

**Skagit County Board of County Commissioners**  
**Work Session/Discussion: PC and BoCC Joint Meeting**  
**April 9, 2024**

**Planning**

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

**County**

**Commissioners:** Commissioner Peter Browning, Chair (District 2)  
Commissioner Ron Wesen (District 1)  
Commissioner Lisa Janicki (District 3)

**PDS Staff:**

Allen Rozema, Assistant Planning Director  
Robby Eckroth, Senior Planner  
Tara Satushek, Senior Planner

Planning Commission Chair Tim Raschko: (gavel) Good evening. Welcome to the April 9<sup>th</sup>, 2024, meeting of the Skagit County Planning Commission and, I presume, the Board of County Commissioners. Tonight we are missing Commissioners Mitchell and Rose, for the record, please. Everybody else is here. So I ask for a motion to approve the minutes from March 26<sup>th</sup>.

Commissioner Vince Henley: I so move.

Commissioner Angela Day: Second.

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

(silence)

Chair Raschko: And looking like no. Then all in favor, please say "aye."

Multiple Commissioners: Aye.

Chair Raschko: And opposed?

(silence)

Chair Raschko: And so then we – the minutes are approved. So we will take a pause now and allow the Board of County Commissioners to convene.

Board of County Commissioners Chair Peter Browning: Well, welcome back to the April 9<sup>th</sup>, 2024, County Board of Commissioners – County Commissioners. It's six p.m. and I'd like to call this meeting to order (gavel).

Chair Raschko: Okay. We'll start with introductions and I'll go ahead. I'm Tim Raschko. I'm the current Chair of the Planning Commission. I've been retired about 10 years. I spent a career in timberland management. And I've been on the Commission, I think, since 2015 or '16. I can't remember.

Planning Commission Vice Chair Tammy Candler: Okay, Vice Chair Tammy Candler. I've been on the Commission, I think, since 2014, but please don't quote me on that. I've been born and raised in Skagit County. I have lived elsewhere but this is home.

Female Voice: We can't hear you.

Vice Chair Candler: Okay.

Same Female Voice: If you could speak up, that'd be great.

Vice Chair Candler: Will do.

Same Female Voice: Thanks.

Vice Chair Candler: I'll pass it to Mr. Henley – Commissioner Henley.

Commissioner Henley: I'm Vince Henley. I've been on the Commission a couple of years now and I don't really have any strong qualifications for being on the Commission. I do belong to a number of professional organizations that do have to do with things like building codes and such like. I also am a retired computer scientist so I know a little bit of something about computers, but other than that, I think that what I bring to the Commission is a sense of engineering and good enough.

Chair Raschko: Joe?

Commissioner Joe Woodmansee: My name's Joe Woodmansee. I've been on the Commission since 2019. I come from the real estate world of providing housing and development, and it's a pleasure to be on the Commission. It's a great group of people and I consider it a privilege.

Commissioner Jen Hutchison: Good evening, I'm Jen Hutchison. I've been with the Planning Commission just two years now. April is an anniversary so I'm still young and new on the Commission but it's very rewarding to be a part. (I'm a) Burlington city resident. I've been in Burlington at our home for 12 years now so time just keeps slipping fast. It's moving so fast. I appreciate being part of this group.

Commissioner Day: I'm Angela Day and I live in La Conner. I live on the Swinomish Reservation and I feel very honored to be in that area. My husband and I lived in Snohomish County for 25 years, where we owned a feed and farm supply store, and I also earned a Ph.D. in political science, which I hope nobody will hold that against me, and taught courses in leadership and public management. And so I'm very honored to be able to serve the citizens of Skagit County.

Commissioner Amy Hughes: And my name's Amy Hughes. I was raised in south Mount Vernon where there were strawberry fields and dairy cows and pea fields and kind of had kept along with the agriculture agenda through that that whole time up until now. And I'm looking forward to the Comp Plan review that we're going to be going into. It seemed to be well done 10 years ago and the review ought to be interesting.

Commissioner Ron Wesen: I'm Ron Wesen, Skagit County Commissioner for District 1. I have been on the Commission for quite a few years now. I am fourth generation. The family still has a dairy farm and I still get out and work on the farm on the weekends. I really want to thank all the Planning Commission people for being here and putting all their volunteer time and effort into it. I really enjoy the discussion. I've watched every Planning Commission meeting since I was elected and I appreciate your debate and discussion back and forth and what the public has to say when they come forward. So thank you for being here.

Chair Browning: I'm Peter Browning, County Commissioner from District 2. That's the Mount Vernon area. I grew up on an organic farm in Whatcom County but we also had a house in La Conner so I've kind of lived between the two counties. I have to tell – sorry to people in Whatcom County, but Skagit is my favorite of the two counties. I love it here. So. And this is my first four years. I'm just finishing up my first four years.

Commissioner Lisa Janicki: Good evening. I'm Lisa Janicki, so District 3. Earlier today from the bench we celebrated all the volunteers for different organizations, \_\_\_\_\_ actually \_\_\_\_\_ with their volunteer center. And you were actually, as the group of Planning Commissioners mentioned by name as being one of the really big *time* commitments of the 52 boards and advisory committees that the Commissioners have to appoint – that the Planning Commission has always carried a very large workload. And I guess I want to just start this meeting by saying thank you. All of us realize the amount of time and work that goes into just being ready to step into your regular meetings. And then when there's a whole Comp Plan put on top of it – fortunately we have a full complement of staff in the Planning – Long Term Planning Department now, but it really is a lot of work. My background comes from business, 30 years as a Chief Financial Officer, and yet, in spite of that, the financial constraints that we all have to recognize, I would say that you have to inspire the vision first. You've got to know what it is that you want and through a major Comp Plan update like this we are really, you know, inspiring the future. What does that look like? And the rest of it we \_\_\_\_\_. So thank you and I'm looking forward to our conversations.

Chair Raschko: Thank you all. Tonight this is an opportunity for the Board of County Commissioners and the Planning Commission to discuss both the docket and the upcoming efforts on the Comprehensive Plan Update. Before we start, I'd just like to ask for cooperation in keeping this to a discussion. And I know it's very easy on some of these issues to have a preconceived slant on it or opinion, but I think we should try to gather information in order to better inform our opinions and not get bogged down in what could become sort of a quasi-deliberation – if everybody understands what I'm saying? So I think we should be open and have a lot of great discussion, but not get bogged down in early opinions. If anybody disagrees with that, I'm sure open to discussion on it.

(silence)

Chair Raschko: Okay. So before we start, there's no presentation – correct?

Robby Eckroth: No. We assumed – we’ve been giving both the Planning Commission and the Board a lot of presentations on the Comprehensive Plan and the dockets. We figure this is a good time to discuss some of the content in those presentations.

Chair Raschko: Well, I would suggest as a way to start out is that we go to the docket and get warmed up and just go through the docket one issue at a time and see what people’s feelings are after what I said, and answer questions and see if we can further educate ourselves – if that’s all right with everybody.

Commissioner Wesen: Just, Chairman, one thing. You know, on the docket, the Commissioners, anybody can sign up for a docket renewal or a change by the last business day of July. And then it becomes the County Commissioners’ and we go through and listen to them and listen to the Planning Commission’s recommendations, and when we vote it’s just to do more research. So have the Planning Department do more research and have the Planning Commission do more research. Just because the Commissioners may approve something on the docket doesn’t mean we’re going to finally vote for it at the end of the whole process. So it’s just to gather more research, more information, so all of us have those questions answered so we can move forward for the best decision for the community.

Chair Raschko: Great. Thank you. Okay. Let’s start with LR24-01, which is the Deception Pass Park Rezone. Does anybody have anything they want to discuss?

Commissioner Wesen: Just a little history on that. You know, Deception Park is one of the oldest in the state, I believe, and they are expanding into Skagit County. They purchased this parcel a few years ago and now that the State owns it, or the Park Service owns it, the question is: Should it be designated as the changes they’re asking for? There’s a lot of people who come to this area to enjoy the park and the beautiful area we have out there. It’s a beautiful park and Deception Pass is a unique area.

Chair Raschko: Indeed, it is. Anything else from anybody? Commissioner Hughes?

Commissioner Hughes: I have a question, and maybe the staff would know this. Oftentimes we’ll ask for the proponent to come to a meeting and share their vision, their thoughts. Will that be happening with this one?

Mr. Eckroth: I can ask again. I let the staff person know from Washington State Parks that this is occurring. I noted that the public hearing would be the best place to do that as well, but I did say that all of the meetings that we’re having in the next few months would be a great opportunity to listen and participate.

Commissioner Hughes: Okay. Thank you.

Chair Raschko: Anyone else?

(silence)

Chair Raschko: Okay. Why don’t we move on then to LR24-03, which is the Cedardale Road interstate 5 Interchange Rezone. That’s a 4.87-acre parcel right along I-5. It’s kind of between the freeway and the frontage road. Would anybody like to open a discussion up on this one?

Commissioner Wesen: Amy’s lived down in the area a long time.

Commissioner Hughes: Yes, I used to ride my horse in that field before a road went there. I had asked staff for a couple of questions. I'm trying to review right now what I asked you for. Oh, there was a drainage system just south of that property and so I wanted more information regarding that drainage system that comes out from the south. It's a Mount Vernon water drainage system and it goes between the freeway and the frontage road all the way down to Conway. So I just wanted more information on that.

Mr. Eckroth: We could be sure to get that. I have not gotten that yet. And you're pretty sure that runs through this property in particular?

Commissioner Hughes: Not through it

Commissioner Wesen: I don't think it goes through the property.

Mr. Eckroth: Okay.

Commissioner Hughes: Not through it. It's just that that property, I think, is right to where it comes out.

Mr. Eckroth: Okay.

Commissioner Hughes: It comes underneath – and that's why my – it comes underneath somewhere and then it pops out right south of that, and I don't know if that is something we need to be aware of or not.

Commissioner Wesen: There is a culvert project that WSDOT is going to go do on that freeway, and it came through SCOG and it was, like, a 25-million-dollar project because that culvert going under the freeway is very long and they need to – I don't know what they're going to do but they're spending a lot of money. But it's not on this parcel, I don't believe.

Commissioner Hughes: Yeah.

Chair Raschko: Anybody else?

Commissioner Day: I have a question. I guess this is a question for staff. There's a list of criteria, apparently, for consideration whether it should be considered on the docket. And I was just wondering: Did this particular application meet all of the criteria for being included?

Mr. Eckroth: No, it did not, and that's because it's not consistent with our Comprehensive Plan goals and policies. So the Comprehensive Plan notes that new Rural Freeway Service zoning should not be established and also that Rural Freeway Service development should not be located in natural resource lands, and this rezone would effectively do that. So one of the criteria is that any petition is consistent with all – not only just the Comprehensive Plan but every document adopted by the Board of County Commissioners. So that's something that we look through when we make recommendations on whether something should be docketed or not and that's why we haven't recommended that this petition in particular be docketed.

Commissioner Day: Thank you.

Mr. Eckroth: Yep.

Commissioner Janicki: And Robby, remind me about the LAMIRDs. They're – this proposed or requested designation is considered to be a LAMIRD, and even though the state allowed *some* expansion of LAMIRDs there were other geographical requirements – that this would not fit into that exclusion of expanding a LAMIRD. Is that –

Mr. Eckroth: Right, so –

Commissioner Janicki: That's in the form of a question because I think I remember bits and pieces of bills but –

Mr. Eckroth: Yeah, so just to remind everyone, a LAMIRD is a Limited Area of More Intense Rural Development, and a Type 1 LAMIRD, which Rural Freeway Service is a Type 1 LAMIRD, has to be around preexisting development prior to the Growth Management Act. So because this parcel in particular doesn't have any development, my opinion would be that designating a new LAMIRD in that parcel would violate the Growth Management Act.

