This is why I believe it's important for the Planning Commission to pursue the third strategy out of the four that were outlined, which was reducing vehicle miles travelled, because so many of its secondary effects are actually positive. For one thing, this would be the fiscally responsible option in the long term. Building and maintaining roads for cars costs more money per traveler than better infrastructure for pedestrians and cyclists and transit users. Furthermore, fewer cars on the road makes for fewer wrecks and collisions and better safety and less traffic. And that's great for people who must drive, let's say, because they live in rural parts of the county where those other transport options just aren't practical. The goal here isn't to force people out of their cars but to make alternatives to driving as useful as possible and bring VMT down that way. Many

of the planning policies to improve those transport alternatives are up to cities, not the County. That's just the reality of how responsibilities are allocated between different governments. However, as was brought up in the last meeting, Skagit Transit is a useful county-level tool for the County Planning Commission to use to reduce VMT. As a daily transit rider, I find this year's service changes from Skagit Transit to be very useful. And while they may not have huge amounts of infrastructure what it does have is arranged in a good way for future growth, I think. And I believe Skagit Transit can become truly competitive to personal cars with the right investments to increase service frequency and to improve infrastructure for riders at stop points, and also that the money saved by the County on road maintenance and construction with fewer cars on the road would offset the costs of those investments into Skagit Transit.

Now on the subject of today's meeting topic, which is Housing, investments in Skagit Transit would also be very beneficial there by allowing higher housing densities. \_\_\_\_, public transit network would allow necessary population growth to be accommodated with infill development without unmanageable traffic and without dedicating more of Skagit County's valuable farmland assets to sprawling suburban development.

That's all. Thank you –

(timer rings)

Mr. Diephius: – again to the Planning Commission for your time and –

Unidentified Female Voice: Time's up.

Chair Raschko: Very good. Thank you. Anybody else?

Mr. Eckroth: Do we have anyone else on Zoom that would like to speak? If so, please unmute.

Commissioner Angela Day: May I make a comment?

Chair Raschko: You may.

Commissioner Day: I just wanted to thank you for your comments. We can't tell you how much we appreciate members of the public taking time to provide input. It's really valuable. Your comments were very thoughtful, so thank you very much.

Mr. Diephius: You're welcome and thank you again for listening.

Chair Raschko: Okay, we're going to move on to a Nomination and Election of Officers. And the floor is open for nominations.

Commissioner Henley: I move that we have a white ballot.

Chair Raschko: You think we have what?

Commissioner Henley: A white ballot. In other words, no change.

Commissioner Mitchell: Second.

Chair Raschko: Are there any other nominations?

Commissioner Henley: The motion's been moved and seconded.

Chair Raschko: Is that how you work elections?

(laughter)

Commissioner Henley: You should be able to see the light from the locomotive in the tunnel, all right?

Chair Raschko: I think we need to allow anybody who wishes to make a nomination to have the opportunity. Otherwise, I think a motion just bypasses the process.

Commissioner Henley: I think I'm perfectly following the process. I've just nominated all of you and it's been seconded. What is not part of the process?

Chair Raschko: (sighing) Let me think about that.

(laughter)

Commissioner Day: Perhaps there's discussion.

Chair Raschko: Pardon me?

Commissioner Day: Is there discussion?

Chair Raschko: Okay, there's a motion on the floor to stay with the officers we have, I presume? Is there discussion?

Commissioner Mitchell: Yes. Are both candidates willing to serve again?

Vice Chair Candler: Sure.

Commissioner Mitchell: Okay. It's been working well and I would like to see that continue because of that.

Chair Raschko: Any other discussion?

Mr. Eckroth: Chair, may I ask a –

Commissioner Rose: I'd like to ditto that.

Several Commissioners: Yeah.

Commissioner Rose: Why take something \_\_\_\_\_ that's already doing its job well?

Mr. Eckroth: I just was going to ask if the Commission could elaborate more on the motion that's being made for the record.

Chair Raschko: Would you like to state your motion using –

Commissioner Mitchell: – names.

Commissioner Henley: I move that we nominate – renominate – the current slate of officers at the Skagit County Planning Commission.

Mr. Eckroth: And those officers would be: Chair, Tim Raschko, and then Vice Chair, Tammy Candler.

Commissioner Henley: Yes.

Chair Raschko: Okay, and are there any other comments on the motion? I have a comment on the motion. This precludes anybody else from having the opportunity that might wish to serve in that regard. Or it takes away the ability of any of the people who have *not* made the motion. Of course, they could vote the motion down. All right. So any more discussion?

Commissioner Rose: I have a comment.

Chair Raschko: Yes?

Commissioner Rose: You guys have been doing a great job, and to address your concern: To me, it should be brought up before the actual meeting. The idea of entertaining a new slate of candidates or new people to move into the positions should be brought up a month ahead of time and say, Who's interested? And then they have a chance to talk to you to find out what it entails so they can consider running or not. So maybe looking ahead to next year, there might be somebody who wants to step up and try it out. But I don't think it should be a last minute thing.

Chair Raschko: Vince?

Commissioner Henley: I agree with Martha. I think that the current slate is working just fine and I think that if we were interested in a change then posting the jobs – okay? – a month ahead of time sounds reasonable – all right? – and then you can see if there are people who are interested and competitive enough to want to run.

Chair Raschko: Okay. Anybody else?

Commissioner Mitchell: I've got a question about that. Normally names are nominated rather than somebody self-nominating. Isn't that correct?

Commissioner Rose: Why does it matter?

Commissioner Mitchell: I don't know. It's worked this way for as many years as I can remember. I don't know. It's up to you guys.

Chair Raschko: We're really complicating this.

Commissioner Henley: If the public was voting on this, we'd have to give notice and all the rest of that. But this is just a vote among ourselves.

Commissioner Day: I support the motion, but I think for thinking about the future, I think these are great points. And the way that I've seen it work in the past is you can take nominations that are not a formal motion and then there's discussion.

Chair Raschko: Well, that's the way we have always done it until today.

(laughter)

Commissioner Day: Yeah. And then there can be a motion. I don't know if others have a similar experience or if that is in keeping with all the rules of order.

Commissioner Mitchell: That's the way we usually did it.

Commissioner Day: Yeah.

Commissioner Henley: Just from a parliamentary point of view, there is a motion before us on the table that has been moved and seconded.

Chair Raschko: Right. We are discussing it still.

Commissioner Henley: And we need to do something on that.

Chair Raschko: Are you calling the question?

Commissioner Henley: I call the question.

Chair Raschko: Okay, we still had one more person who wished to speak, but you can call for the question. But being chair, I can entertain this. Please?

Commissioner Jen Hutchison: I support the motion and I appreciate the service that you bring to this commission. Thank you.

