

**Skagit County Planning Commission  
Presentation: 2016 Population and Employment Projections  
Work Session: Shoreline Master Program Update  
July 1, 2014**

**Commissioners:** Annie Lohman, Chair  
Josh Axthelm, Vice Chair  
Kevin Meenaghan  
Keith Greenwood  
Robert Temples  
Tammy Candler  
Matt Mahaffie  
Dave Hughes (absent)

**Staff:** Dale Pernula, Planning Director  
Betsy Stevenson, Senior Planner  
Ryan Walters, Civil Deputy Prosecuting Attorney

**Public Commenters:** Jerrick Huckaby  
Arla (no last name given)  
Carol Ehlers  
Jessie Danson  
Shelby Huckaby

**Others:** Kevin Murphy, SCOG Executive Director

Chair Annie Lohman: (gavel) I call to order the Skagit County Planning Commission. It is July 1, 2014, and if you could review your agenda. We are still waiting for Josh and Dave Hughes. Otherwise, we have a quorum. Any additions or corrections on the agenda?

(silence)

Chair Lohman: Okay, seeing none we'll move to Public Remarks. And since I see a lot of new faces I'm going to read the little paragraph about the Public Remarks.

*This is a time on the agenda that is an opportunity for anyone to speak to the Planning Commission about any topic except items that are scheduled on the agenda for a public hearing that same day or items that have had a public hearing and are still under Planning Commission deliberations.*

This is not a public hearing tonight, just for clarification.

*Public remarks, which is not part of the formal public participation process for any development regulation or Comprehensive Plan amendment project, is limited to three minutes per speaker and up to fifteen minutes total.*

So if you could – as you come up to the mic, if you could give your name and your address, that would be great. So right up here. It's kind of between that projector and that computer screen. So, any volunteers to go first?

Jerrick Huckaby: My name is Jerrick Huckaby. I live in Burlington and I'm here on behalf of the residents around the corner of Highway 20 and Gardner, and we were just wanting to voice our opinion on the rezoning of the Foxy Lady that's across the street – directly affected with my family. We can't open up our blinds because of what goes on across the street over there. My children are outside playing. You know, things are going on across the street and we as a family just feel like that's inappropriately zoned. I could be wrong, but it's close to a church, close to a school. That walking track is used by many families – boys and girls of all ages – and things that go on at that place (are) degrading to women and so forth and so on. But as far as directly affecting us in that corner, I don't think it's appropriate to be right there. I've heard testimony of a few neighbors that children ages maybe fifteen, sixteen at the most – boys – walking freely into that place and there's no – they're invited in almost, and that does not seem to be appropriate. And, you know, we've got a, I guess, rated R, seventeen years old better be escorted by an adult to get into a rated R movie, but something like this – soft porn: Come on in. Have some coffee. I don't think it's very appropriate at that location. So that's all I have.

Chair Lohman: Thank you. Next?

Arla: My name is Arla. I'm from Burlington. And I have the same concern. I've lived here fifty years in Burlington. Skagit County – we've never had to say, Wear clothes to work. I work with K through 12. I'm around kids all the time. I'm a very protective parent with what my kid is around. This business, Foxy Lady, on the corner of Gardner and Highway 20 is totally inappropriate. The logo is a stripper sign. Duh – we all know that. There's Foxy Ladies on the outside of Skagit County. If that has to be, so be it, but this is located near – half a block from church and school. Totally inappropriate. They're catering just to men and boys. I walk that track and I have for thirteen years and I sat down a couple times and timed it for a minute. There are sixty cars going on peak times in a minute where we could have more revenue come in if it was a business for a full family. But we're excluding women and children because with what their lack of clothes, we cannot go.

I'm concerned also about the safety of the girls – like today I was walking. There was three or four cars there and one girl. There could be a gang rape situation. I've been stalked with my clothes on. I've always had my clothes on and I'm a very self-respected person in Skagit County, and I wouldn't have it any other way. But I fear for their safety.

Another concern is a lot of young high school boys are now going there frequently, either walking or driving. And I don't know how this business came in because a lot of people are complaining about the hygienic aspect of it, which is my last concern. But I know that a lot of city people – City Council people – are concerned with that also. We'd all like to have a family restaurant there or café, and I don't know how this was allowed to go in but it needs to go out. And we've done our research and we know that the end of July is when there needs to be a rezoning of this business. And so a lot of us, and a few of us here tonight, are voices for a lot of the community. There're several thousand people that would like to have this out and rezoned before the end of July.

I don't know what else I can say about it except the first week it was in – around April, the first or second week – I can stomach it, but it was – I don't want to see some girl's butt in my face

walking by with red underwear right in the middle of the picture window. And then the next day I walked by, there is an old man and it looks like she has pasty day that day sitting right next to it. It looks like a little brothel. I don't enjoy my walks as I used to, and I'm not going to stop walking like some people, I think, have stopped jogging because of the slutty little place there. But it just needs to get out of there. Thank you.

Chair Lohman: Thank you. Anybody else? Come on up, Carol.

Carol Ehlers: Carol Ehlers, west Fidalgo Island. This is an entirely different subject and I would rather bring it up at the *end* of your discussion on population but since that's not the way we can do it I'll bring it up at the beginning.

I gave you last year the population data showing that close to 24% – 23.9%, if you will – percent of the population of Skagit County is sixty or older. I also gave you the data which show that the same pattern exists in Island County and Whatcom County, in spite of the university and in spite of the Navy, and on San Juan County, which shouldn't surprise many of us. This data, which the County Commissioners had, has not seemed to make its way to SCOG or to the Planning Department or any – or to the GI Study or any study that I see being done around here. It's been available since November. It used to be that you could just plain ignore anybody over sixty because they weren't important. But once you get to be 24% of you, perhaps you'd better. We vote. We talk, don't we? We have ideas. We have a lot of knowledge, and many of us don't need a job. So when you're talking about employment you have a large cadre of people who don't need employment. They need other things perhaps, but that's a different subject. In terms of the employment, SCOG consistently forgets – and so does the County – the enormous number of people who live on the Navy base and reside in Skagit County, or the enormous number of people in Skagit County who work in Everett or other places. Come down State Route 20 as I did at 5:30 when it's full of cars going in both directions, and you know there's an enormous amount of commuter traffic that you must take into consideration when you're figuring this data out, because you can't dump it all into the cities or up at Bayview in the industrial area. You have to pay attention to it.