Commissioner Wesen: I guess one question I have, because it's been there since the freeway went in in the '60s: What do we expect that property owner to do with this? It's agriculture, but really you look at the roads around there, obviously there was material brought in and pushed around. And I have no idea what the soil is right there, but I would assume there used to be – 99 used to go right through that general area so I'm just wondering: What do we expect the property owner to do with it?

Mr. Eckroth: Sure, great question. So we actually met with the property owner's representatives this week and we explored some options with them. The first option is to see if they were to get a flood elevation certificate – if they are, indeed, in the flood zone or not, and that's something that they're already looking into. So if they're not in the flood zone, they can ask the City of Mount Vernon if they would be interested in incorporating into their Urban Growth Area. If that doesn't pan out, then they're pretty much going to have to work within the confines of the agricultural zoning district. So we explored some options within the existing zoning of what they could do, and that could include agricultural processing, nurseries, some other options that are completely soil-dependent. Just because I know that the soil on this parcel, it sounds like it's problematic after the freeway construction.

So those are some options that we presented to them. They're going to get back to the property owner and see if that's something that they're interested in pursuing.

Commissioner Wesen: And the other unique thing is the north, a few hundred feet, is in the Urban Growth Area just because the line – the way it goes through there.

Mr. Eckroth: Right, right.

Commissioner Wesen: Just some questions.

Chair Raschko: Commissioner Woodmansee?

Commissioner Woodmansee: The thing that it made me think about was, you know, our zoning maps were created a long time ago and Skagit County had a different population, and so it made me think about – and I know there's processes to look at just to do a \_\_\_ rezone. But it made me think about the whole process of, you know, when the initial zonings all got put into place. We just

– this last year, I believe it was – recommended approval of a rezone of an agricultural piece in La Conner that was just plain old mapped wrong – right?

Commissioner Wesen: It was a rock!

Commissioner Woodmansee: Rocky Ridge, right? And it was never going to be agricultural. And I'm not saying that soils-wise this was mapped wrong, but I think that – and I don't recall that very often that original zoning stuff, we don't spend a – I can't remember how it gets amended or if it's only through a rezone application and then once it's in place it's pretty hard to change – since the Growth Management Act. But it seems like that for parcels like this that are now cut off from the agricultural world really and have impact from development of freeways or overpasses and stuff, *and* are split UGA and not-UGA, I don't know how you can – you've either got to pull a UGA back or you've got to push it out, in my opinion – which we don't want to get into opinions right now! So it just brought a lot of questions to me about, hey, there seems like there should be a process or a look-into, you know, how you deal with – you know, what are the different tools you can use to try to rectify. Like maybe something was a great idea 40 years ago or 30 years ago or 20 years ago changing x, y, and z. You say, hey, that's not such a great fit today.

Mr. Eckroth: Chair, do you mind if I make just a quick note real quick? That's an excellent point that you just brought up and I just want you to know last year's docket submittal that was a rezone from agriculture was a little bit different for two reasons. One, there was a slope and they had presented that the soils weren't sufficient to accommodate agriculture. And I don't know if the soils are sufficient or not on this parcel, but what I really wanted to note is there was already preexisting zoning near the parcel that was zoned Rural Reserve. And that's what makes this parcel in particular a little bit more challenging, is if we were to rezone it to anything else it would be hard to justify that it's not an illegal spot zone, which is also something that's prohibited within the Growth Management Act. So we're really trying to work with them to find some solutions here, but there's just some constraints that we've got to work with.

Chair Raschko: Could you repeat what kind of illegal?

Vice Chair Candler: Spot zones.

Chair Raschko: Oh, spot zones. Okay.

Mr. Eckroth: Yeah, so the state doesn't allow you to just put – to zone one parcel something differently than surrounding zoning, unless it's like a Limited Area of More Intense Rural Development like we were discussing, around a preexisting developed area. That's one of the few exceptions.

Commissioner Henley: It sounds like they're pretty much against any additional RFSs, though.

Mr. Eckroth: The Comprehensive Plan suggests that there shouldn't be any new RFS zoning in the county. Correct.

Commissioner Woodmansee: So I could follow up on that and that I think you're making my whole point, that at one time the Comprehensive Plan said we shouldn't do any more of this.

Mr. Eckroth: Right.

Commissioner Woodmansee: But maybe that was a good fit 20 years ago – or I don't know when that got put in, right? But I don't know if that's still a good fit, so the process to analyze that is what I'm talking about, you know? Because, I mean, do you think it's fair to say that the zoning that's there for this has limited value? And the community could potentially benefit from a different zoning because of its proximity to the freeway and all that. So the hole to try to look through the glass to look at opportunities is pretty small. But maybe it's too small. That's kind of, you know, my thought. It'd be nice to get a bigger look at it.

The spot zoning is something that I've always had a rough time with because it's treated like it's a bad thing across the board, but I don't agree that spot zoning is a bad thing across the board. Because there's – which is – I'm on a rabbit trail right now, but to me what's best for the community should matter, and if a small area is zoned x – whatever it might be – is good for the community and a use would be good for the community, just because there's not three more parcels zoned that same zoning doesn't necessarily to me say it's bad for the community.

Commissioner Henley: Do the current owners of the property have a plan in place or a proposal for a different use of the property? They stated that it's not viable agriculturally, all right, so what would they propose as opposed to what is there now?

Mr. Eckroth: Their agents indicated that they were interested in doing some sort of commercial operation like a gas station or something like that.

Commissioner Henley: Okay, okay. Like a fueling station, a 7-11, or something like that?

Mr. Eckroth: I believe so. That's an option they were exploring.

Chair Raschko: So is there anymore on LR24-03?

Commissioner Janicki: Well, maybe just one more question then. After meeting with the petitioners' representatives, are we following up with some kind of communication with the City? Or are they doing that? And if they were – if the City were, you know, agreeable and expanded the Urban Growth Area to take on that finger of land, would they be able to build a convenience store on that property in an Urban Growth Area? It still won't happen, will it?

Mr. Eckroth: Well, it depends. If the City were to request that the Urban Growth Area be expanded, well, that's something that we encourage the applicants to do through Mount Vernon's Comprehensive Plan update process. But if they were to be designated an Urban Growth Area – I don't know what our Urban Growth Areas are going to look like through this Comprehensive Plan Update, but currently the Mount Vernon Urban Development zone defers to the zoning district that the City identifies for that parcel. So the City would have to designate a zoning to support that use. So, yeah, they really need to work closely with them if that's something that the City wants to entertain.

Chair Browning: And Robby, from a Planning Department standpoint, is this a discussion about what's best for the community? Is this a discussion about what's best for the landowner? Does one take precedence over the other when you're looking at this, or is it just purely the legality?

Mr. Eckroth: Well, of course we want to explore options with the applicant that would be good for the community and also that would be beneficial for the applicant. But I think the first thing that we look at is State law and County zoning and the Comprehensive Plan. I think their challenges really come down to State law, which is our issue here. So we can try to amend our



Comprehensive Plan – if you all were to choose to do that – but we could be challenged for not being compliant with the Growth Management Act.

Chair Browning: Okay, thank you.

Commissioner Janicki: And that's the recommendation – to exclude this petition?

Mr. Eckroth: Precisely.

Commissioner Janicki: Got it.

Chair Raschko: Just a parting thought. I think it's interesting when we talk about what's best for the community at that place. I don't know who decides that. Because some people might think it's great to have a convenience store there. Other people might think well, cripes, that was nice rural and everything else. So who does decide what's best?

Chair Browning: The two \_\_\_ on either side of it, is it going to benefit – I mean, so that's my concern – that we have to be very careful that we don't somehow impede their ability to work when those are close. Anyway.

Chair Raschko: That's a good point. Okay, why don't we turn our attention to LR24-04, which is the Airport Environs Overlay Disclosure.

Mr. Eckroth: Chair, may I ask: We also had LR24-02 that I believe we skipped over.

Chair Raschko: Oh, I missed that. I'm sorry. LR24-2. That's the Bayview Ridge Light Industrial Buffer Reductions. I think we're all aware of that one. We've had some discussion on it. Does anybody wish to begin?

Chair Browning: Again, this is what's best for the communities, to some degree, and I think that it's probably close to a bunch of houses, and I guess I just want to make sure that we're not going to create a massive \_\_\_ from the housing folks.

Chair Raschko: Anybody else? Commissioner Day?

Commissioner Day: Thank you. I think this is a question for staff. Part of it describes that existing residential uses that are established would not be impacted. It would only be, for example, residentially-zoned properties that don't already have an established home. Do you have any idea of approximately how many properties that is?

Mr. Eckroth: I believe one of the alternatives says that one of the buffer options could be that they measure from an existing home rather than the zoning line, which we currently do. And then the other alternative would be measuring from the existing zoning line between the Rural Reserve or Bayview Ridge Residential and then the Bayview Ridge Light Industrial. So I don't know approximately how many homes this could affect. I haven't counted. I know that there's a number of Bayview Ridge subdivided homes to the south of our Bayview Ridge Light Industrial zoning, and then there's a good number of Rural Reserve zones to the north, some of which are developed with residences, some aren't. Does that answer your question or at least provide some additional context without being able to give you an exact number?

Commissioner Day: Yeah. It's hard to imagine. Say, for example, I was a property owner that owned a piece of undeveloped land there. And so I *don't* have an established residence but I want to develop it in the future, and now the buffer is significantly reduced between the industrial zone and my property because I don't have an established home. And I just wonder, you know, approximately how many people would be affected by that. I would imagine those people would be the least happy about this type of proposal. I think when we're going over these kind of things it helps to have an idea about the scale of the impact –

Mr. Eckroth: Sure.

Commissioner Day: – of a potential change.

Mr. Eckroth: So I'll just note that I think staff had concerns about that particular alternative and I think it's also a little bit onerous on staff to be measuring from a proposed development to structures that we're looking at in an aerial photograph and then trying to figure out if it's a single-family residence or not. So I don't think that's something that staff is going to be supporting if this does get docketed, and would prefer to continue to keep measuring from the zoning boundary just in case – so we don't miss things and so it's easier to review, and to also prevent situations like you're describing.

Commissioner Day: Thank you.

Mr. Eckroth: Yeah.

Commissioner Wesen: But the adjacent zoning of the – isn't it Rural Reserve, the adjacent?

Mr. Eckroth: Of the – yeah, of the applicant's parcels, yes.

Commissioner Wesen: And so Rural Reserve is two houses per 10 or one per five with a CaRD. Isn't that correct?

Mr. Eckroth: It's – exactly, yes, that's correct. Yeah, so those would be – that *is* a residential zoning district, if that's what you're asking.

Commissioner Wesen: Yeah, yeah. But that's what it is: one house per five acres.

Commissioner Woodmansee: I think it's one per 10.

Mr. Eckroth: It's one per 10 without a CaRD and then, yeah, two per 10 through a CaRD.

Commissioner Wesen: But if you have 10 acres, you can do two houses.

Mr. Eckroth: Right.

Commissioner Wesen: But some are eight acres and only get one house \_\_\_.

Chair Raschko: So is that then that the size of the lot might mitigate this whole reduction of buffers? Because unless you put the house right on the –

Commissioner Wesen: Years ago there was a proposal to downzone that Rural Reserve to a more intense area, and so that's why I'm bringing it up, because they could come back and want to do more intense instead of one house per five.