Chair Raschko: All right. All those in favor of the motion, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: All opposed?

(silence)

Chair Raschko: Okay, well, congratulations. Okay. We're going to move on to the Introduction of a New Long Range Senior Planner. Mr. Eckroth?

Mr. Eckroth: Thank you, Chair. So we have a new long range senior planner, Tara Satushek, and I'm going to let Tara introduce herself and give a little bit about her background.

Tara Satushek: Good evening. My name is Tara Satushek. I started with Skagit County Planning back in October. My previous experience has been with the Swinomish Indian Tribal Community. I was in their Planning Department for close to 16 years. I managed the permitting and planning and business licensing program while I was there. And now I'm moving into long range so I'm happy to be here.

Vice Chair Candler: Welcome.

Ms. Satushek: Thank you.

Chair Raschko: Welcome. Thank you. Okay, we've got Commissioner Input on the Public Participation Program. If you recall from our last meeting, we were inconclusive on that. We were asked to submit any changes we might want to entertain, and Robby will now present us the results.

Mr. Eckroth: Yeah, thank you, Chair. So I received comments from Chair Raschko and made just a few changes, as you can see in the red lines, and I also provided a clean copy. So I wasn't planning on going over all of those changes as most of them were pretty minor. Do any Commissioners have any additional feedback or questions or anything like that before I present this to the Board of County Commissioners?

Chair Raschko: Does anybody have any feedback? I thought it looked good.

Commissioner Rose: I guess I'll comment. Yeah. It seemed pretty inclusive, the list of outreach goals, and I particularly liked that it sounds like you're going to immerse yourself in the events that are happening that aren't related to the Planning Department – community events, fairs and such – because that seems like you're going to reach a lot more people by going to the people instead of them coming to you. And I'm hoping that it works better than the agritourism process – whatever, you know, because that was a very frustrating experience. It went on for years before people got drift of what was going on. And so hopefully this won't happen that way.

Mr. Eckroth: Right, and that would be our hope as well. And just to note, we have a significantly larger budget for this update, which I'll provide in the Director's Update, some updates on that. But we should be able to do mailings to the entire county to notify them about some of the events where they can participate in the update process. So that's a very good point. I appreciate that, Commissioner Rose, and I think we're going to do everything we can to make sure the entire county's aware of the process and that they are encouraged to participate.

Chair Raschko: Any other comments on the public participation program? Yes, Commissioner Hughes?

Commissioner Hughes: I'll support that goal. I came in as a commissioner at the tail end of the last process and attended several of those public meetings, and they were positive and the public was there to be involved and I think that it produced a very good product in the end that we were able to work off of. So this is a good way to operate, I think, is to give the public an opportunity to feel comfortable in their own community and have a conversation.

Mr. Eckroth: Absolutely.

Chair Raschko: Anything else?

(silence)

Chair Raschko: Okay, thank you. So shall we move to the Presentation on Updates to the Housing Element?

Mr. Eckroth: Thank you, Chair. So this presentation will go over the new housing regulations that Washington state has adopted over the last few years that are required to be incorporated into the updates to the Housing and Land Use elements as part of the Comprehensive Plan Update. I will first go over our existing Housing element, our projected population growth, and I will then go over the new housing regulations and how they will affect Skagit County.



So just to go over this again really quickly: All cities and counties planning under the Growth Management Act are required to update their comprehensive plan every 10 years per the state schedule. And Skagit County and all the green counties here shown on the map are required to update their comprehensive plan by June 30<sup>th</sup>, 2025. I think I noted last time that the state legislature has a bill that I believe passed the Senate, possibly the House as well, that would extend that deadline to December. I'm hoping we don't need to utilize those extra six months, but if need be, that may be an option.

So as part of the Comprehensive Plan Update, Skagit County has to agree on a population forecast provided by the Office of Financial Management. The Office of Financial Management, which is a state department, provides low, medium, and high population projections that the County can choose from. In December, the Skagit Council of Governments Steering Committee passed a resolution approving the initial population and employment allocations using the medium population projection.

Based on that projection, Skagit County is forecasted to grow by 29,850 people countywide over the next 20 years, bringing the current population of approximately 131,000 people to approximately 161,000 people. Currently the rural area of the county has a population of approximately 42,000 people and is forecasted to grow by 5,916 people, which would bring the population of our rural area to approximately 48,381 people. Skagit County will need to assess its current land use and housing policies in order to accommodate that projected population growth and in order to be in compliance with the new state regulations.

So just real quickly, Skagit County has 11 Comprehensive Plan Elements and that includes the Land Use, Rural element, Natural Resource Lands, Environment, Shoreline, Transportation, Utilities, Capital Facilities, Economic development, Environment, soon to have a Climate element with this new update. And then today I'm going to focus on our Housing element.

So Skagit County's existing Housing element, which was last amended in 2016 during our last periodic Comprehensive Plan Update, includes an inventory and analysis of existing and projected housing needs; goals and policies for the preservation, improvement, and development on housing; and provisions for existing and projected economic segments of the community.

So now I'm going to go into the new housing requirements and I'm going to start with the big one, which is House Bill 1220, which is focused on affordable housing, and then I'll go into some of the other smaller updates or legislative requirements.

So in 2021, the state legislature passed House Bill 1220, which has made major changes to the way the communities will plan for housing. Instead of the broad goal of *encouraging* affordable housing, Skagit County will be required to plan for and accommodate housing that is affordable to all economic segments of our community. Economic segments are broken down into area median income, which I will define and talk about more in our next slide – or *my* next slide. As required by the bill, the Department of Commerce has provided specific housing needs for all economic segments in each county, including permanent support of housing and emergency housing, which I will also get into more in the next slide.

The housing allocation projections are based on population projections, which are then broken down by income segment using the Department of Commerce Housing All Planning Tool. As part of the update to our Housing element, Skagit County will need to review land capacity, based on infrastructure capacity; document barriers to housing availability such as gaps in local funding

and development regulations; consider housing in relation to employment; and then consider accessory dwelling units as part of the solution to meet housing needs.

So statewide, Washington will need 1.1 million homes over the next 20 years. The state's housing needs have been broken down into area median income, which accounts for emergency housing, extremely low, low, and moderate income levels, and income levels above 120% area median income. An area median income is a key metric in affordable housing. It is defined as the midpoint of a specific area's income distribution and is calculated on an annual basis by the Department of Housing and Urban Development. As shown on the graphic from the Department of Commerce, the zero to 50 AMI segment is typically accommodated by apartments. Fifty to 100% AMI are accommodated by multiplexes or ADUs, and those 120% AMI or higher can typically afford detached single-family residences. And just to note, Washington state's area median income is \$90,325, based on the 2018 – 2022 census data.