The second really important thing: Anacortes has a population set at 18,300. That was set by the Department of Ecology when the Department of Ecology, in violation of every law there was, mandated that Anacortes build an extremely expensive sewer plant. And when the City could not borrow enough money to pay for it and the DOE had to ante up \$10 million they said, You're not going to go any higher in population – residential population – without building another plant. Now it was carefully done. There's a sewage burner plant built for two sewage plants. It was planned beautifully. It's been done beautifully. They have an enormous amount of space for commercial and industrial left. But it's 18,300 population, unless the rest of you want to help Anacortes find millions of dollars. Now at the time –

Kevin Meenaghan: That's three minutes.

Ms. Ehlers: – Anacortes wanted us on south Fidalgo to join them, and I found by talking to the financial people that would be \$45 million. So we're not talking small change. So please pay attention to these things. Thank you.

Chair Lohman: Thank you. Anybody else?

Jessie Danson: My name is Jessie Danson. I live in Burlington across the street from Foxy Lady. I'm speaking about that as well. I second the comments that were made by those before me so I don't want to repeat them, but I was also thinking that the placement of that business there would have made the neighborhood undesirable to me when I was choosing where we were going to live. It was a coffee house before, which seemed great, but if I was looking for a place to live now I would not choose next to a coffee shop like that. It looks trashy and I think there could be a lot better things there. And the issue of children? I have children as well, and I don't want my girls growing up with role models like that outside the window every day.

Chair Lohman: Thank you. Anybody else? We've got time for one more.

Shelby Huckaby: Hello. My name is Shelby Huckaby and I live across the street, as well, from Foxy Lady. And I'm a mother of six children and at this time, you know, during the hot summer months we're not even able to open our curtains just because I don't want my children looking at that every day. And we used to go daily on walks and with the nice weather it would be great to be able to go on walks, but I feel like we've had to limit that lately just because of the presence there. It just – I don't want our children exposed to that. And also I'm, you know, able to look outside, and not as much in the summer now but through the school – you know, the extra-curricular running for cross-country or, you know, they run down the track and run back. That school right there uses it and is right across the street and can see straight in, you know, when they do that every couple of times a week. So I just feel like this should really be taken into consideration. I know it was talked about at the last meeting and I don't know, you know, what was able to be done but I really think it should be something to be considered. Thank you.

Chair Lohman: Thank you. Okay, moving on to the next thing – it's the Update for the 2016 Population and Employment Projections.

Dale Pernula: I'll make a brief introduction. Every eight to ten years or so local governments are required to update their comprehensive plans. Ours is required to be updated by the middle of 2016. The State Department of Commerce has provided us a checklist of items that we're supposed to be addressing, and going through those a lot of those we've already addressed. There are a number of additional minor things that we need to do, and we identified three very major issues that need to be updated.

The first one is our urban growth area. We need to take a look at it and see if they're sized properly for the amount of population and employment growth that we have. We also need to update the Housing Element and the Transportation Element of the Comprehensive Plan. But, really, to begin the process we need to know what the population forecasts are going to be because so much of the Comprehensive Plan – the land allocations and transportation systems are based on those projections. So I've asked Kevin Murphy, who's the Skagit County Council of Government's Executive Director to make a presentation on some population and employment forecasts that have been made. So here's Kevin.

Kevin Murphy: Thanks, Dale. As Dale mentioned, I'm going to talk about the population and employment trends and projections that are currently have been worked on with the Planners Committee in the county, which is a subcommittee of the GMA Steering Committee, which makes recommendations to the County Commissioners.

I'll talk a little bit about the relationship between these numbers and the Regional Transportation planning process, which the Council of Governments is responsible for, and then talk a bit more about the relationship to the Growth Management Act Targets and Allocation Process.

So a little bit of background and context: So regional transportation plans are required by state law to be consistent with your countywide planning policies. In your countywide planning policies are the population allocations, so you make those allocations and you include those in a countywide planning policy. GMA also requires that your local comprehensive – your Transportation Element of your local comp plan include a traffic forecast that's at least ten years into the future. The Council of Governments provides the traffic forecasts to all the member agencies in the county. In addition, GMA – as Dale mentioned – requires that the counties, the cities and towns include areas and densities sufficient to permit urban growth that is projected. So you need to take your population projection and identify how much of that's going to be urban, and then your comp plan has to have sufficient zoning and comprehensive plan designations to accommodate that level of growth.

So the process basically starts at the – kind of the countywide level which determines the pop/employment projection countywide, so Skagit County. And I'll talk a little bit more detail about each of these steps. Then we allocate those to the urban growth areas and the rural parts of the county, or the rural geography. In addition, we determine the shares for each individual UGA and geography. So the Anacortes UGA gets x; Mount Vernon; Burlington; et cetera. And then we also for help for you in your comprehensive plan on the employment side we will estimate what industries that employment numbers are – so how much of it's retail, how much of it's industrial services. That just helps you identify what comp plan designations should you have and how much. Though that's not really a requirement in terms of what the target is, but I'll talk more of that in a second.

So, one, the pop/employment forecasts are required to do transportation planning and they're required for GMA planning. The GMA in addition requires that the Office of Financial Management produces the forecast in which you have to pick. So they give you a range, you have to pick a population number within that range. That's state law-mandated. We can't generate a number that's outside of that range and give it to you.

But state law does not tell you where to get your employment forecast from, so we generate that basically from other processes not the state. And both pop and employment have to be allocated to areas – city, UGA, rural. In addition, to do the travel forecasting we allocate those to smaller areas around the county which we call Traffic Analysis Zones in order to produce a long-range travel forecast for your use in comp planning. It's also the same forecast we use on a Regional Transportation Plan.