Chair Raschko: Okay.

Commissioner Janicki: But my understanding was – my understanding on more intense is that that's in direct conflict with the Airport Environs Overlay, that that's just *not* going to happen within that footprint. I already got my head chewed off on that one nine years ago, so I have some memory left!

Commissioner Wesen: Those are some of the issues there, yeah.

Commissioner Janicki: But to your point, I mean, and so it might be worth including just to have that conversation because if \_\_\_\_\_ five-acre lots, that mitigation. I don't know. I guess I want to make sure that we're not unfairly limiting where our light manufacturing can go. I mean, between the space it takes for, you know, stormwater and all the different setbacks and structures that don't have directly to do with a manufacturing operation, that there is space for them to do it. Because we don't have very many industrial zones left. So I think it's worth looking at. We're not deciding it's the *right* thing to do; we're just saying let's figure out how many homes would be impacted with this. You know, this is a pretty confined area. We can probably look at the whole map and figure out whether it's the right thing. You know, your experience, Joe, would really benefit us to what functionally could go into those spaces.

Commissioner Henley: A question for the staff. Did I miss something here or is part of their proposal a change in building height from 30 feet to 35 feet?

Mr. Eckroth: Only if you're within that buffer area. So that building height changes under current zoning. If you're within a certain distance of a property line, then your building height is more limited than if you were to be further away from the property line. So that is part of the proposal.

Commissioner Henley: It *is* part of the proposal.

Mr. Eckroth: To change that buffer.

Commissioner Henley: Yes, okay.

Chair Raschko: Anybody else?

Commissioner Woodmansee: I think that that 35-foot height would be fairly consistent with what the Rural Reserve zone height limit might be.

Mr. Eckroth: I believe so, yeah.

Commissioner Woodmansee: So it would be at least consistent with the neighboring zone as far as building height.

Chair Raschko: Okay, are we done with 24-02?

(silence)

Chair Raschko: Move on to 24-04, the Airport Environs Overlay Disclosure. The Port of Skagit proposes updates to the Airport Environs Overlay, Skagit County Code 14.16.210, to improve awareness of the Skagit Regional Airport and address our Port compatibility of future development in the vicinity of the airport by adding a new property disclosure requirement. Which to me sounds sort of like a – having to sign a right-to-practice forestry or a right-to-practice agriculture.

Commissioner Janicki: I always think of the dairy farmers. There's that disclosure. I mean, to farming. \_\_\_\_\_.

Chair Raschko: Is that sort of what you're talking about?

Commissioner Wesen: That's what it is, yeah. And so when you purchase – if you bought property in that area, then you'd have to sign that you know there's an airport around.

Chair Raschko: Which I think is a good idea. Anybody else?

Chair Browning: A right-to-fly ordinance.

Chair Raschko: Pardon me?

Chair Browning: A right-to-fly ordinance.

Chair Raschko: Basically, yeah. Yes?

Commissioner Day: So is this in response to just the current use of the airport? This is something that seems like a good idea, or is there any thought of future changes to the airport and this is looking in advance of that?

Mr. Eckroth: I believe this is just to be consistent with Washington Department of Transportation's newest guidelines.

Commissioner Wesen: Because part of the issues when we did this before we were following New Zealand or Australia or something?

Mr. Eckroth: Australia, yes. Yes, we were –

Commissioner Wesen: Because the United States hadn't come up with the new standards yet and so that's why we're updating it now or – some people are asking to update it now.

Mr. Eckroth: Exactly.

Vice Chair Candler: And this would serve as like an encumbrance – for lack of a better word – on a deed?

Mr. Eckroth: Right, right. So when people are transferring property the buyer will be aware that they are limited in what they can do because of the Airport Environs Overlay – limited height, certain uses, things like that.

Commissioner Henley: Yes, it prevents people from after the purchase saying I didn't know the airport was there, which happens more often than you'd believe.

Mr. Eckroth: Exactly. Yep.

Commissioner Hutchison: And so it's only going to be applied to future transfers of property if it were adopted. It's not like we're going to be reaching everybody in that area and asking them to add this to their –

Mr. Eckroth: Yeah, there's no mechanism to do that, so it would just be upon new transfers.

Chair Raschko: Okay, are we all good with that?

Commissioner Henley: Yeah.

Chair Raschko: Great. So we'll turn then to C24-1, Countywide Planning Policies Update, to adopt amended Countywide Planning Policies recommended by the GMA Steering Committee. Does anybody wish to elaborate on that?

Commissioner Hutchison: Can you repeat that, please?

Chair Raschko: It is the – to adopt amended Countywide Planning Policies, which were recommended by the Growth Management Act Steering Committee.

Commissioner Wesen: Just a little history: The Growth Management Act Steering Committee is the three Commissioners and the Mayors of the four large towns/cities, and that group makes recommendations to the County Commissioners and the County Commissioners can say yes or no but we can't amend it. Isn't that correct? I think that's what it is.

Mr. Eckroth: Yeah, I believe so.

Commissioner Hutchison: And this effort's to dissolve the Boundary Review Board, if I understand right. And I recall that the Commissioners had a question as far as just what that process looks like once this committee's removed. And you've obviously had all of your questions answered, I want to say, as far as procedures in the future. We're going to take this Boundary Review Board away. We won't miss any steps, like, there's going to be a process that's easy to maintain without the Boundary Review Board.

Commissioner Janicki: So I can't say that we've had all of our questions answered. When we were deliberating the approval of the last updates we deferred this one out, and so by deferring it it shows up on this year's docket – is how it landed here. And then that specific issue, although the GMA Steering Committee had recommended disbanding the Boundary Review Board, there became this question of what does that mean for all these special purpose districts. And if they combine, or some districts are combined, or if they separate, if new districts are formed – like Anacortes is in the middle of doing a recreation metro/recreation swimming pool district. You know, what is the role, or is there a specific purpose of the Boundary Review Board still needs to be constituted to make those special purpose districts functional in their organization? So that was why we pulled it off. I don't know that we're going to have all those answers, but this was put forward by the GMA Steering Committee. I don't know that we can just ignore it either. So, you know, the question will just be: Should we docket it so we can continue studying it? And part of that parameter will be how much capacity does staff have in the year where we're doing the big update.

Commissioner Hutchison: Thank you.

Commissioner Janicki: So your memory is good. That *is* what happened.

Commissioner Wesen: One of the things that happened during Covid, Sedro-Woolley wanted to expand their Urban Growth Area, I believe it was, and because of the scheduling issues and not having in-person meetings, they – the Boundary Review Board didn't meet. And so they had to start the whole process over again because they weren't meeting. That's the way I remember that. I've had concerns or questions because years ago it was a county park district between Whatcom County and Skagit County, and the Boundary Review Board is the one that was able to stop that from happening. And so my question is: What happens if the Boundary Review Board goes away? Who makes those decisions? Is it the County Commissioners or what is the process? So that's the question I've had all along in this.

Commissioner Janicki: What – are – was it the Blanchard? The Whatcom-Skagit park was the Blanchard Mountain? Okay. I'd forgotten about that.

Chair Raschko: You mean Squire Lake?

Commissioner Wesen: They were looking to have a park district between Skagit and Whatcom, and that Boundary Review Board is the one that had to deal with the discussion on it.

Chair Raschko: Anybody else?

Commissioner Woodmansee: I have a question. So if this board went away, the question is who's going to perform the functions that they function now. \_\_\_\_\_.

Commissioner Wesen: That's the question I have. Yeah.

Commissioner Woodmansee: Yeah, I have the same question. And then – so then the Sedro-Woolley thing, because they weren't meeting they basically, essentially tabled their even having a discussion about annexation or changing the boundary.

Commissioner Wesen: There was a timeline you have to do, make a decision – a certain number of days. Because they missed it, they had to start all over. That's the way I remember it.

Commissioner Woodmansee: I see.

Commissioner Wesen: Just because the code says you do this and then you've got to go to the Boundary Review Board and they've got to make a decision after so many days, and they weren't able to make it.

Commissioner Woodmansee: I should know the answer to the next one, but if there's no board, who would determine Growth Management changes? Who would approve them? Because –

Commissioner Wesen: That's my question.

Commissioner Woodmansee: Yeah, yeah, okay. We're back to – I've circled back around the same question. Okay.

Chair Browning: What are the specific qualifications of the Boundary Review Board?

Mr. Eckroth: That's a great question. I don't know myself. I will say that as we actually – once this is docketed – assuming it is – we will be sure to break down as many scenarios as we can because talking to Jason, our legal counsel, it sounds like the process can really vary, depending on which special purpose district is applying for a change and what they're actually applying for. So when I ask Jason a lot of these questions, he gives me an "It depends" answer quite a bit. So I want to be able to break down all these different scenarios as well as I can to make this easily understood by both the Planning Commission and the Board.

Chair Browning: It'd be nice to know, because if they are experts – you certainly don't want that to lie in the lap of the Commissioners if they are experts. But on the other hand, if they have no real specific qualifications then it seems like it might be an extraneous.

Commissioner Wesen: I'm pretty sure the County Commissioners appoint them.

Chair Browning: Oh, \_\_\_\_\_.

Commissioner Janicki: No, but if it goes away. That's that question, is if the BRB goes away, there are some matters we do not want to roll up to the bench here. Yes. I feel like, yeah, for sure – we don't want *them* deciding that!

(laughter)

Commissioner Woodmansee: So that makes me think, okay, what is the harm in *keeping* it? But the recommendation was to abolish it, right? To eliminate?

Commissioner Janicki: The GMA Steering Committee recommended disbanding it. The Cities would have one less step in that process. I guess, you know, that kind of begs the question: Is there – does it require a legislative action? Is there a way to allow for a limited scope BRB so that the Cities, now that they are all doing their own comp planning, wouldn't have to go that extra, you know, hurdle to get to whatever it is that they're trying to do.

Commissioner Woodmansee: Right. Sure.

Commissioner Janicki: I don't know that we can make that rule. I'm guessing authority for a BRB is higher than this body. But it's worth asking. The leg session is coming up.

Chair Raschko: Any other thoughts?

Commissioner Day: I'm sorry. I noticed that we had a hand raised from a member of the public. We don't – I'm not sure if there's a mechanism for taking any public comments or –

Chair Raschko: There's not.

Commissioner Day: Okay. All right.

Chair Raschko: Thank you, though.

Commissioner Day: Thank you.

Chair Raschko: Okay, we'll move on to C24-2, which is a Creation of a New Section in Skagit County Code 14.16, zoning to regulate fencing. The new section would prohibit razor wire fencing in all zones that allow single-family residences, among other things. Who wants to start?

Unidentified Planning Commissioner: (inaudible)

Chair Raschko: Pardon me?

Commissioner Hutchison: Prohibit *what* in single-family?

Chair Raschko: Razor wire fences.

Chair Browning: Is razor wire part of the expectations or requirements for a marijuana production and so would that then be – would it be some situations where it would be allowed just because it was State law that it's required?

Mr. Eckroth: I know razor wire isn't. I'm not sure about barbed wire. So this is something that we're still looking into as well. This iteration that we have provided the Planning Commission and the Board will definitely not be the final iteration, as there are some other exemptions that we want to be sure that we accommodate, such as wildlife fencing for agricultural uses, and wireless cell towers, and things like that in addition to marijuana production and processing.

Chair Browning: Yeah, great. Thank you.