So permanent support of housing is subsidized leased housing with no limit on length of stay that prioritizes people who need comprehensive support services, and emergency housing is temporary indoor accommodation for individuals or families who are unhoused or at risk of becoming unhoused. Those facilities are intended to address basic health, food, clothing, and personal hygiene needs.

So when considering where to locate future growth countywide, it's important to consider capacity and accessibility. Density can only be accommodated where there is infrastructure such as water and sewer lines and roads where there is capacity to accommodate traffic of future housing density. And accessibility is also an important consideration as lower income populations may have less of an ability to purchase a personal vehicle and may be relying on public transportation. So if more of the population growth occurs where there are jobs, transit, and services, there is more of an opportunity for Skagitonians to get where they need in their daily lives.

So this table is part of the Skagit County Population, Housing, and Employment Growth Allocations that was adopted by the Skagit Council of Governments in December. The table breaks down net new housing need in Skagit County by 2045 by Urban Growth Area and area median income. This table was developed using the Housing All-Planning Tool provided by the Department of Commerce and was then reconfigured after discussions by the SCOG Advisory Committee. And just a note: The rural area – originally when we received the results from the Commerce All-Planning Tool, they had allocated about – depending on the method – 1200 to 1700 housing units that are zero to 30 AMI in the rural area, which was a little shocking to see. So we worked with the rest of the cities with the SCOG Advisory Committee to really lower those numbers. And, honestly, I am still wondering how we're going to accommodate those low numbers, which is about 150, zero to 50 AMI. But we're going to have to get creative in order to do that, which I'll talk a little bit more in one of my next slides.

I also wanted to point out – if you see here the unincorporated Urban Growth Area numbers for the most part are pretty low. So I don't suspect that we're going to have many changes there, but as you could see, most of the growth is occurring in the actual city limits and not the unincorporated Urban Growth Areas. I think I mentioned at the last meeting, this housing bill is really going to affect the cities, I think, a lot more than rural Skagit County, just based on the guidance that I've read and looking at these numbers here. But we will still have to be creative to figure out how to accommodate some of these lower income numbers allocated for the rural housing – or rural area. Sorry.

And just a quick note: Skagit County's area median income is approximately \$85,750 based on Housing (and) Urban Development data.

Chair Raschko: I'm sorry – could you repeat that, please?

Mr. Eckroth: Yeah. \$85,750 is Skagit County's area median income.

Vice Chair Candler: I have a question about that.

Chair Raschko: Go ahead.

Vice Chair Candler: Can I ask a question? I'm sorry to interrupt you but –

Mr. Eckroth: Please.

Vice Chair Candler: The numbers – you just referenced the state – just a minute ago – the state number on that, which I think it was 90. Is that what you said?

Mr. Eckroth: Yeah.

Vice Chair Candler: Which numbers are being used, the state or the County?

Mr. Eckroth: The County will need to use the County's as a data point. Is that what you're asking?

Vice Chair Candler: That is what I'm asking, but – okay. Okay, thank you.

Mr. Eckroth: Yep. And just to clarify, when we're talking about AMI, we're for the most part talking about housing types. So zero to 50 is typically going to be accommodated by apartments. And the numbers that we have in the rural area, we're going to have to demonstrate to the state that we can accommodate that in different ways, which I was going to talk about here in the next slide. These are just some suggestions I've seen from the Department of Commerce and in talking with some of the housing folks over there, which would be changing zoning in Limited Areas of More Intense Rural Development to allow more housing density is a potential option. We don't have sewer in our Limited Areas of More Intense Rural Development so that's a concern, but there may be some creative solutions that we can explore.

Incentives and programs for accessory dwelling units as affordable rental units: I really see this being a large part of how we're going to strategize accommodating those lower income numbers and trying to, one, make the application process easier – maybe provide plans that people can select from – and then also having voucher programs that are funded so people are able to provide affordable housing in the form of an ADU. And then also policies supporting aging in place is another way to get there. So rather than someone who's at retirement age going into a retirement community, having more policies to make it easier for them to stay where they are, especially if they're going to have family members or other loved ones assist with their care – if there are supportive policies we can implement there that might also take care of some of those lower income numbers. Any questions on that?

Commissioner Hutchison: Just to clarify also, the AMI – that's a combined household income. We're not talking about individuals averaging 85,000 in the county.

Mr. Eckroth: Yeah.

Commissioner Hutchison: That's combined.

Mr. Eckroth: I believe so, yeah. Like the entire household.

Commissioner Hutchison: And that looks different for every family.

Mr. Eckroth: Yes, it does.

Commissioner Hutchison: Thank you.

Mr. Eckroth: Yep. Any other questions before I move on?

(silence)

Mr. Eckroth: All right. So through this process, a land capacity analysis, which is a countywide effort to estimate the county's capacity for population (and) employment will need to be done. So what this essentially is is it's our way of making sure that those numbers that I showed earlier can actually be accommodated with the land available in the zoning that we have. If we can't accommodate those numbers, then we may have to go adjust zoning where possible. I don't think we can do a whole lot of that being a rural county without a lot of Urban Growth Areas that are being developed, and then also as there are Growth Management Act requirements that have minimum density requirements that we can't just be changing. So what that probably means is we're going to have to go back to SCOG and adjust some of those numbers and trade some of the lower income housing numbers in the rural area to some of the cities. So if we don't have the land available, if we can't accommodate those housing numbers, that's possibly what will have to happen. Commissioner Mitchell?

Commissioner Mitchell: Yeah, this may be too early to ask, but what does "trade" mean?

Mr. Eckroth: It means –

Commissioner Mitchell: What could we trade?

Mr. Eckroth: It means that the cities would give us more 120% AMI numbers – so your detached single-family dwelling units – or maybe 80 to 100, which could be in some areas maybe accommodated by duplexes and things like that. And then the cities will have to take some more of those zero to 50 AMI numbers. Does that make sense?

Commissioner Rose: I have a question. I should have asked it on the last slide. But just to clarify the LAMIRD areas, all – you're saying that none of them have sewer?

Mr. Eckroth: As far as I know. I don't believe so.

Commissioner Rose: I see. And that's why that got excluded by the legislature during the last densification. I can't remember all the details, but I remember the LAMIRDs were specifically shut out of higher density.

Mr. Eckroth: Are you talking about for the 2016 Update?

Commissioner Rose: Probably.

Mr. Eckroth: Yeah, yeah.

Commissioner Rose: But I didn't realize that was linked to the fact that none of them are on sewer.

Mr. Eckroth: Right. Yes, and working for other counties where there are LAMIRDs with sewer, I think they're going to have much more flexibility there.