So on the population side, here's 1960 to 2040. The current projections from OFM are the dash lines. You can see roughly the curves have flattened out since the last forecast, but I'll show you the actual numbers. So in 2010 the population of Skagit County's 116,901. Your previous 2025 projection, which is your current countywide planning policy number – you picked a target of 149,080. So that was the, you know, previous countywide twenty-year number that you picked. That was basically in the low to medium range from that forecast of OFM. The current OFM medium projection for 2036 is 155,451. So it's ten years later, they're only projecting 6300 more people for Skagit County and ten years have gone by. So you have a new twenty-year forecast that's basically only 6300 more people than your previous twenty-year forecast. So why is that? Well, in the '80s through the 2000s the growth rate in Skagit County was in the 2 to 2½% range

per year. That has now dropped to the 1 – low 1, 1½% per year. So the Office of Financial Management has tamped down all the forecasts in the state because of the slower growth rates. So now your medium projection, which is deemed by Office of Financial Management as the most reasonable population forecast, is only, you know, 1% to 1.2% per year, compared to twice that as it was before. So from a Growth Management planning perspective, it's a lot easier to accommodate your future growth because the growth is not that much higher than it used to be.

Mr. Meenaghan: Hey, Kevin?

Mr. Murphy: Yeah?

Mr. Meenaghan: Are we using 2036 because that's twenty years from 2016 – the Comp Plan?

Mr. Murphy: Yes. So it's a – twenty years from the date of adoption of your plan, which does throw a little bit of weirdness into some of the numbers, because I give you a growth number that's twenty years, but we've still got a couple years of numbers before we actually get to that start date.

So here is what is in the current Countywide Planning Policy. This is Countywide Planning Policy number 1, so this is the total county population for 2025 was back then 149,000 again. The urban total was 105,000. The rural number was 43,000. That's total. And in the previous methodology you used acres of for employment. So I'll talk a little bit more about the recommendation by the Planners Committee is to go to employment, not acres. I'll talk a little more on that.

So what the Planners have recommended as a countywide number and the GMA Steering Committee has concurred is to use the OFM medium countywide population projection of 155,451. The GMA Steering Committee has not made a recommendation or agreed to what the individual UGA allocations are. Total countywide employment is recommended by the Planners at a total of 67,762. It's a growth between 2015 to 2036 of 16,000 jobs. And I think my rural number's not up to date on that slide, but the next slides are – from the Planners' recommendation.

So the Planners have concluded their work and are making a recommendation to the GMA Steering Committee. We are trying to schedule a GMA Steering Committee for July 16<sup>th</sup> for them to consider the actual UGA allocations. So this is the population recommendation. The shaded column is what you would use in your GMA planning process. The far left column is the 2012 OFM estimate, which is where – when OFM gave us the forecast. We do that 2012-2015 estimate of what we think the growth will be before your GMA planning period starts. So that gives you a total growth in 2036 population of 155,000. The last two columns show the previous 2025 allocation and the new recommended – so the change. So, for example, as Carol mentioned, Anacortes had a previous 2025 total city UGA population of 18,300. The recommended population from the Planners Committee is 22,293, a difference of about 4,000 residents to Anacortes – higher than the previous.

To note for you in particular, they are recommending that the Bayview Ridge UGA *not* be a residential UGA. So there was a UGA – urban UGA allocation in population to that and it's – the number's ratcheted basically down to the existing – my understanding, Dale, is that it's the

existing residential lots that are available for development in that UGA. But the rest of it is for employment growth then.

The rural number would be a little bit higher than the previous forecast with a delta of 2335.

Chair Lohman: What's the percentage to rural versus the UGAs?

Mr. Murphy: It represents the 80/20. It keeps the current policy of 80/20.

Chair Lohman: That was \_\_\_\_.

Mr. Murphy: The Planners did talk about a 90/10 and a 75/25, and recommended keeping with the current 80/20 policy. And the GMA Steering Committee basically agreed to that broad policy as well. I'll talk more about the process, though, because this is not the final say in what the numbers are. These are for initial allocations and planning purposes, but I'll talk more about what that means in a second.

So the Planners have completed their work on the employment side, and this is the recommendation for the employment. And it doesn't add up to exactly 16,000 because of fractional employees, but the 2015-2036 total employment growth is basically 16,000. The rural amount is 9%. That's basically what you have experienced between 2001 and 2011. So it basically says under the era of GMA, rural areas have grown 9% of employment; they'll continue to do that. Essentially rural employment, you have lands designated – as long as they're rural in character, they're allowed, so we're estimating what percent of the total would be rural then.

Chair Lohman: Is that agriculture in there? In your employment figure, is it excluding agriculture?

Mr. Murphy: It does include ag. There's – the growth in ag is – we use the Employment Security Department Northwest Region forecast, and they pretty much have no growth in the northwest region for ag employment. So it's very – it's basically maintaining the levels that currently are. Now ag manufacturing, *ag-related* industries – not farming – does increase in the forecast. It's just the farming itself is not estimated to increase – or I should say –

Chair Lohman: \_\_\_\_ is whether you include it or not because I've seen employment statistics before and it parens it off and says "excluding agriculture," so I was – that was why I \_\_\_\_.

Mr. Murphy: Yeah, I would have to go back to double-check our methodology memo to verify, but I'm pretty sure it's in the base employment data and we basically don't grow it. For UGA planning purposes it's not really actually relevant, because this is all about sizing your urban growth areas. So the rural numbers are actually just an estimate to make sure that our total employment is about right, and to make sure that our travel demand model is reflecting the rural area as well. You probably are well aware of this, but as you update your comprehensive plans and everybody else does around the county this is now kind of the time to ask the question: What do you want the county to look like? And these numbers are in part – can be reflective of that, given the state law of parameters of, you know, you have to stay within the OFM range and things like that. So, you know, the Planners have talked with the Growth Management Act Steering Committee about, you know: This is the first step and what do you want the future of the county to look like? So they have had some conversations. And that's why the employment

number is the way it is. The straight line growth forecast from the Employment Security Department would not be 16,000. It would be somewhat lower than that. The Planners recommended to the Growth Management Steering Committee that we would like to have an OFM medium and have a more aggressive economic growth in our planning process. So they would like to encourage more economic development planning. Given these numbers, it's going to be in the urban areas, but they would like a higher level of employment than what would typically be forecasted. So it's a somewhat aspirational employment number.