Commissioner Hughes: I was following up on Commissioner Browning's comment on that. One of the first projects I worked on was the marijuana, because it was brand new. It was an RCW that came in and we had to go from scratch. And it was very interesting to see the process, and fencing was a *big deal* in that process. So I just want to bring that about, is that we worked hard on that one. And it seems – the conclusion is since that was put in, I haven't heard a lot about problems with all the policies that were made. And it was a very sensitive subject at the very beginning, but it was an RCW, and I think it just quietly came into our community and been dealt with. But I might be wrong. Maybe I just don't hear the headlines. But fencing was a major part of that.

Mr. Eckroth: Sure. I know they do have to have screened fencing so you can't see through it and it has to be eight feet tall. I don't know off the top of my head if it has to require barbed wire. I do believe I have seen a facility with barbed wire on it and I know that security can be an issue for them. So I think when we bring the next version of this forward to you, we want to be sure that we are accommodating that use by at least allowing barbed wire. I've never seen razor wire around one of those facilities, though, so I don't think staff has that concern at least.

Chair Raschko: \_\_\_\_, Jen, and then –

Commissioner Hutchison: The considerations for this type of language or vision is for animal safety and welfare? Is that – where is it coming from?

Mr. Eckroth: There has been complaints from some neighborhoods of some very industrial-looking properties that were accommodating home-based businesses. And so that gave staff the indication that maybe there should be something that's a little bit more strict for residential areas as far as fencing goes, so it doesn't look like an industrial or prison property with security fencing in the neighborhood.



Commissioner Hutchison: Thank you.

Chair Raschko: Tammy?

Vice Chair Candler: That was similar to my question. I'm just kind of wondering if we had a problem with razor wire fences in the county.

Mr. Eckroth: I believe it was barbed in particular, but razor wire, I think, came up as a thought that something could come up in the future, which is why we want to bring it forward as well.

Commissioner Wesen: So the residential zones, what do you consider the residential zones? Ag-NRL?

Mr. Eckroth: Well, and that was actually the first iteration of this. If you look at the code language on page 19, the way it reads with the iteration that we gave you is razor wire is only allowed in commercial, industrial, and aviation-related zones unless permitted as part of an essential public facility or utility development. So we'll add some of those additional exceptions in there but it's not going to read as "residential zones," because I had that very same concern that that could be confusing.

Commissioner Wesen: One of the concerns is the farming community and large farms and so forth, there's lot of things walking away from your farm at night, and I just don't want to be – we've had things walk away from our County shop, too, and so....

Mr. Eckroth: And we want to provide an exemption for agricultural activities, so be sure to make sure that that works for the Agricultural Advisory Board, Planning Commission, Commissioners as well.

Commissioner Wesen: Thank you.

Commissioner Janicki: And Commissioner Wesen, it seems like you'd also asked the question about the five-foot maximum on barbed, whether that worked out on the elk fencing community or if they needed – because those elk fences are at least eight feet tall.

Commissioner Wesen: That's one of my concerns also is the elk and so forth.

Mr. Eckroth: And those will be exempt as proposed.

Chair Browning: Any other thoughts?

Commissioner Henley: We did talk about this barb wire exemption last meeting, so we did discuss it at some length.

Chair Raschko: We did.

Commissioner Henley: One other question. I had a comment from one individual, or some people said, Are we getting too particular on what the government is zoning on what we do? Are we being a homeowners' association deciding what could be next door? Just the other side of the coin here. I'm just asking.

Mr. Eckroth: Great question. I will pass that concern to Jack. This is something that I think he wanted to explore so I'll share those concerns.

Chair Raschko: Are we done with that one? Okay, we'll go to 24-3, Storage of Unlicensed and/or Inoperable Vehicles Amendment. This removes the use allowing storage of unlicensed and/or inoperable vehicles from all zones except the Urban Reserve Commercial-Industrial, the URC-I. So the way I understand this, we're talking about where you can zone a junkyard, not what to do about abandoned vehicles in all zones. Does anybody have any thoughts?

(silence)

Chair Raschko: Well, we're done with that one! Okay.

Commissioner Woodmansee: I'm not sure that I fully understood this one the other night, to be honest with you. And so I asked questions about, you know, if you drive by somebody's house and they have 50 cars sitting in the yard, how does that apply to this? But was this – I think you explained something that night, Rob.

Mr. Eckroth: Well, Director Jack Moore was describing what is considered "junk," and I was also differentiating when someone stores vehicles that are for personal use it's different than this use, which is more of a commercial storage operation. So we enforce when people exceed that junk limit. This is different than that. So this is if someone – I think the example that we gave is – and this is actually more popular up in Whatcom County; when I worked there, I saw these come up a lot. People will bring in vehicles from Canada and then store them for a while, and then someone will come in and flip the odometers to change it from miles per hour to kilometers per hour or kilometers to miles. And that is one example I can think of for a commercial operation that would be accommodated under this use; however, we actually have never had a use or an application come in accommodated under this use. So it's hard to give examples when we haven't seen one come in yet. But that's something I think of that could come up in the future.

Commissioner Woodmansee: So we've never had an application to use. What brings it to the docket then?

Mr. Eckroth: We had someone come in for a preapplication meeting who wanted to do something slightly different that couldn't be accommodated under this use, but it was in the Rural Intermediate zone. And that's a residential zone, and I got wind of that and I was concerned that if we had a project like this that people would be very unhappy to live next to one of these. So then I started looking at other zoning districts that it is allowed in and started looking at the purpose statements of those districts in the Comprehensive Plan and found that that use seemed to be inconsistent with the purpose and the goals of the Comprehensive Plan. So as far as I know, this use has been around since the early 2000s. I believe when it was adopted under the – or when we adopted the Unified Development Code. So I thought this would be a good opportunity for the Planning Commission and the Board to look at this and see where do we want this in the county or don't we.

Chair Browning: But is this directed at specifically people who are asking for permission, or could it be applied to people who do not ask permission to store vehicles just to store them?

Mr. Eckroth: Well, I think the entire zoning code is really – I mean, if people aren't asking for permission and we don't know about it, it's hard to apply it. But it applies to people who want to have a commercial business and it wouldn't apply to people who are just wanting to store their

vehicles, their personal vehicles. I want to make it clear if someone has a garage and they have collector cars and they're just storing them in their garage, I don't think that'd be classified as "junk" and that also would just be considered an accessory use to the residential use. It wouldn't be permitted under this use because it's not a commercial use.

Commissioner Henley: These are mostly all permitted now – a Hearing Examiner permit, right?

Mr. Eckroth: The pathway is a Hearing Examiner special use permit in every zone but the Natural Resource Industrial zone, which would be an administrative special use.

Commissioner Henley: So it's pretty much covered, yeah.

Vice Chair Candler: I have a question.

Chair Raschko: Go ahead.

Vice Chair Candler: Is this dealing with any current uses that are – I'm assuming some of the places that are used for this purpose in Skagit County maybe are in some of these zones that would change then – or wouldn't?

Mr. Eckroth: One that was brought to my attention by someone who's been on our Current Planning staff for a long time was permitted in the Rural Business zone under a different use type before this use was even allowed in the Rural Business zone. So again, I don't think we've ever permitted anything under this use through a permitting process. There may be some nonconforming uses out there that are similar in nature, but they weren't permitted under this use classification.

Commissioner Hutchison: So would this impact them?

Mr. Eckroth: If they wanted to expand potentially. So let's say someone fit perfectly within the box of this use and they wanted to expand and we still allowed that use, then there might be a permit pathway through a Hearing Examiner special use permit to expand. If we were to limit this to just the one zoning district that I identified that seemed appropriate, the Urban Reserve Commercial-Industrial district. Once it's nonconforming they can't expand that use anymore. But they could *continue* the use; they just can't expand it.

Commissioner Woodmansee: One more question. So if you're not in the Commercial-Industrial zone described here and you have 50 – you like Studebakers. You bought 50 Studebakers and you just like walking among them each day and, you know, you just admire these beautiful Studebakers you bought. Where do you land in here? And now they're inoperable, okay? Because they've sat there for 10 years.

Commissioner Hutchison: As a collector.

Commissioner Woodmansee: They're all rusted. Yeah! Where does that land in here *outside* the Commercial-Industrial?

Mr. Eckroth: So it's not a commercial use in nature. That's a good question. I don't think it would be accommodated under this use. I mean, it could potentially. I see your concern there, your question. That's something we can look into. So are you asking if someone wanted to just use this use designation as a personal use, could they?

Commissioner Woodmansee: Well, it's more like if they have a personal use and they're not in the commercial zone, could we say that you actually are storing inoperable vehicles, and you could only do that in a commercial zone?

Mr. Eckroth: And just to reiterate the way **that we tip**, we had to look at this is no one's tried to get that sort of situation permitted under this use. Once they exceed that junk threshold, then they have to clean up the property and store that a different way.

Commissioner Woodmansee: And was that the square foot thing we talked about?

Mr. Eckroth: I believe it's 500 square feet.

Commissioner Woodmansee: Which is not that big.

Mr. Eckroth: Right.

Commissioner Woodmansee: Yeah, I was just trying to dial it down because there are some people that just – I had an uncle who was a trader. And sometimes you'd drive up and there'd be 30 cars in his yard. Sometimes you'd drive up and there'd be four boats and two motorhomes. This is a long time ago and he's no longer with us and his junk is gone. But I'm thinking of somebody like that that's – you know, it's not a *business* but –

Unidentified Female Voice: Hobby.

Commissioner Woodmansee: Yeah, that's a great term. It's like a hobby, right? Maybe it needs a little bit of more clarification.

Mr. Eckroth: Sure. And we did want to clarify the use a little bit – or the definition a little bit more because it's pretty vague as part of this. And I think the one zone that this will affect where you see people who live on a property and want to do this would be the Rural Intermediate zone. And I guess staff's intent there was to protect the neighboring property owners who might not want to live next to that. So just something I wanted to throw out there. That's where we were coming from when we wrote this.

Commissioner Woodmansee: Yeah, and I'm envisioning somebody on 10 acres in Rural Reserve and they've got 50 cars on the back acre that they've been collecting all their life and –

Commissioner Janicki: Or tractors.

Commissioner Woodmansee: Or tractors. Sure. That's a very good point. And, you know, do they get a conflict, you know, with the changes? Do they end up with a conflict because of this potential change?

Mr. Eckroth: And just to note, the Rural Reserve zone already doesn't allow this use. It's just the Rural Intermediate, which that's a higher density rural zoning designation that allows for subdivisions up to 2½-acre density. So that's another reason that we were considering this is it's a higher density zone, more residences potentially around a property that might want to do this.

Commissioner Woodmansee: Okay, so if you're in Rural Reserve and you're a tractor collector and you have more than 500 square feet in the future, would you be in violation of the proposal here?

Mr. Eckroth: That's a really good question. I think it depends on some of the circumstances and we can play out some of the scenarios for you through the docketing process.

Commissioner Woodmansee: And just for the record, I'm not advocating 50 cars and 100 cars in whatever – in disarray parked on the side of a hill and all that – quasi-junkyards, right? I'm not advocating for that.

Chair Browning: \_\_\_\_\_ part of what comes up, but if you're a collector and they all can start then – but if you've got a bunch that don't start that'd be a – I don't know. I'm not sure. That changes it a bit. Most collectors are not of things that actually can start.

Mr. Eckroth: Right and Jack knows this very, very well. During his days working as the Building Official, working with our enforcement staff. So when he's here as well, he can answer these questions much better than I can.