Commissioner Rose: Sure. Yep. Okay.

Mr. Eckroth: And then some of the minimum requirements for a land capacity analysis is to present a table of housing needs by income level and permanent supportive housing and emergency housing needs; relate each type of housing needs to zones that can be reasonably accommodated; show that there's enough capacity to meet each type of housing need. And as I mentioned, if there isn't sufficient capacity we may need to identify zoning changes or go back to SCOG and adjust some of those numbers.

So House Bill 1220 also requires that counties and cities address racially disparate impacts, displacement, and exclusion in our next Comprehensive Plan update. Racially disparate impacts are when policies, practices, rules, or other systems result in disproportionate impact on one or more racial groups. Displacement is the process by which a household is forced to move from their community because of conditions beyond their control. And then exclusion in housing is the act or effective shutting or keeping certain populations out of housing within a specified area in a manner that may be intentional or unintentional but which leads to non-inclusive impacts.

So when updating Skagit's Housing element, we will be required to identify local policies and regulations that could result in racially disparate impacts, displacement, and exclusion in housing, and undo those policies and regulations. And we'll also need to identify areas at higher risk of displacement and establish anti-displacement policies.

So the bar chart on the bottom left of the slide is from the Department of Commerce's guidance on housing. The analysis shows that white households comprised a greater share of the population in Battleground in 2018 than in 2010 and the pattern is in contrast with the pattern of Clark County, which had an increase in diversity in that same given time. Community input revealed that barriers related to language and bias, particularly for Hispanic households, may have led to this change of race and ethnicity composition, and further analysis and community engagement is needed to determine if land use changes or infrastructure investments are creating displacement pressure.

Any questions on that?

(silence)

Mr. Eckroth: So that's House Bill 1220. Now I'm going to get into House Bill 1337, which is relating to accessory dwelling units. I'm guessing that some of you may have heard about this. Of all the new laws passed by the legislature, I'd say Skagit County has gotten the most calls about this from people thinking that the County's going to have to require or allow two accessory dwelling units per lot throughout the entire county. That is not the case. It only pertains to Urban Growth Areas. I think some of the information about the bill is a little bit confusing but reading through the RCW – and actually I reached out to Commerce just to double-check – it is only for Urban Growth Areas.

So within Urban Growth Areas, Skagit County is going to be required to allow two ADUs per lot; may not require the owner to occupy the property; must allow an accessory dwelling unit of at least 1,000 square feet. We currently allow 1200 square feet; must set consistent parking requirements based on distance from transit and lot size; may not charge more than 50% of impact fees charged for the primary dwelling; and may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those of the principal units. The new law does not prohibit the construction of accessory dwelling units on lots that are – actually, sorry. I corrected that earlier. We *can* prohibit accessory dwelling units on lots that are not connected to or served by a public sewer. And then also if there is a lot that is encumbered with critical areas, such as wetlands, fish and wildlife habitats, floodplains, or geologically hazardous areas, we can also still restrict the number of ADUs that you have on your lot, regardless if it's an Urban Growth Area or not.

Chair Raschko: Go ahead.

Commissioner Hutchison: My understanding was that we have an option to select three or four of these – that they're not *all* required – per jurisdiction. So we could, as a County, still say that owner occupancy is a needed –

Mr. Eckroth: I don't believe so. Yeah, I don't think that there's a – and I know some of the other laws that we've talked about recently had different pathways. I don't believe this is one that has different pathways as an option.

Commissioner Hutchison: I want to say I attended where the state came up – I've got lots of notes from \_\_\_. I'd have to pull it off the Internet. I'll see what I can dig up for you.

Mr. Eckroth: Yeah, please. Right, yeah, and please feel free to email me or bring it up at the next Planning Commission meeting if you have some information about that.

Commissioner Rose: So to clarify the allowance for two per lot, that applies – my understanding is – to Urban Growth Areas that have a population of 25,000 or more. That's what I have heard through the –

Mr. Eckroth: So I think that's –

Commissioner Rose: Has that changed?

Mr. Eckroth: I think that's the next bill I'm going to talk about.

Commissioner Rose: Okay, then I'll zip it.

Mr. Eckroth: Is it 25,000 for 1337? Okay, great. I'll confirm that. That's good to know.

Commissioner Rose: I think that it's – that becomes then an optional item for, say, Sedro-Woolley. If they choose to allow two per lot, then it becomes their choice.

Mr. Eckroth: Right.

Commissioner Rose: Instead of a mandate. **Where** Mount Vernon, it would be a mandate.

Mr. Eckroth: Right. Right, and thank you for bringing that to my attention. I did not know that. I'll double-check that. I do know that this next bill that I'm going to talk about, which is the Middle Housing bill, Mount Vernon is the only one that will have to comply with that.

Commissioner Rose: I want to say one more thing, and I think that the allowance not requiring an owner to occupy the property goes along with that social equity piece, that it – I think it has something to do with they figured out that you're setting the – you're changing the dynamic and maybe restricting more people. I'm not 100% sure but I've –

Commissioner Hutchison: Well, that doesn't necessarily need to be the one that we wouldn't opt for, but it *is* an option, from my understanding. I will get you more information on that. But there's definitely community members that would like to see owner occupancy.

Commissioner Rose: Mm-hmm.

Chair Raschko: Okay, Vince?

Commissioner Henley: Yeah. One of the things we heard about early in this meeting was the concept of the word "mandate." And one phrase that keeps popping up here that I'm concerned about is is that you have to create housing according to some of these rules – all right? – that all economic segments – all right? – can develop housing. Now anytime I hear the word "all," that really bothers me because I don't know how you do that. I don't know how you get to a point where you can guarantee having housing for every economic segment. There's got to be some that don't make it, so what do we do about those?

Mr. Eckroth: Well, I do know – I think there is plans from the state to provide money to help contractors build, and then also lease spaces for those most vulnerable populations.

Commissioner Henley: Well, right now we're housing people in hotels that the state has purchased, or someone has purchased along the line. I'm not so sure that that solves the problem because the last time I noticed we have a larger homeless problem than we've ever had. And it doesn't seem to be getting any smaller. I don't see the building industry addressing that. I don't think the building industry is creating homes for people with almost no income.

Mr. Eckroth: Right. I think that's why the state is hoping to intervene here and provide more resources to communities.

Commissioner Henley: I just want to sort of bring that up because I think that's a big hole in the planning process, okay?

Mr. Eckroth: Sure.

Commissioner Henley: Anytime I see the word "all" that sets a red light flashing in my mind that says "mandate." And then when I look at it a little more closely, it also says "unfunded mandate." In other words, there's probably no money that comes along with it.

Chair Raschko: Sure.

Mr. Eckroth: Thank you.