So I mentioned this kind of earlier: So this process that we've laid out – and we will be drafting changes to the Countywide Planning Policies to go along with this – would – this process that we've identified, this step is what we are considering an initial growth allocation. What that means is all the jurisdictions would – what the GMA Steering Committee would say, We want to use these numbers so we're all using the same numbers across the county, but it's not cast in stone. It's not a Countywide Planning Policy yet. Use these numbers to go do your comprehensive plan. In 2016, if you come back – any jurisdiction comes back and says I can't accommodate my growth numbers that you gave me because my comp plan and my vision don't match that. So let's say Anacortes comes back and says, I can't accommodate the 22,000 population. Our comp plan's going to be – only has a land capacity of 20,000. That would start what I refer to as a target reconciliation process that the Planners and the GMA Steering Committee would go through and say, Okay, so Anacortes has said they can't accommodate. They have to demonstrate they can't accommodate that with buildable lands analysis, so they have to – and that has to be consistently done across all the jurisdictions. So you can't cook your books, essentially. Then the GMA Steering Committee and the Planners would recommend how to change the allocation before it gets adopted as a Countywide Planning Policy.

Important to all of this, though, I describe this as the forecast numbers aren't as important, in my opinion, as monitoring what's actually going on on the ground versus what you *thought* you were going to have. So if we think the employment's going to be 16,000, we need to monitor that every year to see how that's tracking and how the land consumption is being used up in order to verify our land capacity assumptions and to give us any red flags that we're consuming land faster than we thought we should, or our growth is far slower than we thought it should, and should that change any of the major county planning policies. Should UGAs be readjusted? Should the forecast be readjusted? But that would be an ongoing monitoring process that the Planners would basically own, along with – the Council of Governments would own some of the data collection. We do the employment data collection, for example. And then you could adjust the targets in your Countywide Planning Policy if you deem it necessary.

So one of the policy questions that this would address is every ten years you have to update your twenty-year forecast, so there's automatically a built-in 50% safety factor in whatever you do. You never reach your planning horizon before you do ten more years of planning. But if a city or a jurisdiction found itself growing at faster than the 50% rate that we expected, that would be a red flag that they may need a UGA expansion or they need to update their comp plan and increase their land capacity for residential and employment. Employment's really tricky because any employer can locate and take up land in a wide range of space. I mean, if you get a warehouse manufacturing in there that's a very different consumption of acres than if it's a big box retail or it's an office. So we need to monitor those things to see if there's any issues going on. In order to do that we would need a consistent land capacity methodology countywide, which would probably mean the Countywide Planning Policy would have to say you have to have that. We'd have to do annual monitoring reports and we're anticipating those would be



basically a tiered system. You would flag pop/employment growth and land consumption, and only if something happened would you dig deeper. So you wouldn't do a lot of data collection every year – only when issues start to arise. And then it would probably change your current UGA expansion policies and procedures that's in County Code. I don't think it's a lot of changes because the County Code currently says you basically should have land capacity analysis to do a UGA expansion. But we may put in, When do you consider those expansions? For example, when you've exceeded 50% of your population growth could be one trigger for considering a UGA expansion.

So the Planners have recommended the pop and employment allocations and numbers to the GMA Steering Committee. Like I said, the GMA Steering Committee is potentially scheduled for July 16<sup>th</sup>. We haven't got confirmation from the Chair yet on whether that will work. At the same time, the Council of Governments will be updating the Travel Demand model to use these numbers so that we can give all the jurisdictions in Skagit County basically travel forecasts to start doing your Transportation Element of your comprehensive plan.

And that's all I have. I can answer whatever questions you may all have.

Chair Lohman: Go ahead.

Mr. Meenaghan: So on your Planning Committee, are those – is that – are the planners from the cities a part of that at all?

Mr. Murphy: Right. So the GMA Steering Committee is made up of the four Mayors of the cities and two town Mayors, and then the three Commissioners.

Mr. Meenaghan: Okay.

Mr. Murphy: And then all of those jurisdictions, their Planning Directors are the Planning Committee.

Mr. Meenaghan: Are the Planning Committee for SCOG.

Mr. Murphy: Well, no – for the GMA Steering Committee.

Mr. Meenaghan: Okay, who's on yours, I guess is my –

Mr. Murphy: We don't have a Planning Committee.

Mr. Meenaghan: Okay.

Mr. Murphy: We use the Planners as our sounding board for those types of issues. We do have a Technical Advisory Committee that are Public Works Directors for the transportation side.

Mr. Meenaghan: Okay.

Mr. Murphy: We do basically administer the GMA Steering Committee agreements. We set the – we track the agendas and things like that.

Mr. Meenaghan: And so the numbers – these population and employment allocations right now – the GMA Steering Committee actually has seen these and –

Mr. Murphy: They've seen the countywide number. They have not seen – they saw a draft allocation. That's changed. They have not seen the, you know, Anacortes, Burlington, Sedro-Woolley numbers yet. That's what will happen later this month.

Mr. Meenaghan: All right. That makes sense, because I'm surprised at a couple of these numbers. They don't jive with what I think we have heard \_\_\_\_ UGAs \_\_\_\_.

Mr. Murphy: Well, so the Planning Directors have recommended this. So the Planning Director of Anacortes has recommended this. I have gone to Anacortes City Council, Anacortes Planning Commission, Mount Vernon City Council, Mount Vernon Planning Commission, and so far what I heard at those meetings is these appear to be for initial planning purposes, which, again, means we all know what each other are planning for. What I've asked them individually to do is if any jurisdiction feels this number is unreasonable to start the planning process, that's what we want to know now. Because we don't want to start the process believing we're going to have a target reconciliation process no matter what happens. So if you believe your number's too high or too low significantly, that's the kind of feedback we should be giving to the GMA Steering Committee.

Mr. Meenaghan: Then the Bayview Ridge population decreases by 3700 – 3718, I believe. Is that based on the potential for the rezone?

Mr. Murphy: What the Planners recommended was that Bayview Ridge would not be a population-based UGA. It would primarily be employment only. It would still be a UGA, but for employment, not households. Granted, given where you all are in your process...(laughs)

Chair Lohman: Anybody else? Keith?

Keith Greenwood: Yeah, maybe just clarify – and I'm going back maybe to Kevin's original question – maybe he understands it. But the Planning – you said the Planning Committee developed the numbers and then they passed them on to the GMA Steering Committee, which is made up of representatives from the different entities.