Commissioner Janicki: I support docketing this because of just this conversation tonight shows how confused it is. And I know that there was an auto wrecking yard in Sedro-Woolley very close to the river and they spent years getting that cleaned up. And then once it's cleaned up, you know, a couple years passed and some other family buys that thing, they're going to start an auto wrecking yard next to the river. And it's, like, that was never permitted in the first place. So I don't know what zone it falls into but there wasn't a path to getting even a Hearing Examiner permit. But I think we just have to be really thoughtful where, you know, that kind of potentially hazardous material can collect, and next to the Skagit River isn't a good spot. So I think this is absolutely worthy of a conversation but we need to be careful because I know those collectors also have non-operable vehicles because that's what they part out.

Commissioner Woodmansee: Yeah, they've got this part and that part – sure. They've got four, they make one, right?

Commissioner Janicki: Yeah. Yeah.

Vice Chair Candler: And I think that the bigger concern would be maybe that there wouldn't be a limit of 50. I mean, we're talking one. I mean, I don't know if this is more designed to give an enforcement for people having a neighbor whose car they don't like on the property or if this is truly just a commercial situation. So it would just depend on what the language looks like.

Mr. Eckroth: Yeah, and I think the intent is commercial operations here. But – and I'll let Jack talk about this more – but I think if you have one inoperable vehicle or just a few, that's likely not going to be an issue. But as soon as you exceed 500 square feet I think that becomes an issue. And I know a standard parking space is less than 200 square feet, so that gets you to probably around six vehicles there – just a guess off the top of my head, thinking about parking space regulations and what accommodates a car.

Commissioner Woodmansee: Not very much.

Commissioner Janicki: Not very much.

Chair Raschko: Anything more on junk cars?

(silence)

Chair Raschko: All right, we'll turn then to C24-4, General Code Language Clean-Up. This corrects the height limit restriction of the Guemes Island Overlay in Skagit County Code 14.16.360(7)(b)(i) to only apply to proposed development in flood hazard areas and eliminate duplicate language in Skagit County Code 14.18.300(1)-(4).

So what do you think of that? Yes?

Commissioner Hutchison: So when I asked about – in our recent meeting I asked about why and how and you explained to me clearly that this was because there was confusion in the fact that we were referring to the flood zone and the way that it made it sound like some homes would be built *under* the floodplain or something. It seemed like it was just poor language somehow got drafted. But why do we have to mention the flood elevation at all then, if the houses can be 30 feet? Like, can't we just omit the confusion instead of elaborating on it?

Mr. Eckroth: Well, this is an additional – the intent of this provision was to add an additional height restriction for structures within the flood zone, I believe to preserve views from houses behind those properties – not that we actually have a view ordinance, but I believe that was the purpose of this. So there *is* a height restriction in the zoning designation for each parcel on Guemes Island. This just adds an additional height restriction for structures within the flood zone.

Commissioner Wesen: I think it was trying to clarify where you measure from. Do you measure from the ground or the flood level? That's what it was trying to clarify.

Mr. Eckroth: Thank you for that clarification.

Commissioner Wesen: Some of those areas, if it's the ground the flood elevation's two feet higher. Do you measure from the ground or do you measure from the flood elevation?

Commissioner Hutchison: Okay. Thank you.

Commissioner Woodmansee: So this is proposing to measure from the flood elevation, not the ground.

Mr. Eckroth: Well, the existing code language already says that. So if you look at current code language versus new, it's – what we're clarifying is that not all structures in the Guemes Island Overlay have to measure from base flood elevation and can't exceed 30 feet. What we're adding is that structures located in the flood hazard area have to measure from the flood elevation and can't exceed 30 feet. So it's just clarifying that this provision only applies to structures within the flood hazard area and not to the entire area of Guemes Island.

Commissioner Woodmansee: A question: If you're not in the flood hazard area, is it – what is the elevation, the height restriction?

Mr. Eckroth: It defaults to the zoning and that is measured, I believe, from the average grade to the average of the height of the roof.

Commissioner Woodmansee: I was going to say at the high point.

Mr. Eckroth: Right, right.

Commissioner Woodmansee: And I'm assuming that most of that's probably 35 then.

Mr. Eckroth: I believe so, yeah.

Commissioner Woodmansee: What is the benefit of saying you can only be 30 if you're in the flood hazard area but you can be 35 if you're on the other side of that line?

(inaudible voices)

Mr. Eckroth: Sorry, Tara was just trying to bring something to my attention. So do you mind repeating that one more time?

Commissioner Woodmansee: So let's draw a line and, okay, flood hazard area stops at this elevation, this line. On this side of the line you can be 35 feet; on that side of the line you can only be 30.

Mr. Eckroth: Right.

Commissioner Woodmansee: So what is the – like, I'm trying to track that. What is the negative if you're – on either side of this line if you're both 35?

Vice Chair Candler: Can I ask? Are you asking, What is the correlation between –

Commissioner Woodmansee: If I'm asking the dumb question, just tell me.

Vice Chair Candler: No, no, I'm just trying to clarify. Are you asking what is the correlation between floodplain and height? Because that's my question – or flood hazard area and height.

Commissioner Woodmansee: Yeah, that's –

Vice Chair Candler: What is the correlation that changes – and I heard you say that this might be a way to just lower – like, a vision thing.

Mr. Eckroth: Right.

Vice Chair Candler: But is that really what it is?

Mr. Eckroth: It is. Because, I mean, you have to raise your house to be above base flood elevation and so that increases the height, and then this limits that height a little bit further. And I just want to reiterate: This is already how we're reviewing this. We're just adding clarity here. Because I think what we intended to write doesn't actually read the way that it's supposed to. So this isn't changing anything. It's clarification. But that's the intent there.

Commissioner Woodmansee: Okay, so if you're six feet below flood elevation – this hazard elevation to the existing ground – and you're going to measure 30 from that six-foot point, right? So really from existing ground you could be 36 feet tall. Right?

Several Voices: Right/yep.

Commissioner Woodmansee: So you could actually be 10 feet below that elevation – build up 10, be 30 and be 40 feet tall with this, right?

Mr. Eckroth: Right.

Commissioner Woodmansee: Which would be a bigger impact fee. I don't know about view corridors and how I feel about that, but let's assume this is because of view that we're doing this. It would actually allow a taller building at 40 than 35 outside of it.

Mr. Eckroth: I may have misspoke earlier about that. I didn't really think about it that way and I didn't look as far into this one just because I know that we've already gone through this process to decide that we want to do this. I'm just trying to add just a few words here to clarify that this only applies within the flood hazard area and not areas outside of it.

Commissioner Woodmansee: So what's the nexus between flood hazard area and building height? Is it view corridor?

Mr. Eckroth: It could be for this provision in particular, but, again, I wasn't here for that.

Commissioner Woodmansee: Okay.

Mr. Eckroth: And I'm just trying to add some clarity here. Because we had someone who applied for a house on Guemes Island and one of our planners was concerned that they weren't going to be able to build a house at all because they were going to have to measure from base flood elevation and they were way up the hill. So what we're trying to do is just prevent anyone from thinking that they're not going to be able to build a house because of the way that the measurement reads here.

Commissioner Woodmansee: Yeah. So it doesn't affect anybody if they're outside the hazard area.

Mr. Eckroth: Um –

Commissioner Woodmansee: But if you're inside, you're required to build add-in elevation and then you're restricted to 30.

Mr. Eckroth: Right.

Commissioner Woodmansee: So you could be 40 feet out of the ground and meet the code. If your land is 10 feet below –

Commissioner Hutchison: Your max height. They need to be very careful in the language here. Max height – not be able to exceed x feet.

Mr. Eckroth: Right.

Commissioner Hutchison: This is a very touchy topic.

Mr. Eckroth: What you're saying is correct.

Commissioner Woodmansee: And the protection to me would be okay, if you want to build – if we were going to require you to build at this elevation, then it seems like that you would allow the same height from this required elevation that you would from an otherwise area that you don't have to worry about a base elevation but you're still less high. Because, you know, to accommodate the same first floor or second floor, or roof line or whatever.



Mr. Eckroth: Right.

Commissioner Wesen: The other thing on Guemes, there's a lot of preexisting buildings there – houses and so forth.

Mr. Eckroth: Sure.

Commissioner Wesen: I think one of the issues was if they wanted to elevate it up and now their peak's higher, what do we do? I think that's why they're trying to clarify it.

Commissioner Woodmansee: Right.

Chair Raschko: Anything else?

(silence)

Chair Raschko: No? Okay. I think that's the end, is it not? Okay. I found that very helpful. Thank you, everybody. That brings us to the more excruciating part of this, which is the Comprehensive Plan Update, which to me looks like a daunting thing to deal with coming up. It's going to take a while. And I'm still at a point where I don't fully understand everything you're trying to do. So we'll just – barring any other great ideas, what we could do is talk about what we got – the Public Participation Program, but that's more or just a limited part of what the Update is about, so we could move more widely. Who would like to start?

Commissioner Wesen: Just we are required to do this every 10 years or so and this last couple legislative sessions they added some new things to what we have to do that nobody's ever done before. And they did bring quite a bit of money to all the different Counties to do all these added requirements, and so we have to go through the process and try to make it what's best for Skagit County. So I don't have any outcome what it's going to be but that's the process every County has to do and that's what we're going to do. But it's up to us to have certain things we're allowed to have some flexibility on, and from my perspective, I'd like to be more conservative on those things and more than the other side.

Chair Browning: Is that climate change would be one of our requirements we've never had to do before, and I think that's – we've already been doing some of that already, but that will be at least in preparation for possible seawater rise and what that could mean for proximity to the water and things like that. So it will be – it'll be – there's not a lot of science so a lot of it will be best available science and the ability to address, I think, \_\_\_\_\_. Allen, does that make sense? Yep. Just best available science and keep nimble and be able to adjust where necessary.

Allen Rozema: Absolutely.

Chair Raschko: Well, lacking anything else, I came up with just a few things just in the Public Participation Program document. But I just had a few questions on that. It'd be more for staff, I think.

In talking about engagement and commitments, it talks about informing, involving, and collaborating with stakeholders. What constitutes a stakeholder in this? Or is it – anybody?

Chair Browning: I think dike district, drainage district, tribal, all the people who are involved. Those are all part of our, kind of stakeholder gangs. Just anybody who's elected and has an authoritative role in this.

Commissioner Wesen: But could be the nonprofits and any of the other people too. We have to treat them as stakeholders.

Chair Raschko: An individual is not a stakeholder?

Commissioner Wesen: Well, yeah, they are. Anybody who comes up –

Chair Raschko: So everybody's a stakeholder.

Commissioner Woodmansee: I would think anybody who's *affected* by the proposed changes and stuff ends up being a stakeholder industry-wise.

Chair Browning: Yeah, like the building community *has* to be engaged as part of this.

Commissioner Woodmansee: Sure.

Mr. Eckroth: Really it could be just *any* resident in Skagit County or, I mean, theoretically anyone outside of Skagit County that maybe does business here. Yeah, it's pretty broad.

Chair Raschko: Okay, but then – I'm sorry. I just did a lot of ruminations today about this.

(laughter)

Commissioner Wesen: That's part of the discussion and that's what the Planning Commission gets to come together to decide which one of those stakeholders they're going to pay more attention to.

Chair Raschko: Well, that's one thing I just wanted to get opinions on maybe. But is it possible for this thing to get out of control to where stakeholder groups end up driving the process? And if it does, is that bad? I don't expect anybody to answer that.

Chair Browning: The potential for them to undermine the role of the Planning Commission, yes. So there has to be a certain – there has to be some ability to kind of maintain order and some good civil discourse. We do not want this to undermine the role of the Planning Commission. It has to be advisory, not demanding.