Chair Raschko: Yes?

Commissioner Day: Thank you. I was interested in what you said about the rural areas, and it does seem to be a lot of conflict there – like you said, sewer, infrastructure. Also as we heard from members of the public tonight, if you're trying to reduce road miles travelled, pushing density out into a rural area is not working towards that goal. And also just fundamentally, in my mind the Growth Management Act was always to kind of preserve rural areas and rural character and not move density into those areas. So you mentioned there would be some negotiation with the Skagit County Council of Governments. Do you think they'll be receptive to reducing the amount of, say, lower income housing units or more higher density homes in the rural area, or do you think that will be an area where they will not be agreeable to that – other cities that you work with?

Mr. Eckroth: Sure. So I'll just start back – and I didn't mention this, but Skagit County, through our Countywide Planning Policies, is a what's called an 80/20 county, meaning that 80% of our growth is supposed to occur within our Urban Growth Areas and 20% is going to occur in the rural areas. So this doesn't change that. So we still have to plan for 20% growth in those rural areas despite the form of housing. But, yes, density is a concern there. And if we do not have land available to accommodate all the housing that we've been asked to accommodate, then I don't know if SCOG – how they'll be receptive to that. But that is something that they *will* have to work with us on, because if we don't have the land then we can't move forward with our Housing element any further to accommodate all the requirements in House Bill 1220.

Commissioner Henley: Are we creating more rural property these days? It seems to me that it ought to be going the other way, is that there ought to be *less* rural property being created, not more.

Mr. Eckroth: We do get some subdivisions in. I don't know any specific numbers off the top of my head, but based on my time in current planning for Skagit County, which was about five months, we're still getting a good amount of short plat inquiries and applications in. I don't think we're getting any large – not many large, long subdivisions where you're seeing, like, over 10 lots at one time.

Commissioner Henley: Okay, because you've got some pretty big numbers here on the allocation chart for rural areas.

Mr. Eckroth: Yes, we do.

Commissioner Henley: It does beg the question as to where is this land coming from.

Mr. Eckroth: That's a great, great point.

Chair Raschko: Yes, Martha?

Commissioner Rose: One of the ideas that I remember months ago that was thrown out was what's wrong with taking some of the industrial land at the airport and turning – building apartments there for the lower income people – or not lower income but for the people that work around there and stuff? I mean, that's in the county, right?

Mr. Eckroth: It is and it is Urban Growth Area, but the FAA said no, you can't do that, County, because they don't want – yeah, they don't want obstructions and potential people living there to be at risk if there was something to occur.

Commissioner Rose: I see. I see.



Mr. Eckroth: If a plane were to have to land somewhere.

Commissioner Rose: Okay. So maybe there are other industrial areas that were – formerly the industry was separated from housing because it polluted so badly, but nowadays a lot of industry is pretty non-polluting or very minor and so it's not a hazard anymore. But that's – in my brain, that's where we should be looking.

Mr. Eckroth: Sure. Yeah, and I know that some cities have really emphasized live/work situations where sometimes it does involve very low or very light industrial work.

Commissioner Rose: Right, right.

Mr. Eckroth: I am not sure where we could incorporate that into the county unless someone had, like, a home-based business or something like that, which is a little bit different but maybe falls along those lines.

Commissioner Rose: Okay, thanks.

Chair Raschko: Okay.

Mr. Eckroth: Did you have something, Commissioner Mitchell?

Commissioner Mitchell: Yeah, I was going to say the piece of that that a lot of people weren't aware of is that there was the more than a 20-year plan to do the Bayview Ridge area with apartments and other kinds of things and increased zoning, and at the 11<sup>th</sup> hour the Port didn't really want to do that and had their reasons for it and the Commissioners agreed, and so the vote went to stop it – because that was going to be a fully contained community. And that whole thing fell apart after a lot of community planning. So I'm puzzled on how we're going to be able to progress and I really don't envy you guys having to deal with this when they're telling us contrary things. It's going to be very – it's not that I'm against change. It's that when we've got the unfunded mandates with conflicting things – what everybody's supposed to work for – you can't force people to go someplace, economics and otherwise. I don't know how we're going to do this so I'm very curious to see how you guys are going to do.

Commissioner Hutchison: I don't want to go backwards too far on you, but we were recently talking about disparate communities and you were talking about displacements, and I find Skagit County to be so inclusive and very well – you know, very well melted together, if you will. So my mind goes to maybe some flood zoning areas where people have been encouraged to move from before and still stayed behind. I don't know exactly – when we think Skagit County and despair and displacement and these types of making sure that there's inclusive engagement, I just – I don't know who exactly are we considering to be that focal point?

Mr. Eckroth: I don't think we know yet. I think that's something that we're going to have to explore throughout the process and just make sure that we are not displacing anyone with our current regulations. And if we do, if we potentially are then we'll have to make adjustments there. So that doesn't necessarily mean we are. We just have to make sure that we aren't.

Chair Raschko: Vince.

Commissioner Henley: Yeah, we haven't yet gotten into the climate change element of this Comprehensive Plan Update. But it seems to me that the climate change mandates are going to

work *against* having affordable housing, at least for some economic segments. So I just want to bring that up so we can be thinking about it because it is – it's going to rear its ugly head here sooner or later. I just don't see how you meet the mandates on one side of the ledger and not have increased mandates on the other side of the ledger. It doesn't work for me.

Mr. Eckroth: Sure. I think the intent is if – through this process you're likely going to see more density in the cities, and I think that that's the state's thought, is that that's going to lead to less vehicle miles travelled because the people are living in a more dense area where there's transit infrastructure available. And let's say they live on top of a grocery store.

Commissioner Henley: We'll see how it pencils out, but my guess is that it's going to be a very, very sharp pencil in order to do that.

Mr. Eckroth: Sure.

Chair Raschko: (inaudible)

Mr. Eckroth: Okay, my last slide, or last section is House Bill 1110, which is the Middle Housing bill. This one I was aware of the minimum size requirements for the city when it comes to how this bill pertains to cities throughout the county. So House Bill 1181 (sic) addresses middle housing for cities of certain size or within a certain distance of very large cities. And just so you all know, middle housing, what it is, is right now Washington State has seen a lot of new detached single-family dwelling units and then a lot of mid-rise apartments, and not a lot of the housing types that are in between. And on the graphic here you can see some of the middle housing types include duplexes, fourplexes, courtyard buildings, cottage courts, townhouses, multiplexes, triplexes, and then live/work situations.