Mr. Murphy: Correct.

Mr. Greenwood: The Planning Committee is who? \_\_\_\_ the planning department?

Mr. Murphy: No, the Planning *Directors*. So Dale represents the County officially. Jana Hanson from Mount Vernon, as the Community Development Planning Director. When Ryan Larsen was in Anacortes, it was him. So it's the Planning Directors for the individual jurisdictions – cities and towns in the county.

Mr. Greenwood: Okay, so that's about seven people, eight people?

Mr. Murphy: Seven, eight. There's other people who attend the meetings, but they – you know, WSDOT attends the meetings occasionally because there's a GMA connection to the transportation system. But they don't – they aren't part of the recommending body.

Mr. Greenwood: Okay. As far as the – you made a point about the Planning Committee is making a recommendation or making – giving a number of wanting or anticipating increased growth in employment but not an increase in population commensurate with that?

Mr. Murphy: Correct.

Mr. Greenwood: And is that because we just want idealistically to have unemployment go down, or we don't want – we're reluctant to have growth, or what is driving that?

Mr. Murphy: Well, the main driver was they felt that the jurisdictions collectively should plan for a higher level economic development. And given all the data that we went through in relationship between households and population and jobs, they felt that the ratio of population to jobs was still reasonable. Increasing the jobs that much, but keeping the population the same. So they looked at bookends of when they felt that would be unreasonable. You know, you could say, Well, I want 50,000 jobs and keep the pop the same. But we – working with our consultants and the Planning Committee, they felt there was a range that was reasonable and they're not at the top of the range, so they felt it was comfortable in recommending 16,000. And in part, the Council of Governments has to basically, through the transportation process – I basically have to say that these forecasts are reasonable for my federal transportation planning process. And given the information that was presented at the Planner's Committee, I feel that the number is still within the reasonable range. Like I said, I think monitoring is more important because it's an aspirational number, which means you can't just stick it in there and walk away from it. You then plan to encourage that number to happen. So your plan should have a more robust economic development component to them if you're going to suggest your employment number should be higher.

Mr. Greenwood: Right, because typically if you promote, I would think, more jobs or more industry or whatever approach you want to take, you're going to draw more people in to it, right? I mean, they're going to bring them with them or –

Mr. Murphy: Well, in some cases they – Carol kind of alluded to this. The population dynamics are changing in such a way that statewide you're having more – you're generally having more population with fewer jobs. The trend is generally going the other direction, in part because of the aging population and in part because the productivity of each job is getting higher, so it takes less workers to do the same amount of work. So there's that statewide trend and these numbers are still in our historical range of population to employment ratios. We're just suggesting that – these numbers basically suggest that we will not decline as fast as the rest of the state in that relationship. But what that does mean is then the economic development components of jurisdictions' comprehensive plans should address a more robust economic development strategy. And that's also why I like the monitoring process, because if you don't do that then the monitoring will bear that out, and after a while we'll have to look at the employment number and go, It was too aspirational. Because I'll need to want to change that number so my transportation forecasts are more reasonable because I have to satisfy federal highways and others who don't like aspirational, policy-driven plans!

Mr. Greenwood: Did you say how long those monitoring guidelines or discussion points that you wanted to – there would need to be some changes in our approach or a policy to do more monitoring than we've been doing?

Mr. Murphy: It needs to be – monitoring is currently in your policies. It's just not defined. So what we need to do is be a little more clear in the Countywide Planning Policies, I think, as to what monitoring means. And then my recommendation is going to be that the Planner's group, that Committee, is responsible for making that methodology and drafting that and putting it to the GMA Steering Committee for approval. And then that needs to be done, I think, every year. And, like I said, the Council of Governments will need to play a role in that because we're the only ones who can – well, currently we're the owners of the receivers of the employment data. And that's part of our regular work program for transportation so it's not any additional cost to anybody for us to do that.

Mr. Greenwood: Well, I see some benefit in that only in that at times, like annually, we have these requests for enhancement, perhaps, to the urban growth areas because they're not adequate. And we look at the projection of population numbers and we're not quite sure – oh, those are old numbers, or are they new numbers? Are they current numbers? Are they matching what our anticipated projections are? You know, it seems to me that there's a lot of room for speculation when you look forward because the low one says it's dipping and the high one says it's going up. So we're going to shoot somewhere in between those two and we need to know whether it's actually being allocated properly or it needs to –

Mr. Murphy: Right, and all of these things are very cyclical. You know, population generally keeps ticking up and the jobs have been going down, up; down, up year to year. I mean, you've had 2000 job growth in the county in one year and then you've had negative 500. So, you know, the population tends to just keep marching along slowly upward. Monitoring those things will give you a clear view of how those events are occurring.

Mr. Greenwood: Right, because infrastructure is expensive and once you allocate the dollars to it you may build a bridge to nowhere.

Mr. Murphy: And the primary point from my perspective – the regional transportation planning organization – is these numbers need to be reasonable exactly for the infrastructure planning. We don't want to over-plan and we don't want to under-plan. There's a happy medium in the middle. Because more facilities means we have a higher infrastructure cost, so you have to be careful about not having such high numbers that your capital facilities plan becomes unaffordable.

Mr. Greenwood: Okay, and I – I'm sorry; one more – and you don't have to answer this. Did you, as a committee of directors, were you in some level of consensus that the Bayview Ridge urban growth area was not going to be something that they would propose to plan for?

Mr. Murphy: Well, there's a couple Planning Committee members here, but my sense of all the discussions was – throughout the process, from the city's perspective in particular – was, We don't need the population component of Bayview Ridge, that the cities have enough capacity in their existing UGAs or tweaking their existing UGAs to accommodate this number, including the removal of that 3700 from Bayview.

Mr. Pernula: Maybe I can answer that a little bit, too. Just about the time we were discussing what sort of allocation to provide to Bayview Ridge was about the same time that we were getting the request from the Port to fully comply with DOT's guidelines. And I brought the issue to the Board of County Commissioners and they said, Go ahead and prepare a plan that would not allocate a large amount of population to that area. I think what it shows in here is like 70 –

something like that – and that just accounts for infill within the area that’s not developed now, but no additional. If we decide not to go that route – to have additional population up there – we will have to adjust these numbers.