Chair Raschko: I guess.

Commissioner Henley: I have a question.

Chair Raschko: Go ahead.

Commissioner Henley: The staff put out a memorandum on April the 5<sup>th</sup> which talked about the update of the Comprehensive Plan. And on page 2 of that, the Housing Affordability section, it says – it talks about the passing of House Bill 1220, which has made “major changes in the way the communities would plan for housing.” And here is an interesting part: “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.”

Well, I don't know about you guys, but I don't know how you do that.

Chair Raschko: That was exactly my thought.

Commissioner Wesen: We had a meeting with SCOG and some of the people from Commerce and that was one of the questions that was brought up. How do you do that? And I guess you have to have the 30 ADA and 30 to 50 – is that the brackets? – a couple different brackets –

Commissioner Janicki: Thirty percent AMI, 50% AMI.

Commissioner Henley: You throw the word “all” in there and my bullshit detector goes up really high.

Commissioner Wesen: And then who decides how you or County is – does the zoning make that happen? Just because you zone it doesn't mean the property owner will build it.

Commissioner Henley: That's right.

Commissioner Wesen: And so that's –

Commissioner Henley: I don't know how you come up with something like this without wholesale confiscation of both property and labor. I don't know how you do it.

Commissioner Wesen: I had the same questions. What the County has to do is the County population growth is coming in and we're going to meet with the different Cities and so forth and allocate that out, and we've got to get those percentages and how much goes in the county rural area and how much goes to the cities and how to come up with some agreement. So that's what we're going to have to do with our GMA Steering Committee.

Commissioner Henley: Yeah, but that nasty little three-letter word “all” is part of the problem.

Commissioner Janicki: Well, we zone for it. I mean, the requirement is that the zoning process and in our Comp Plan process that we allow for, you know, higher density housing to be built. And so the Cities are also very much aware that the only way to hit those affordables – so the, you know, 50% of Area Median Income is going to be probably located inside a city.

Commissioner Henley: The problem I see is that apparently this House Bill changed the playing field and it made the playing field decidedly unequal. I don't know how you deal with that.

Commissioner Janicki: Given the composition of our legislature, I don't know that – I mean, honestly, the GMA Steering Committee – you know, we sit there with those Mayors, with, you know, SCOG leading that – the Council of Governments' staff leading that, and the input from – there's a whole group – the planners all meet as a technical advising group that advises SCOG, which passes on to the GMA Steering Committee as to help figure out that very question of, you know, in a planner's mind how can this be accomplished. So we're being measured and we're being well-funded. I have to say, in all the years that I've been in this seat I've never seen the legislature and Department of Commerce come up with adequate funding to really do the level of planning that's required, the areas of expertise that are needed, and this whole thing about having

public outreach, that there's at least the funding behind this. So this could be a very robust conversation. That's what I'm hoping we actually get out of it to make this Comp Plan process meaningful. But, you know, we've got to get our homework done, we've got to get our homework turned in on time. On time is next – technically, it's beyond next June but June was the original deadline.

Commissioner Henley: June 25.

Commissioner Janicki: Yeah. Well, they gave us six months more but those guys aren't telling us that we have six months more because they want to make sure we get it in on time and that the public process is accomplished and that it's accepted once it goes down to the State. Because once you send it to the State, there's still a process that they have to look at it. But this will allow for some very – I think – robust planning in the terms of how can we be impactful, especially on that housing front. I think it's a lot harder in the rural areas to hit their emissions and the transportation – so the transportation, vehicle miles travelled, emissions \_\_ climate change. I think that part is going to be harder just because we're rural and we drive lot. But the housing piece, I'm really hopeful that it, you know, can help some of the momentum that's already happening. I mean, look at how many new buildings and new multifamily and single-family residences that have been built over the last five years.

Commissioner Henley: I can see the concept of making progress. What I can't see is the progress of treating all segments of the economy. That I can't see.

Commissioner Janicki: Well, I get told by Public Health that I'm not in the right mind about this, but I really think it's a supply issue. I still think that building at every level in our tight housing market will create a more equitable distribution of affordability. There are some who need to have subsidized housing, and that's kind of a specialty in a tranche that we can't afford to fund a lot of that because those are big public dollars that have to change those.

Commissioner Henley: That's right. No, we can't afford it. That gets down to property confiscation and labor confiscation and you can't do that.

Commissioner Janicki: Well... Yeah, so anyway, my goal is really to – that if we go through this Comp Plan process and we're doing it side-by-side with the Cities, when we come together in SCOG, you know, that whole allocation of population, this housing – we \_\_\_ this housing requiring – and then the jobs. Where's the job growth going to go? You know, is all information that is being agreed to by the GMA Steering Committee. So it feels like we're pulling with all oars in this county right now, with our Cities alongside us in this, with the planners definitely behind the broader group. And so, you know, I really want to look for the – what positive work can come out of this. I don't need an A+ on this whole plan, but on the areas that make a difference, you know, we should be able to do A work on portions of this Comp Plan and use that as an opportunity.

Commissioner Henley: If that would satisfy the legal requirement of what we're supposed to do, I could understand that. But I don't see the wiggle room in the actual law.

Chair Browning: Every County in the state is dealing with the same thing, and there's going to be – at one point there's going to be a pushback at the very lower level, because we can't expect Joe's boys to make money – not make enough money by putting in buildings. And there's going to have to be a point – then there is already some discussion about at what point is Commerce or whoever going to subsidize in the very lowest level of building to make it so that it's palatable for our economy. So we're going to do the best we can at a certain level. At some level we may

not be able to reach that and that's going to be the part where we're going to have to actually truly ask our State if they really are very committed to this, at what point, what do they have to offer to help us make that work within our community. And I think at the same time we have to show a very good effort to make everything –

Commissioner Henley: I'd like to be in a meeting that talked about that.

Chair Browning: Yeah.

Commissioner Hutchison: For clarity, though, our planning now with the Update is inclusive of the zoning and the ability for these housing trends to occur. We're not expected to build them.

Chair Browning: Not yet.

Commissioner Hutchison: So we just need to know there's a meaningful placement for the next shelter opportunity that might come for that zero-base income and make sure that everybody has an immediate opportunity to build, but not that we're going to put units out tomorrow. I love the idea of more units will even out the market. I truly agree with you 100%. If we're able to get more units in, then we might not see as much need for shelter because you're going to have more competition in the rental market in the first place. But our task is just in devising territories for these things to occur, correct? We're not expected to –

Chair Raschko: You know, I have a hard time understanding how that works because, if I understand you right, what you're saying is okay, over here, this is going to be for the lowest tranche. And over here we can have the highs and \_\_\_\_\_ all of that. Okay. So you say, okay, that's going to happen here. Well, how do you make it happen? And how do you force it to happen?

Commissioner Wesen: Nobody's saying we have to *make* it happen. We just have to *plan* to have it happen. That's the whole issue and that's happened to all our Comp Plan updates. You just plan. There's no checks and balances to make sure you did what you planned. You plan.

Chair Raschko: Okay, but as things are now, let's say you have a building lot somewhere. I mean, is there a designation on it for which economic segment what can be built on that thing?

Commissioner Wesen: That's one of the reasons they're going – the State is saying ADUs in all the cities and so forth, so they're making it so – that's the question I have. Robby, do you know an answer to that? I don't have an answer on that.

Chair Raschko: We're going to shove all the low income people into one corner?

Commissioner Hutchison: Oh, no.

Commissioner Janicki: No, no, no, no, no.

Commissioner Wesen: The County, we aren't able to do apartment buildings because we don't have the sewer system and so forth. We don't have the infrastructure, so basically the Counties are going to have the medium and the higher income areas and the Cities are going to have the lower. What's the trade-off back and forth?

Commissioner Janicki: Yeah, but even if you do that it's – a lot of it's going to fall into the multifamily construction, but it's not to say that that 70-unit building is all affordable housing or was one floor is affordable housing. You know, when I talk to landlords about, you know, will you take a vouchered individual into the complex, they're like, yeah, but don't tell anybody that's who that is. I'm like, believe me, I'm not going to. So you don't tell everybody which units they're in. Well, I'll be fine. You'll get paid every month and they're living in a place. So the idea isn't to say the first floor is all vouchers or that whole building is all – you know, that zone is for affordable housing. It's just that we have to bake in the type of housing that would lend itself to being rented out usually. I mean, I'm still for, you know, self-help homes model where they actually get to own the thing and build some equity. That's my preferred model. But in the meantime, you know, get people housed in at least in apartments where they can afford to live, given, you know, that they're working at Costco – you know, somebody's working at Costco and, you know, somebody's working as a para in the school district in a one household, and they can still afford to live somewhere.

Commissioner Woodmansee: By zoning is how you regulate what goes where. And so it's not that you're pushing this group to here. It's, you know, you do the zoning maps and you have a good transition between this and that and all that. I will say this, though. It kind of brings me back to spot zoning. I don't – maybe it's a soapbox, but I don't think that – so I always argued the point that – in the past – that all of the apartments are in these four blocks and that's the only place you can do an apartment. That's the way zoning is.

Commissioner Wesen: Currently.

Commissioner Woodmansee: Current zoning. And so you *are* pushing *all* of the apartment people in this sector. And codes have changed and now I know that you can do – I know of a project that is going to have an apartment building within a single-family, detached development. And that was a good step forward. But spot zoning where you could do an apartment – like Maddox Creek in Mount Vernon. My mother-in-law lived there for years and years. It was a PUD. But to get something like that approved post when that went in, it was impossible. But it was single-family all around, four units, two units, 30-unit building. Diversity's what you need.

Commissioner Janicki: Yeah.

Commissioner Woodmansee: And the zoning needs to allow diversity with not just – and not just all your apartments are here, your duplexes are here, your single-families here. I lost a spot zoning argument once when I tried to go single-family, duplex on five acres, public for a church on 15 acres. And I was told that the duplex is – this is a *long* time ago; nothing current – that the duplex zoning that I was requesting between the single-family and the public was a spot zone and that wouldn't work. Well, that's *exactly* what we need. We need to have a variety within this, however many – you know, a couple square miles or whatever, and however big an area would be. And to me a mixture of everything is the best solution. And it allows – it's the best avenue to try to get to all the different specters.

Chair Raschko: Amy?

Commissioner Hughes: Well, along with that, how does – you're the builder – how does redevelopment work into all of that? Because as I see homes – and I've lived in old homes! – sometimes they get tired.

Commissioner Woodmansee: Sure.

Commissioner Hughes: And sometimes they're too expensive to live in if you're barely making ends meet but that's all you can afford. So where does redevelopment fit into this whole puzzle?

Commissioner Woodmansee: Well, redevelopment and infill both are, you know, tools that don't get used very much. But if the zoning – in this process, if we created zones that were overlapping and then you could redevelop in the mode of – you know, we've got the lower end here mixed – you know, I mean, a building doesn't have to be all low, doesn't have to be all high, doesn't have to be \_\_\_. It definitely can be a combination. I mean, redevelopment is a tool that's not used a lot but it's a good tool. But it's all about the zoning – what did the zoning get changed to? – whether you can redevelop or not.

Commissioner Wesen: So the property owner can make a choice.

Commissioner Woodmansee: Exactly.

Commissioner Wesen: But if the property owner isn't able to make the choice, the zoning says you can't even talk about it.

Commissioner Woodmansee: Ironically, just this morning one of my sons said to me – Paul said to me – I wish I could just go do straight affordable, but the risk to build the building, to do it affordable, to make it all work, for the return, the risk is so high for the small return that there is in that that – I'm a proponent for – all of the – I've been doing this for 40 years. All the code changes for the last 40 years, in all honesty, have done nothing but pushed the price of the house up.