So as we were talking about earlier, House Bill 1110 only applies to Mount Vernon. There's a reason I wanted to bring this up, even though I don't think Skagit County is going to really have to think about this bill very much. But if for some reason Mount Vernon's Urban Growth Area were to – if there were to be some changes pertaining to middle housing then that's when it could end up affecting our process a little bit. I don't think it will, but I just wanted to put it on your radar just in case it does come up. There is a middle housing bill that exists and Mount Vernon's going to have to implement the requirements of that bill.

Commissioner Henley: A quick question?

Mr. Eckroth: Yeah.

Commissioner Henley: Is there anyplace within the Pacific Northwest where this middle housing concept has been fully implemented?

Mr. Eckroth: Yeah. I worked for the City of Arlington very briefly. They – I would say that a lot of their existing policies already address a lot of this. And I know that a lot of the jurisdictions in Kitsap, Pierce, King, and Snohomish Counties have a – and actually probably Bellingham and maybe Vancouver and Clark County – have a lot of policies that align with House Bill 1110 already.

Commissioner Henley: Okay.

Mr. Eckroth: Maybe not all the requirements, but I'd say –

Commissioner Henley: I'd like to see that location someday.

Mr. Eckroth: Yeah. Sure.

Commissioner Day: (inaudible)

Chair Raschko: Please.

Commissioner Day: Thank you. I – to Vince's question, I have spent some time in Tri-Cities for work and they have some interesting sort of cottage-looking type arrangements there, and I'm just wondering: Is that even allowed under current zoning in Skagit County or in Mount Vernon that you know of? Is some of the reason – I guess my question is – that we don't have that type of middle housing *because* of zoning restrictions?

Mr. Eckroth: So do you mind – you mean cottage housing and – do you mind describing that a little bit more?

Commissioner Day: The diagram that you had where there's, like, a courtyard with the cottages and then duplexes and maybe even a fourplex? I feel like that is probably – goes in zoning that's multifamily. And so I guess the question is: If you can have a single home and an ADU in a single-family-zoned place, what's the difference between that and a duplex, and is that currently allowed in a single-family area? Is the reason we don't have as much middle housing as needed is because of current zoning restrictions?

Mr. Eckroth: Yeah, I think that's a lot of it and also likely demand. And also I do know that – I have heard that single-family residences can be more profitable. I don't know to what extent multifamily becomes more profitable but that is just something I've heard. I don't know that for sure. So that could also be part of it. But I do know that Burlington, for instance, they were pretty late on their comprehensive plan update and development regulations and they just adopted new regulations last year. Their new regulations really already address a lot of this. And I believe that they do still have single-family residential zoning, which I think does allow for duplexes and maybe triplexes. But if you look at some of their zoning along Burlington Boulevard and Fairhaven and just those areas, I think the intent is that they're going to see more larger multifamily along the larger corridors, and then as you progress backward from those corridors and into some of the smaller streets, you'll see some more of this middle housing. So there will be kind of a transition from higher density to lower density.

Vice Chair Candler: I don't know if you were talking about out in the county or if you were excluding cities, but we definitely have some in Woolley. A couple places I can think of that those would be in city limits, so maybe that's not what you're referring to.

Commissioner Rose: Well, and it is zoning because – for example, the City of Shoreline for a while had their cottage zoning, which allowed double the density and there were guidelines, and after a couple developers did a bad job, or what the neighbors thought was a bad job, they shut it down. But now it will be allowed again with this new middle housing. So some cities tried it and then there was the big uproar and then they stopped it. But they were a very popular housing style in smaller housing and more affordable. And then, of course, Seattle is my example because I worked there 33 years, and they rezoned big swaths in the corridors, the transit corridors, to townhouse development and that is still the primary infill development product that's built there. And it is profitable, yes, and – in fact, it's the only way you can make money in Seattle is to build townhomes, really, because the land is so scarce. You know what I'm saying?

Commissioner Day: Yeah. May I respond to her?

Commissioner Rose: At any rate, just – so it is a matter of changing the codes, the zoning codes, to allow more density, and then it happens. It'll happen.

Commissioner Day: Well, I think that sounds exactly right. So there has to be some incentive, I think – back to Vince's point – to build affordable housing, and if the affordable housing is higher density and then you allow higher density it creates an economic incentive, I guess, in a way. If a developer can build more units on a lot, if the reward is more density, you know.

Commissioner Rose: But it's also homeowners who might own a lot that could handle the two ADUs. The key that they're finding is that the impact fees have to be radically reduced –

Commissioner Day: Yeah.

Commissioner Rose: – because – this is a whole other topic, but impact fees are the primary driver of escalating housing costs because they raise the price of new homes and then existing homes' prices raise along with them. And so impact fees were somebody's idea decades ago and it's proven to be a bad pathway and they need to correct it. That's one of the first things that should be corrected.

Commissioner Day: Yeah.

Commissioner Rose: Yeah. At any rate, I don't know how you guys feel about it, but...

(laughter)

Mr. Eckroth: I'll leave that to the cities!

Commissioner Henley: \_\_\_\_\_, you now have an opportunity to write it up, okay?!

Commissioner Rose: You know, I talked with a lot of people about it over the years and people that are in deep in the affordable housing circle agree that it's not interest rates, it's not – it's also materials and labors, but the impact fees were the biggest culprit.

Commissioner Henley: There's another thing we haven't talked about and you have to consider, is you have to create a product that people actually want to buy, all right? Because in many cases, okay, trying to force people to buy a product that they don't really want is not very effective. So you need to have it – not only does it have to be affordable, but it also has to be sufficiently attractive to induce someone to want to buy it.

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: Yeah, I've got a follow-up question, if you don't mind, Martha. What are some examples on why it was so – those instances were so bad for some of those units that they got stopped?

Commissioner Rose: Wait, what? Say that again.

Commissioner Mitchell: You know, the mid-level housing?

Chair Raschko: The cottage ones?

Commissioner Rose: The little cottage ones.

Commissioner Mitchell: You said that there was a place where they had to stop and now they're starting up again. What's the difference between what makes bad ones versus good ones?

Commissioner Rose: Well, that's so subjective. I mean, look at the little wartime houses that went through their phase where everybody thought they were ugly and nobody wanted them, but now they're cute little houses that everybody wants, right? And another example is all over Seattle there were the small lots that were 25 feet wide. Some were 30. And during the '80s the builders figured out they could – if there was, like, a decrepit house that spanned a few of these lots, they could tear down that house that wasn't of good use anymore and put back up to four, if there were four underlying lots. Well, then what happened is that went on for a while and then a group of neighbors didn't like it and they protested to City Council and what's called the "Small Lot Ordinance" was passed, which prohibited that. And what happened overnight is the cost of lots doubled overnight. And then what happened is McMansions started getting built. Instead of four small houses, McMansions got built because the zoning no longer allowed building – but guess what? People love those little skinny houses. They love them. They're like – they're great and they had 10 feet of space in between them where a McMansion is a much bigger impact. We all tried to explain it to the City Council before they passed a law and they wouldn't listen. We knew what the outcome would be and it was so predictable.