Mr. Greenwood: Okay. I don’t expect – you know, they make recommendations and it goes forward to the next step.

Mr. Murphy: Right, and if the process lays out the way it’s currently envisioned, this is the initial numbers for everybody to go plan. Like I said, if multiple cities come back and say, We can’t accommodate the number, then you may be in a situation of having x-number of urban residents who don’t have a UGA to call home.

Mr. Greenwood: And that was the same time – that Dale was talking about – that we were getting some projection numbers of population that we were kind of waiting for or needed to help us make some of those recommendations, as well. So having a feedback that’s maybe a little more instantaneous would be, I see, helping that.

Chair Lohman: I have a question. Margin of error? Because didn’t the state just announce on the news that we’ve reached 7 million people?

Robert Temples: Just under.

Chair Lohman: Huh?

Mr. Temples: 85,500 people.

Chair Lohman: What was that?

Mr. Temples: 85,556 new people.

Chair Lohman: But are we at 7 million statewide?

Mr. Temples: Yeah, just under.

Chair Lohman: Because on your chart you’re showing projected to 2020 for statewide, 6 million and ½ in round numbers. So we’re already half-a-million off? So I’m asking: What degree of accuracy are these projections?

Mr. Murphy: I don’t know exactly how OFM would – these come from the Office of Financial Management.

Chair Lohman: I knew. You said that.

Mr. Murphy: And the statewide population projection for 2040 on this chart is 8.7 million. 2030, it’s 8.1.

Chair Lohman: Oh, I see. The high, medium, low. Okay, that’s –

Mr. Murphy: Yeah. That’s the reasonable. So the range is – in 2040, the range is from 7.3 million to 10.7 million for statewide. My – I previously worked at the Puget Sound Regional

Council, so the more urban counties to the south. On the population side in those counties they were always – every ten years we were within about a percent in the forecast compared to the OFM numbers. It's the employment side that is – you know, pick your year, you can be 3½, 5% off compared to the historical projections. But OFM generally has done a fairly good job on the population side except if you look back at the last forecast compared to this one, because nobody saw the Great Recession effect in anybody's forecast. And, in part, the migration numbers in the – they use what they call a \_\_\_\_\_ survival model, so it's birth, death, and migration. So one of the interesting things about this forecast is you do go negative in natural growth so your deaths will be higher than your births in the later years of your forecast. It's made up by migration – people moving to the county from somewhere else.

Mr. Temples: \_\_\_\_, Kevin. Robert Temples – I've got a question for you. How is – I was surprised after getting up here (that) there is a large number of individuals who are working at Boeing that park along the freeway there by – oh, come on – that main road to Sedro-Woolley.

Tammy Candler: Cook Road.

Mr. Temples: Cook Road. Thank you. And it's growing all the time. A lot of these people live out in the area but they're working in Everett. I mean it's kind of – how do you handle something like that in these kind of reflections? Or has it just never been documented?

Mr. Murphy: It's a challenge to deal with it in this kind of forecasting, in part because OFM does a county level pop forecast only and they don't tie it to jobs. We know from looking at the census data and the travel patterns that we have roughly an equal amount of out-commuting as in-commuting to the county as a whole. We do have – I believe it's about 800 jobs at Boeing are from Skagit County residents. But they get balanced out by people coming down from Bellingham or, like me – I come up from down south. It's roughly balanced but it's still – it creates an issue on the transportation side so we have to deal with how we think those people are coming and going to the county. But on the UGA side it's really – you pick a pop number, you pick an employment number, and we try and give you a reasonable idea of where those people are traveling to and from so you can do your capital facilities planning. But we do try to take that into account as best we can. So we do look at the Puget Sound Regional Council forecasts and look and see what their employment growth is doing. But we're essentially keeping that trend – we're not saying the trend's going to change dramatically one way or the other.

Mr. Temples: Well, there's been a lot of change in technology, as we all know, so a lot of people are telecommuting and all kinds of things that are going on that, my God, we would have never dreamt of twenty, thirty years ago.

Mr. Murphy: Right. And on the regional transportation planning side we're – we need to update our Regional Transportation Plan every five years, so we re-look at those sorts of information and statistics to see if our previous assumptions are dramatically different than what we would do the next time. And, you know, this time around we'll do it consistent with these numbers but five years from now we'll be doing a different forecast for our purposes that may or may not be in line with what the Countywide Planning Policy says. We'll deal with that five years from now.

Chair Lohman: Any comments from – anything else? Any more questions?

(silence)

Chair Lohman: You're released. Thank you very much. Okay, moving on on our agenda, we have the Shoreline Master Program Update. So who's going to be our lead?

Betsy Stevenson: Where do you want to start?

Chair Lohman: Well, why don't we start with the memorandum?

Ms. Stevenson: Okay. We don't know exactly where we left off at the last meeting in terms of the Transportation and Parking section. We got through a bit of it, so we just included it again.

Mr. Greenwood: So you didn't make any changes to it, did you? I didn't notice any.

Ms. Stevenson: I don't think so.

Chair Lohman: I went through it and I transferred over my comments from the other one to this packet, but I didn't – it appeared that we made it through. Is that what you guys noticed too?

Ms. Stevenson: Okay.

Chair Lohman: Are you comfortable moving on to just Utilities then? How about we'll take a moment and let any Planning Commissioners that wanted to bring up anything in the Transportation and Parking section?

Mr. Greenwood: There was a – and maybe it comes under Stabilization, but I think there was a discussion about – and I said I'd bring some examples – where we were talking about bridges and abutments and that sort of thing along the shoreline. Do you remember that, Betsy?

Ms. Stevenson: Yeah, Forest Practices and Roads, I think, was the discussion?

Mr. Greenwood: No, I think it was under Circulation or Transportation, as we renamed it.

Ms. Stevenson: Okay.

Chair Lohman: And I have a note that says "Keith has issues."

(laughter)

Mr. Greenwood: Let's not get personal, okay?

Chair Lohman: Oh, I was – I think it's a placeholder saying that you were going to bring something back to us.