Commissioner Janicki: Yep.

Commissioner Woodmansee: *Every single one of them* pushes the price of the house or an apartment unit or anything up. Our cost to build a unit today from four years ago is 70% higher than it was four years ago. And so I'm a – I mean, if you do affordable, you should have – there should be incentives, you know, the energy code – there should be some energy code incentives. I don't know. That's just one example. Impact fee incentives should be in place for stuff like that if you're getting to those lower echelons, because I don't know if it's possible. When you have all the 40 years of change and you're trying to do something now, it's back to what Vince said. It's \_\_\_\_\_, you know. It's pretty hard to do. It's a challenge.

Commissioner Day: I feel optimistic about this. And maybe that's just me being a rookie on the Planning Commission. But I see a mismatch between what people want in the market. You know, there's a lot of people that want smaller homes on a smaller lot, and there are property owners that won't allow that or build that and it's not possible in that zoning. And so I guess it's back to what you said about public process. I think it requires some creativity and the ability for people to bring ideas in. I mean, everybody – you know, people who are advocates for affordable housing. Developers have really good ideas. And my question, I think, is: How do we run – how does the County, how does the staff – you know, how is there a capacity to really foster those creative conversations where there can be real problem solving? You know, I know there's outreach and it's a very ambitious plan, but, you know, where is the capacity? I know there's money, you mentioned, Commissioner Janicki, to help facilitate this, but I guess I'm still not seeing in spite of the, you know, the good public participation document that we have, the space for that kind of just, you know, everything's on the table for discussion kind of creative, out-of-the-box thinking. But I think that could be helpful.

Commissioner Hutchison: I would say in line with Commissioner Hughes' comment that Commerce has a lot of that built into the expected update that we're working through. It feels like they've done a lot of the planning ahead for us. I don't know if that's not necessarily simplified right here in Skagit County, but Burlington started implementing some of those mapping changes already in the city zone. And so if you had an old Victorian sitting there and you were adjacent to commercial, perhaps, you might be able to turn that into a quad today where six months ago that was not an option. Not to say that that's feasible for you financially, but that opportunity now exists already in Burlington. So I think there's a lot of potential to hit those niche, you know, smaller units. You can turn that single property into four really dynamic apartments that lets the owner still reside there and maintain that address, even though they don't have to now maintain the entire property anymore. So there's a lot of different levels to it that I think are going to be really productive.

Chair Browning: But Joe's point, once you start building something like that then the actual cost of building – and also you have to adhere to today's requirements, the new legislative restrictions. The minute you get to a certain point in a development project you all of a sudden kick in all and so it makes the cost prohibitive to take – in many cases – take a really nice, old Victorian and break it up into four condos or four units because you've hit the target, the dollar target, so you have to come into compliance with virtually every rule. And that's the stuff that's frustrating. Because, you know, if you could just do that and not immediately incur all these new improvements to make it compliant with the most current, we'd have a lot more.

Commissioner Henley: But those things all add to the cost, you know, \_\_\_\_\_. That's the real problem. And we've got so-called net-zero condominiums that are selling for \$800,000. And I don't know what segment *that* supplies. It certainly isn't the bottom end of the spectrum.

Commissioner Wesen: But the other thing you've got to remember: This is a County planning commission so you're only zoning the rural areas.

(several voices expressing agreement)

Commissioner Wesen: You're all talking about what the Cities are going to do. You need to go to a City planning commission and talk with them about it. But that's – you need to understand what we have control over and what the Cities have control over and how they interact. But the *County* Comprehensive Plan has to include the Cities and we have to allocate among all of us, and so that's where the issue comes up.

Commissioner Woodmansee: Right.

Commissioner Wesen: But it's just – we just have the rural areas for what we can deal with.

Chair Browning: Thanks for the reality check.

Commissioner Wesen: Well, it's nice to have this conversation but it's not germane to what we're going to do!

Commissioner Henley: In the rural areas, the infrastructure will kill you as far as price is concerned.

Chair Raschko: Amy?



Commissioner Hughes: So this is a step clear back. We talked about projected numbers, and we've been doing this for decades. And I've seen the population grow in Skagit County as a whole. How have those numbers really followed reality throughout the decades? Even from the last time to now?

Mr. Eckroth: So you're just talking about previous population projections that we've had to plan for and how close have we actually come to those?

Commissioner Hughes: Yeah, and we've said, you know, so much in cities and so much in the county and we've done those allocations, but how are they matching up with our predictions?

Mr. Eckroth: I think the actual population is fairly close to the projections, but the rural areas are definitely growing more than they're supposed to be. If I remember correctly, I think through the last cycle we had about 25% of our population growth occur in the rural area and it's supposed to be 20%.

Commissioner Wesen: That's the goal, yeah.

Commissioner Janicki: Eighty/twenty.

Mr. Eckroth: Right.

Commissioner Hughes: And then can you correlate that with numbers? You said 20%. Is that your – do I have to do the math on that? Does our county population kind of grow in the stages that we projected for in the past?

Commissioner Wesen: Commerce gives you three different – low, medium, and high – and we've been always thinking about the medium and we've been a little bit below the medium numbers, is the way I remember.

Commissioner Janicki: Which is about a percent-and-a-half –

Commissioner Wesen: Yeah.

Commissioner Janicki: – a year annual growth.

Commissioner Hughes: So those come from Commerce. That's where this all starts.

Commissioner Janicki: Department of Commerce sends out those ranges.

Commissioner Hughes: Okay.

Commissioner Janicki: GMA Steering Committee sits together with those planning inputs and says where we think. But since I've been here, we've always taken that middle track, assume that that was accurate and we've been pretty close to it – slightly below it – what the graph would show – about a percent-and-a-half growth, or percent-and-a-half annual growth.

Commissioner Hughes: So I'll follow up that with another question as I watch the growth in our community. You have every County planning for this. How much in Skagit County have we seen a slide from other counties coming in? So we tried to plan for our own growth, but then all of a sudden we see a movement where people want to live. Is that an issue?

Commissioner Janicki: The capture of where people are coming from is not data that I have seen but, I mean, of course that's all contained in that, you know, about a percent-and-a-half a year. You know, we are talking anecdotally about some of the movement, especially during these Covid years, of people who were selling in larger counties coming up here and being able to pay cash, not needing big financing for a home purchase because of how they were situated, which is, you know, very different. And that's only anecdotally what I hear through real estate. I haven't actually seen those numbers charted as to where the ingress is all coming from. \_\_\_\_\_.

Commissioner Wesen: We can't stop anybody from coming in, so that's what happens. And you do talk to the real estate people and there's a lot of cash sales going on because \_\_ sell in California or Seattle area and that's what they're doing. And that just raises our assessed value in our county and the people living here and growing, and unless they got into buying a home early they just can't get into it anymore.

Commissioner Hughes: And I guess that's where I was going with this, is we try to plan so people can get old and move out and somebody else move in, but then is it really happening in reality? Are we able to do that?

Commissioner Wesen: I don't know how you measure or even control it if you do measure it. I mean, that's the thing. You know, it would be nice to be able to measure it but what would you do about it once you measured it?

Commissioner Woodmansee: I think it's fair to take maybe this approach, that the Growth Management Act centralized the 80% of the population goal – right? – in the cities. But I think that – but when it first got all approved, I mean, nothing was proven, you know, really what worked. And so I'm thinking – I'm sitting here thinking that if we had the goal of 80/20 and the Cities are taking more density and they're getting more dense, it's going to naturally push somebody on a half-acre lot maybe out of the city. The reason they stayed *in* the city is because they could have their half-acre lot. Well, now the cities – and the city had lost the half-acre lots. Well, now they don't have the half-acre lots. They've got 5,000-square-foot lots. And that's not the lifestyle that – and so if we're only missing by – in my opinion, if we're only missing by 5% in the 80/20 goal, maybe the goal is just wrong in the first place and the natural landing point is in that 25%'s going to have to be in the rural because the larger density in the cities is just pushing some people out and there's no way to stop it because, you know, you put too much peanut butter in the jar and close the lid and it just shoves it out, right? And so I'm thinking that maybe there's just this 20% was a little optimistic. You know, 80% was all optimistic in the cities and it's just more naturally landing in this culture to the 25% range, and that could be – and that's year after year after year, I believe. That's fairly consistent. We just missed the 20 – just missing the 20, we're just missing the 20. And it could be city regulation and city participation – accommodation of that, also, which I'm sure it has been some of that but it might be that the normal settling point is going to be more closer to 25 than 20, and there might not be anything we can do to change that, because a certain amount of people are going to want to have a little more elbow room.

Vice Chair Candler: Some of that probably gets accommodated for when the UGAs expand. We lose more total land but the UGAs are – it seems like they're continually expanding. And so some of that – their 80 goes in a slightly larger area. I don't know. The peanut butter jar gets bigger.

(laughter)

Commissioner Wesen: That's what the UGAs are for. They're supposed to be for that city expansion.

Commissioner Woodmansee: They don't expand very often.

Commissioner Wesen: Well, they have enough \_\_\_\_.

Commissioner Day: So back to what you were saying about our sort of sphere of control here in terms of County government, you know, if the rural areas are supposed to take more density – I seem to recall a meeting or two ago there was a recommendation that the County has to take, you know, multifamily housing in some areas. So how do we deal with competing mandates where, you know, we don't have the infrastructure? We don't have sewer or water and yet the recommendation is that a certain amount of density is supposed to go into a rural area. How do we reconcile that?

Commissioner Wesen: We're going to have to negotiate with the Cities to take more of that lower income area because we can't do it with the GMA. It doesn't allow us to do it.

Commissioner Day: It seems like there's a potential –

Commissioner Wesen: Unless you've got another answer to that.

Mr. Eckroth: So I just want to remind everyone that the housing allocation numbers came from the advisory committee, so the planners discussed this. The County advocated, the planners advocated for no affordable housing in the rural areas for these very concerns, and some City planners really insisted that the County try to accommodate *some* lower income housing in the rural areas. So some ideas we've been exploring is our Limited Areas of More Intense Rural Development. That includes Clear Lake, Big Lake, Alger – which one am I missing here? – Edison, thank you. And I know that doesn't necessarily mean high-rise multifamily, but maybe some more density and voucher programs and things like that. Try to get creative to try to accommodate that. So we're going through our Land Capacity Analysis right now to see if it's achievable. And it very well may be that we end up finding out that we can't accommodate that and that we have to go back to the drawing board with the advisory committee and shift some of those numbers around.

Commissioner Day: So if I may just add to that, so if one of the goals is to reduce greenhouse gas emissions, you know, and we're putting more density out into these rural areas, even if they're these – whatever the acronym is – I can just imagine a whole plethora of these competing mandates that are coming both from the state and, you know, from our mandate to adopt this Comprehensive Plan. What's a mechanism for identifying those areas where we have competition between the goals, and how do we reconcile that?

Mr. Eckroth: That's a great question. It's something we're going to have to look at as we move through the process. There are some things that – I know that we watched a presentation from Skagit Transit and they're exploring a micro-transit option that may be available to better serve the rural areas, where it essentially operates like an Uber and they chain some of the trips where they pick up people along a route and bring them to a similar area. There are things that we can try to implement. That's an excellent point. There are some competing goals here and we have to make sure that we're checking all the boxes in all of the areas – and by trying to meet one goal and not meeting another.