So at any rate, this is kind of getting back to those roots of those smaller, you know, footprints. A typical townhome is sitting on less than 2,000 square feet of land. And, you know, people live differently today than they used to. You know, they go to other places for their recreation and they don't want to garden as much, but they still have a small spot, you know? So it's just acknowledging that, that we have a different world that we're living in. People's lifestyles are different. And there were some good ideas out there that got shut down by bad zoning.

Commissioner Henley: But there was a time, and some of you may remember this, when you could actually order a house from Sears, Roebuck –

Commissioner Rose: Right, right.

Commissioner Henley: – and it got delivered. I had friends who owned these homes, and they were actually pretty nice little homes.

Commissioner Rose: Right. Yeah. So at any rate, the little cottages – it's just a matter of opinion. Who's to judge what's well done and what's not? I mean, you might hate the sweater I have on; I might love it, right?

Commissioner Mitchell: Unless it was in blue.

Commissioner Rose: But you get the point! I mean, it's really hard to regulate how someone – a homeowner or a developer – puts together their setup. And to Vince's point, you have to build what people want. For me, that's a wide variety. If you build enough variety, there's going to be something for everybody.

Chair Raschko: Anybody else?

Commissioner Day: I have one more question. It's a bit different topic, but I was looking at the methodology for coming up with the middle population projection that was agreed upon by the Skagit Council of Governments, and it's kind of interesting because the low, middle, and high appear to be mostly based on historical trends, which is a fair way to make predictions about the future by looking at the past. But one thing that is kind of interesting is if you look at the Congressional Budget Office, so the kind of counterpart to the state OFM, their projections for population growth overall between now and 2045 kind of taper off fairly rapidly. So their multiplier is, like, .4 and then dropping off to .2 by 2045. And the methodology that appears to have been adopted adopts a multiplier of 1½, which is much higher. So I guess – you know, I mean I know these things have been calculated in different ways, but there are different options for choosing what the population growth is expected to be, and it seems to me, just based on sort of reading the methodology and understanding the overall population trends – some of which are also going to the southern states and the sunbelt states, not to the northern states – I'm just wondering, you know, is there consideration that maybe that number is too high and, if so, what is the risk of picking a too high of a number?

Mr. Eckroth: Yeah, so I don't think there was a lot of consideration, and the reason being is if you choose a number that's too high, you have to plan for your capital facilities to accommodate that number. So if you're investing in your capital facilities – your water, your sewer, your road systems – and you end up not getting that population growth, then you have facilities that everyone has paid for that aren't being utilized. So you might end up, as a county or a city, spending a lot more money than you could have if you had gone with the medium projection. So Commerce actually really cautions against that. So with – medium is, I think, the most often chosen projection. And then if you choose too low, then you have insufficient capital facilities and you've planned for not enough growth and then you have to adjust and figure out how you're going to accommodate all the future growth by improving your capital facilities midway through your update process. So that's the – I think that's the main reasoning – if that answers your question.

Commissioner Day: Yeah, it does. I guess there's more risk in overshooting than undershooting for that reason.

Mr. Eckroth: Yes, there is.

Commissioner Day: Thank you.

Chair Raschko: Anybody else?

Commissioner Mitchell: One more request as you're moving along on this. I've heard other people talk about loosening up the zoning different places to make allowance and things like that. If you hear more on those ideas, I'd like to know what those specifics might be.

Mr. Eckroth: Would you mind repeating that one more time so I'm clear?

Commissioner Mitchell: Yeah. To accommodate the housing, I've heard people say – loosely, again, because this is hitting people for the first time for some of them – was the idea or the concepts of loosening up zoning. Again, there are the good old conflicts for – it's real easy to say, really difficult to do.

Mr. Eckroth: Right.

Commissioner Mitchell: if you see more of that, I'd like to hear more about – if something's really viable.

Mr. Eckroth: Like if other jurisdictions maybe are doing that?

Commissioner Mitchell: Uh-huh. Yes, please.

Mr. Eckroth: Yeah, and thank you for bringing that up because Snohomish, Kitsap, King, and Pierce County are going through their update process right now and they are planning to accommodate the requirements of House Bill 1220. I think they have less of a challenge than us, though, because I think their growth allocations are a lot different than ours. I think Snohomish County is a 95/5 county, where 95% of the growth is supposed to occur within the Urban Growth Areas. And they have a lot more Urban Growth Areas than we do. But if I see some good examples of affordable housing in rural areas I will definitely bring it to your attention as I think that would be exciting for us to learn.

Vice Chair Candler: I think she was also asking that if you are hearing talk or people are discussing areas that have been identified *in* Skagit County.

Mr. Eckroth: Oh.

Commissioner Mitchell: As well.

Vice Chair Candler: She would like to know about those.

Mr. Eckroth: Okay, yeah. Absolutely. Will do.

Commissioner Mitchell: Because –

Vice Chair Candler: Like Bayview Ridge but somewhere else.

Mr. Eckroth: Right, right.

Commissioner Mitchell: It's always the weird, the somewhere else! So the other big question that I have is you're moving into this with talking with people as this moves along. It's not that Skagit's completely unique to the everything everywhere in the world, but we are defined by how much land we have that can be used. We're defined by the hills, we're defined by the forests, we're defined by the water limitations – meaning literal, here's the bay, there's the mountain, here's the floodplain. And so I'd like to know more as you guys figure that out and adjust it as well because it really – it makes it very difficult for us in a practical sense to plan for stuff when we're supposed to put more people (in) places (that) would get hit by flooding, for instance.

Mr. Eckroth: Right.

Commissioner Mitchell: Or a lahar or – you know, you can think of all kinds of things. But we are restricted for a lot of reasons. And it was the same reason some years ago where the County specifically made policy changes to discourage people from building up in the hills. So I realize that's sort of a broad thing, but as you hear these things moving forward, I would really like to know how the County teases those things out.

Mr. Eckroth: Absolutely. And I'll just note real quickly, speaking of hearing things from the community: We are really going to be relying on the community to develop some of these solutions too, because we need to know what struggles people are facing as far as housing goes. And that should be a large key to solving this issue is getting that input. And if GMA allows it – implementing those changes to make those accommodations.

Commissioner Mitchell: Yeah. Okay, thank you.

Chair Raschko: Jen?

Commissioner Hutchison: I'm really looking forward to seeing the maps – color coded and desirabilities and then transportation overlay and all the things. I'm really excited for it. We need more growth so it's a process. There's a *lot* included in all of this. So I guess my only last question for you is see how very fortunate – we're all very fortunate. We get this information from you through our emails and I've got Commerce sending me stuff and I've been on webinars, and I feel like I've been paying a lot of attention just because of my role, but is the community able to access all of your presentations like this online?