Mr. Greenwood: Yeah, and so all I had was I was just going to show you some pictures. You asked that I would and so I thought, well, I'll just pull out some pictures that will show you situations where portions of bridges and their structures are actually in that shoreline jurisdiction and perhaps within wetlands associated with that shoreline. So I think I've got a couple pictures. I can just throw them up on the screen, hopefully real quick. Speaking of technology, this'll be my call to see if I can do it efficiently. I had some music that would go with this slide show. I

thought of some surf music, but that didn't roll right. Let's see if this will show up. I don't know if it'll show up. Can you see the screen at all?

Mr. Meenaghan: Yeah, it's great.

Mr. Greenwood: Okay. So this is probably my best picture that I can think of which actually shows in this corner here you can see the culvert is going through the approach. So this far approach on this particular bridge is still within the shoreline itself. Is there something I need to do, Ryan, to make it better?

Ms. Stevenson: Make it bigger?

Mr. Greenwood: Yeah, that makes sense. Everyone see the culvert then, that's the silver-colored item right there? Okay. So if you're looking at the vegetation back here, this vegetation is willow and this is fill material here, so that's dirt. And these are abutments. They're concrete abutments. And you've got fill material here, as well, and there's the waterline in there. So the high water – the ecological functions have been looked at and I believe designed for, and the flows have been designed, but you do have fill inside an area that might be considered part of the shoreline itself. Maybe there's water-loving plants that are in this area here. Willows would perhaps be included in that.

I've got a couple other pictures. Here's one. I'm not sure what was in those areas but you do have fill coming down to the bridge approach. So if there were frogs underneath that, they're not there now. Yes, go ahead.

Mr. Meenaghan: On those first two pictures, are those considered how to do things right?

Mr. Greenwood: These are examples of existing structures, whether they're upgrades or – I've got an old one in New York that would say, You've got to take this one out. But just a few examples of situations that have been designed/engineered so the ecological functions are – the target is to protect the ecological function and still allow for the transportation.

Chair Lohman: In a logging context? In a forest context?

Mr. Greenwood: Not necessarily. Not necessarily. They're forest roads, most of them, but not every one. And here's one where the approaches are off in the willows and on the rocks, but the ecological function as far as fish passage and that sort of thing has been addressed. It looks pretty much off the water. But, again, if you're starting to impinge upon the water and the waterway itself, then that might not qualify. So most of these that I see would not fit under the descriptions that we were giving it, as far as you shouldn't do this.

Here's one that you shouldn't do. This is an old one. Certainly not take it out, but what this does is it constricts the waterway. But if we were to ask ourselves, Has the ecological function of this riverway been compromised? I don't know how much – but anyway, that's an old picture. Here's a newer structure that again, I think based upon perhaps cost, to accommodate the waterflow. I mean, if you ripped, put rocks along the whole length of, say, like the Skagit River going through Mount Vernon, it has an impact and we recognize that. But we have to offset that with what are the benefits of such a structure.

Mr. Temples: Keith, do these get deemed as permanent or temporary structures?



Mr. Greenwood: Well, here's a picture – look at this one. This is one that's on the Suiattle River that I'm familiar with because my neighbor designed this fix. But the previous bridge stopped here and then it looks like there's a fireman's ladder over the top. Well, that's a retrofit, if you will, to get to the other side. But even at that, those abutments down there, they're on something solid and they're trying to get away from the river, but that would be a shoreline that has part of the bridge within the shoreline itself and then, Is it within? Has it gone outside the ordinary high water mark? Has it gone outside all the associated wetlands? I don't know, but I don't think so.

Here's an old one here. You can see the abutments here, and this is in New York, I believe. And so they've come into the waterway itself but, really, barring redesigning this so it goes all the way back even further, has the ecological function actually been compromised? You know, slow-moving water through there? I think that the fish passage in this particular case could be considered addressed. And then here's the pretty one, I thought, which we wouldn't like because even log trucks couldn't get over the top of that one. That's more of a foot bridge. But, as you can see, there're all kinds of designs and many of them do come into the shoreline areas. And I think that's a picture of my daughter! Is that good enough \_\_ some examples?

So I guess what I was driving for was to try and set the standard for: We want to meet the target or the objective of the shoreline, which is to minimize or mitigate for the no net loss of ecological function. So if the design addresses that, then let's not overprescribe the dos and don'ts. That's what I was looking for.

Chair Lohman: I had a question. Betsy, I have a question mark written by item (g) on page 5 of the memo. And it's "New transportation and parking projects must also be consistent with applicable public access regulations..." I don't remember what the discussion was there.

Ms. Stevenson: Where are you?

Chair Lohman: Page 5 on the memo, item little (g).

Mr. Temples: I think I recall we were kind of discussing that if there were new projects that generated transportation and parking then was it or was it not required necessarily to have public access. Is it mandatory or is it not? Sometimes to, say, to be consistent with applicable regulations?

Ryan Walters: That's going to depend on what the Public Access section says.

Ms. Stevenson: Yeah.

Chair Lohman: Well, and I know that we kind of dissected that one fairly thoroughly. So I wonder if we ought to flag this part and bring it back when we bring back the Public Access? Because I'm not sure what it means.

Mr. Walters: I think it's just sort of a flag that we would also apply the public access regs. It's probably not strictly necessary because there're also lots of things in the SMP that we would also apply.

Mr. Temples: Well, you might just want to double-check it just to – I mean, if it's there is there a reason for it being there?

Chair Lohman: So do we – can we strike it then if it's kind of a hiccup?

Mr. Walters: You want to specifically call it out?

Ms. Stevenson: I think so, without remembering. I mean, I think there are times if you are providing parking with public access there were some standards in there. Does that make sense? And we talked about it a little bit in terms of whether you needed to park your pickup and your boat trailer right next to the launch ramp or whether it would be okay to move it outside of shoreline jurisdiction, and some of those issues that we were talking about. So I think what we're trying to do by making a reference like that is to indicate that you also should go ahead and check back in the Public Access section because there is some talk in there about parking. But I think the parking in the – well, that's just going to be confusing if I say that.

Mr. Temples: To me to reiterate it, I guess, is what it sounds like.

Chair Lohman: Because it got confusing further back on page 4 where we were talking about how you have to locate the parking outside the shoreline buffers yet the shoreline buffer width is 200 feet in all fresh water areas, and in the marine areas it ranges from 100 to 200 feet depending on where. And yet when you go to the Recreation one, I believe, it allowed parking. So we're not consistently following that all the way through the chapter – the whole shoreline thing. I think. Possibly.