Commissioner Henley: Yeah, we haven't talked about one important thing, though, and that's the market forces. It's all very well and good to talk about, you know, high density living but you have to have a market for people who want to live in high density areas, and many don't.

Vice Chair Candler: I think that's kind of what Joe was saying.

Commissioner Wesen: We've got several big apartment buildings going up in Burlington there and my understanding (is) they're renting out, but maybe I'm wrong.

Chair Raschko: I'm sorry, they are coming up?

Commissioner Wesen: In my understanding there are. But I'm not involved with them totally. You know, Robby brought up Edison. That's the only County sewer system that we own. We don't like it. It was put in as a large drain, community drain field, and when it was put in it was done by the Department of Health and then they decided the water table's higher and so now Department of Ecology looks at it. And Ecology came back and said you've got to put all these test wells around it to check for nitrates, and so they've got to spend more money than the people in Edison agreed to originally just for the testing they have to do on a quarterly basis. So there's a lot of things that they just keep making the rules tighter and tighter. And so they're at capacity, because Edison at one time was just residents and now they've got five or six restaurants out there.

Chair Browning: And that was the *State* Department of Health, not the *County* Department of Health.

(laughter)

Commissioner Wesen: It was a State grant, yeah. But those are the issues we're going to have to deal with and, yeah, they're competing, and that's the problem we're going to have.

Mr. Eckroth: And in some ways we may be able to accommodate with septic. It's going to be difficult but that's something we're looking into as well so we're going to want your feedback as we go through this process. Because we are trying to be creative with the numbers that we are given through the SCOG process. But, again, if we can't meet them we're going to have to work with the Cities to reallocate some of those housing affordability \_\_\_.

Commissioner Janicki: So one of the – before we get to – I know we're getting ready to close up, but on that Public Participation Plan, just one comment that I'd like to make is – and I keep flicking through this list – but I think major employers should be identified as a specific group of stakeholders because workforce housing is, like, number one on the list of obstacles to getting people hired – is that people, even if they hire somebody, can't afford to come here and live. So, you know, or they've got people who are coming in from other counties because they can't fill all the spots here with locals. So, you know, I'm thinking, you know, refineries, get access to the Port, talk to Janicki Industries – you know, talk to the big employers who are actively hiring and looking for workforce housing. Because in that comprehensive economic development strategy that SCOG is leading that process. And John Sternlicht from EDASC may have also some other insights as to the who we should talk to. But Janicki Industries is up to 1400 employees now. Two years ago they were at 850. There's growth there and there's no place for those people to live.

Mr. Eckroth: Sure.

Commissioner Janicki: So that's across county. Anyway, that's that list I'm looking at on page 7, I think – Outreach – who to talk to directly.

Mr. Eckroth: We can absolutely do that. I do want to bring up that the Public Participation Program is, I believe, going to be on the Board's agenda next week.

Commissioner Janicki: I'm going to use a crayon and just write it in on my copy!

Mr. Eckroth: Well, I do want to note, though, that the way we're proposing it because of these situations, we're proposing to the Board that it be a living document so we can adjust as we go and make these additions as we move through the process and learn, Oh, maybe there's this group that we left out and we want to make sure they're accommodated.

Chair Raschko: Is there anything else?

(silence)

Chair Raschko: Well, if not, that was very helpful. It still looks as daunting as ever, however! So Commissioner Browning, what is your pleasure?

Chair Browning: I think it's probably time for us to adjourn the County Commissioners.

Chair Raschko: Okay.

(gavel)

Commissioner Janicki: Does that mean you guys still have to work? "Director's Update." There's no Director here so –

Commissioner Browning: Thank you. Thank you for the time. It has been very good for – for me it has been very good and I appreciate it a lot. Thanks.

Chair Raschko: You're welcome to –

Unidentified Female Voice: \_\_\_\_\_ someone observing. It's really hard to hear. And you all have microphones and very few of you use them. So it would be really nice if you, in the future, do that so that we can hear. Thank you.

Mr. Eckroth: Okay. Thank you.

Chair Raschko: Okay, I'm going to offer – I presume we have a short update?

Mr. Eckroth: Yes, we do.

Chair Raschko: Okay. If you want to stick around for that, we have our Commissioner Comments and maybe you would like to hear the comments about what happened here. Or you can zoom out if you wish.

Commissioner Browning: I'd like to hear them. We're still adjourned.

Chair Raschko: Okay, so we're going to turn now to our Director's Update.

Mr. Eckroth: That's great. Thank you, Chair. So as I touched on earlier, we started the Public Participation \_\_\_ with the Comprehensive Plan Update. We have a survey available now and are getting it out to the public. We sent out a listserv notification at about five o'clock earlier today. We are going to notify community organizations and advisory boards of the survey and have them distribute it out to their groups. It will be on the website here soon. And we will be working with

the Communications Manager to post the survey on social media to try to really get the word out that that survey is available and we'd really like the public to fill that out so we know some of the priorities from the community going into the Comprehensive Plan Update.

On that note, Tara and I went to the Concrete Community Resource fair yesterday and we'll be attending more community events including the YMCA Healthy Kids Day this upcoming weekend and some other community events as we go through the months. At the event we passed out flyers, educated people about the Comprehensive Plan Update, and asked people to take the survey as well. As I mentioned earlier, the Public Participation Program will be coming to the Board of County Commissioners as a Miscellaneous agenda item on the next available agenda. And as I also mentioned, the Land Capacity Analysis is underway right now so we are working with our GIS staff to get data to our consultant team to see if the county land that we have available is enough to accommodate some of those housing numbers that we were discussing earlier.

We also have some new hires. We have Chris Steele, our new Administrative Assistant; Malia Agpawa is our new Permit Tech and Receptionist; Gus Bevan was hired as our new Senior Planner in Current Planning. And then we also have Allen Rozema here, our new Assistant Director. I just wanted to give you all a chance to see Allen.

(applause)

Mr. Eckroth: Allen, do you want to say anything?

Mr. Rozema: Nice to be here. I'm looking forward to working with you all. Thank you.

Mr. Eckroth: That is it for our updates.

Chair Raschko: Thank you.

Mr. Eckroth: Thank you.

Chair Raschko: Congratulations and welcome. Are there any questions or comments for staff?

Commissioner Henley: One question. On your survey, was that done statistically with a sample size or is it just a general survey for anyone who wants to answer?

Mr. Eckroth: We really are just trying to get as many people as possible. Some of these surveys it's – I know other jurisdictions just try to get as many people as possible and are disappointed by the amount of people that they get, so we're really just trying to get people to fill it out.

Commissioner Henley: It's just that, you know, if you don't have a valid sample then it's difficult to do some projections. That's all\_\_\_\_\_.

Mr. Eckroth: Sure. And I think the way that the survey is projected, we're just trying to get an idea of what the community – some ideas that they have and things like that.

Commissioner Henley: Okay. Thank you.

Chair Raschko: Okay, we'll turn to Planning Commissioner Comments and Announcements. So Tammy, have you anything?

Vice Chair Candler: Well, we covered an awful lot so I think I'm going to not do that tonight. But obviously this is going to be ongoing discussions about everything and so I'll save some of that. So I don't have anything further.

Chair Raschko: Vince?

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

Chair Raschko: Joe?

Commissioner Woodmansee: One thing that I'd like to mention that has nothing to do with anything we talked about tonight, but it is – in our industry, I'm seeing more and more – something that's a little bit alarming to me is our gravel sources in Skagit County are drying up. And this has nothing to do with a proposal that's been out there. I don't know anything about that proposal. But there's not a long – I've been in the business for 40 years and we've extinguished a lot of our resource that's permitted and stuff like that. And so over the years here I think that it would be good for the County for us to, like, take that subject and kind of look into it and see what the future opportunities are. And so I was going to mention that at the last meeting and I didn't, but it is something that is, you know, in the future, I believe. You know, we don't have – close by we don't have 20 years of supply. Definitely don't. And it might not be 10. And so anyways, something for us to watch out for in the future. And I just finished with, you know, this has been a nice exercise this evening and, as always, staff does a great job and are well-spoken and do a good job of steering us when they need to and so it's appreciated.

Chair Raschko: Jen?

Commissioner Hutchison: I would just like to say that there might be an opportunity towards the end of summer for flyering and being publicly visible. There's the League of Women Voters putting together another housing panel so we're looking at Sedro-Woolley, and I don't say it because I'm a member but I was volunteered through the Housing Consortium to help support the effort, so I'm engaged with that and if you would like to be a part of that I think that would be amazing. We don't have timing or anything figured out yet, but probably late August.

Mr. Eckroth: Thank you.

Commissioner Hutchison: Thank you all for your work.

Chair Raschko: Angela?

Commissioner Day: Yeah, I also appreciate the opportunity to have a joint meeting and to discuss some of the issues and the challenges that we're facing. I am really interested in the public participation aspects of this upcoming process and also I just would like to note what our member of the public said here tonight. These microphones, it's my understanding, are for the benefit of Zoom meetings, which I think is fantastic that people can join by Zoom because, I imagine, more people are able to participate. But it is very difficult for people to hear in this room that *want* to come in person. And I think we all certainly appreciate having public input. So I think – I'm not sure if there is additional equipment or if we could be more mindful of allowing time for comments, which I think we normally do, and maybe this format was different. But I just want people to feel welcome to comment and participate in these processes. I think it's important that we hear from people and that we express that we are interested in hearing from them.

Chair Raschko: Thank you. Amy?

Commissioner Hughes: I would like to commend staff. We have turnovers all the time and I always wonder, Oh, is this going to put us back six months? And our present staff has stepped in and stepped up and it seems like we haven't missed a beat. So thank you very much.

Chair Raschko: Thank you, Amy. I agree with Amy on that. Thank you very much for the job that you two are doing – not you two; I mean, the Department is doing. I'd also like to say I agree with you, Angela. I was even thinking at our next meeting I might ask that, you know, the guy in the back, you know, to just listen and see how close you have to be to the microphone for the people in the room to hear. I was advised early on that you didn't have to have that thing shoved up right up to your face, and I'm not sure whether that's right or wrong.

Vice Chair Candler: I don't want to interrupt you but I could probably help a little bit. Because these are not – I don't believe these are –

Chair Raschko: That's on.

Vice Chair Candler: Well, these are for TV primarily and you've got to project. We used to do a workshop sometimes. So there are certain times when public participation is, you know, welcome and necessary and really helpful, but in the middle of the meeting has not generally been one of those times. So I think, you know, there's public comment, there are the public remarks – which are a separate item agenda – but workshops were always the best place to sort of engage. And so it sounds to me like you might be requesting that we set up some workshop-type format meetings. So we could talk further about that, if you want. Sorry. I'm sorry to interrupt you.

Chair Raschko: Well, that was very helpful. I have to say, I acknowledge being soft-spoken and hard to hear, except when I say something untoward and everybody in the room hears it. But anyway, with that, I really want to thank the Commissioners for staying, especially for staying here \_\_\_\_\_. I was hoping somebody would say something significant to justify your time. But if you'd like to go ahead and add something at this time, I'd appreciate it. You don't have to.

Commissioner Wesen: Just once again, thank you very much for having the meeting and having the joint Commissioners and yourself. I appreciate all the time and effort. This room, they can turn up the speakers, but when they do that they get a lot of feedback, and so that's the issue. We've been having complaints about it all along and it's always been an issue. But once again, thank you for being here and I appreciate all the work you're doing.

Chair Raschko: Thank you.

Commissioner Browning: I'm fine.

Commissioner Janicki: I've said more than...

Chair Raschko: Well, thank you, everybody. Have a nice evening. We'll stand adjourned (gavel).