Mr. Eckroth: Yeah. Yeah, great question. So on the Planning Commission website there is a tab that you can click on that will link you to the Planning Commission Archives, which links all the presentations, any minutes that we had, our transcripts and our videos. Any documents that are provided to the Planning Commission they are put on that webpage there.

Commissioner Hutchison: Are they pretty easy to identify, like named in a way that makes sense to \_\_\_\_\_.

Mr. Eckroth: Yep, and it's all organized by date. And then in addition to that we have made our 2025 Comprehensive Plan Update webpage public. It needs a lot of updating but people can look at that for updates as we move through the process. As we get more information after our kickoff meeting next week and as we work with our consultants to come up with a community engagement plan and as we figure out our timelines and dates for town houses and things like that, that will be updated on the website.

Commissioner Hutchison: Thank you.

Mr. Eckroth: Yeah.

Chair Raschko: Okay, is everybody satisfied?

(silence)

Chair Raschko: Well, thank you very much.

Mr. Eckroth: Thank you, Commissioners.

Chair Raschko: Good session. So we'll now have the Director's Update. Mr. Eckroth? So, Robby, do you care to make a report for the staff?

Mr. Eckroth: Yeah. Thank you, Commissioners. So I've got a few updates here for you. Director Jack Moore is not able to make it today. He should be at the next meeting, but he is out of the office this week on vacation. So he provided me with some updates, the first being an update on



our new permitting software. So two weeks ago a representative from Tyler EnerGov, the vendor that's providing our new permitting software, visited Skagit County to teach staff how to test the processes that have been configured for each permit type. So this testing process is going to take, I suspect, a few months, but now staff is aware of how to utilize the software and will be testing just to figure out where things could be improved or if there's any bugs.

We also just finished our first data conversion pass from our existing permitting software, Permits Plus, and that was successfully completed. And then once we assess the results we'll be preparing the second data pass. So we're trying to move all the data from our existing permit software to the new one so we can easily access that and not have to rely on that old software. We'll have to phase it out as I believe it's from the 1990s.

The next update is on the Comprehensive Plan. As I mentioned, we're having our kickoff meeting next week between staff and the consultants. That's an internal kickoff meeting, just so we can establish roles and responsibilities and talk about timeframes and things like that as we start gearing up to start the public process. We also received final contracts from the Department of Commerce – I can't tell you how excited I am for that! – that will allow us to pay our consultants to help with the development of the Comprehensive Plan and then also help with renting venues and creating public participation materials like posters, things like that. So the Board of County Commissioners should be signing the contracts next week as part of their consent agenda. Then I can get that back to the Department of Commerce, who will do the final signatures, and then hopefully we'll see some money soon.

And following next week because we have that kickoff meeting and as our consultants are doing a lot of that work, I'm hoping to be able to provide the Planning Commission a more precise schedule so you have a better idea of what the next year is going to look like. I apologize that that hasn't been given to you yet. I just – I know I have a preliminary schedule on that public participation program, but I'm really eager to get you something a little bit more defined so you know what to expect over the next year, and actually the year following as well.

The last item I wanted to touch on is agritourism. So on January 29<sup>th</sup> the Board of County Commissioners declared a moratorium restricting Planning and Development Services from accepting new permit applications for business uses proposed on land zoned Ag-NRL, involving regular, ongoing events which include weddings, concerts, retail fairs, and other gatherings of a similar nature. The temporary ordinance does not apply to activities in substantial and continuous operation before the date of the ordinance, which is January 29<sup>th</sup>, which are to be treated as existing non-conforming uses. The ordinance only pertains to zoning and does not exempt businesses from building, health, safety, environmental and other codes in effect as of the date of the ordinance. And the Administrative Official, which would be Jack Moore, the Planning Director, will be developing a process that will allow landowners to document asserted existing non-conforming uses through entry into a voluntary compliance agreement. The process will include a deadline to submit required documentation of existing activity and will be adopted as an Administrative Official Interpretation. Skagit County PDS expects the process to develop an Administrative Official Interpretation to be about 30 to 60 days. The timeframe to meet with business owners to document would be within the voluntary compliance order requirements to achieve compliance with health and safety codes where applicable, will likely take somewhat longer, given the number of businesses we anticipate pursuing this path.

The Board of County Commissioners is currently considering permanent agritourism regulations and adopted the interim ordinance in part to preserve the status quo while new regulations are

under discussion, and the Board has scheduled a public hearing at 11:30 a.m. on March 25<sup>th</sup>, 2024, to hear testimony on the moratorium.

And that is the end of my update.

Chair Raschko: Questions for staff? Yes?

Mr. Eckroth: Commissioner Mitchell?

Commissioner Mitchell: Would you be so kind to keep us informed as you learn more about that since it was such a big issue for everybody?

Mr. Eckroth: Absolutely.

Commissioner Mitchell: Thank you so much.

Mr. Eckroth: Thank *you*.

Chair Raschko: Any other questions, comments?

(silence)

Chair Raschko: Well, thank you. Okay. We'll move on to Planning Commissioner Comments and Announcements, so, Jen, what have you?

Commissioner Hutchison: I just want to say, Robby, how much I appreciate your thorough detail in all of these different little aspects. I know there's so many different code coming through and it's got to be a really difficult seat to be in this early in the game, but I know it's going to be rewarding for you so I appreciate you.

Mr. Eckroth: Thank you.

Commissioner Rose: I don't have anything. Thanks.

Chair Raschko: Vince?

Commissioner Henley: Nope. I've said everything I need to say.

Commissioner Day: No. Thank you.

Vice Chair Candler: I agree with Commissioner Hutchison's assessment. It was good to see your PowerPoint and have the RCWs in there, and I think if I'm not mistaken, it's posted for under our agenda for today or next to our agenda for today online already as well. And I just again want to say welcome to Ms. Satushek – if I said her name right?

Ms. Satushek: Yes, you do.

Vice Chair Candler: Welcome, and you guys – Robby, you haven't been here a really long time but you did a great job and I appreciate it.

Mr. Eckroth: Thank you.

Chair Raschko: Kathy?

Commissioner Mitchell: Thanks so much.

Commissioner Hughes: Nothing more to add.

Chair Raschko: Yeah, I'm not sure I want to say this, but I think this is going to be an interesting time coming up, trying to avoid having decisions made that are going to have unintended consequences. I see the potential for that as huge in this coming process. Anyway, thanks, staff, and thank you, everybody, for tonight. So we will stand adjourned (gavel).

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