Mr. Greenwood: I was thinking some –

Chair Lohman: She's squinting her eyes at me. I don't know what that means!

Ms. Stevenson: I'm trying to think. I know what you're saying, but...

Mr. Greenwood: Kevin looked like –

Mr. Meenaghan: Well, to me when I read this paragraph (g), it's just saying, Hey, if you're a user and you're looking in this Transportation and Parking section, don't forget to go back and look at the public access regs. Reminder. Okay, got it. I'm going to go look in that section now. That's what it means. I mean, that's what I read and get out of it.

Mr. Greenwood: Yeah, and along those lines I was thinking similarly, and maybe this clarifies it. I hope it does. But I know I had heartburn over on page 4 (d) where it says "Parking facilities in shorelines are not a preferred use." I rethought that and looked that up a little bit more, and parking structures in and of themselves – self-contained for their own purposes – are not a preferred use. But if they're – and I think it says it here under "New" and "expanded parking areas must" – so "...accessory to an authorized use." That tends to address that it – if it's associated with access to shorelines for enjoyment, which is a preferred use, then it does make sense to put it in there. I don't know if that helps or –

Ms. Stevenson: Sort of what I was going to say and then I thought I don't think I can say it without it being confusing, so I think you did a good job so thank you. Yeah!

Mr. Greenwood: Okay. Well, I'm sorry if I – because I kind of worked that over last time – preferred uses and non-preferred uses – so it's associated with a preferred use. That makes sense.

Chair Lohman: I didn't see anything else – for me. I mean, this is not going to be our last look at this chapter, or this book at all. So we're – you know, if we miss stuff we can catch it again. So shall we move on then to Utilities, Betsy? So it'll be page 6 of your memo.

Ms. Stevenson: Do you want me to explain anything? Do you want to just start going through your comments or questions as you reviewed it?

Chair Lohman: Why don't we start with the Comp Plan? Why don't we start with the Comp Plan section, which is on page 25 in your Plan? I don't know. For me, looking at the policy plan first and then looking at the development regs to me makes sense, rather than the reverse.

Mr. Greenwood: Yeah.

Chair Lohman: So did anybody have any comments from the policy?

Mr. Meenaghan: And correct me if I'm wrong, but I think we've already looked at the Utilities section of the Comp Plan.

Ms. Stevenson: I don't think we've changed it since the last time you looked at it.

Mr. Meenaghan: Yeah, because I remember Jason talking about the tidal and energy wave farms or facilities.

Chair Lohman: That was a prior – prior, prior meeting.

Mr. Greenwood: That was another working session.

Chair Lohman: The only thing is that I want to make sure that our drainage, irrigation, and flood facilities are not necessarily corralled under Utilities and that they can be over in the ag chapter.

Mr. Walters: So I looked into that and the definition of agricultural equipment and agricultural facilities in the SMA – so and the statute itself is quite broad and we're required to use those definitions by the statute, and it seems to include pumps – you know, for – I could quote you the exact language: "Pumps, pipes, \_\_, canals, ditches, drains for water diversion, withdrawal, conveyance and use."

Chair Lohman: What's making me think even more is I went to the GI Study and the preferred alternative, and there *is* going to be the potential of we're going to be doing some additional flood control water removal facilities of some sort to prepare for some, you know, flood water. And I'm curious where that would be – where it would fall in place in this. Would it be considered a utility or could we put it under the ag chapter?

Mr. Walters: Well –

Chair Lohman: Because you would be draining all that flood water off primarily ag lands.

Mr. Walters: Under 90-58-065, if it does qualify under this then it's exempt from the SMA.

Chair Lohman: I guess I'm asking would –

Mr. Walters: So it wouldn't be regulated at all. Well, I think what we would – what's that?

Chair Lohman: Go ahead.

Mr. Walters: I think what we would suggest here is that we add a line in Utilities because that might be where somebody might think it might go. So we add a line to the Applicability section of the beginning of Utilities indicating that facilities that qualify under this provision of the statute, you can go read about them in the Agricultural section where they're going to probably end up being exempt. And it would say that they wouldn't be regulated here under Utilities.

Chair Lohman: Because the ag community isn't the exclusive beneficiary of all these infrastructure facilities, but we generally are the folks that are taking care of it. Because you've got all the county road ditches are also coincidentally are drainage district ditches.

Mr. Walters: Yes, but the exemption under the SMA is restricted –

Chair Lohman: – is for agriculture.

Mr. Walters: – is for agriculture.

Chair Lohman: I realize that.

Mr. Walters: Not for *all* flood control, but maybe almost.

Chair Lohman: Almost all, I would imagine.

Ms. Stevenson: I think your question about the GI work, a lot of that's going to be new.

Chair Lohman: Right.

Ms. Stevenson: It isn't existing. It isn't something that's been in place for drainage or diking facilities to now. Haven't been looking real carefully as far as what they're proposing and kept my finger on the pulse real well, but if they're proposing some pumps and things that – or any, you know, infrastructure, as far as that goes, it would probably be under the Flood Hazard Reduction. That would be primarily where you would review it under the Shoreline Program.

Chair Lohman: Okay.

Ms. Stevenson: If, in fact, the work that they do as a part of that requires the drainage districts to, you know, do additional work within their boundaries and of their infrastructure, those would probably still fall under the Ag section – if that makes sense.

Chair Lohman: Mm-hmm. Well, it makes sense to me but I wanted to make sure it made sense to somebody coming up to the counter – on both sides of the counter.

Ms. Stevenson: Right. So the work itself for the GI, as far as the urban levee and all of that sort of thing. But I think they're going to need permits for a lot of that work, you know, but I haven't seen any of the design work yet or anything like that. But we're still trying to –

Chair Lohman: Well, I'm not sure that there is much talk about a drainage component.

Ms. Stevenson: Right.

Chair Lohman: But for me getting the water off is a big deal.

Ms. Stevenson: Right, and it's going to be going somewhere so it will impact people along the way, and, you know, they've talked about their sacrifice areas and all that sort of thing. So I think there will be some additional infrastructure, so it just sort of depends on what that looks like and whether it's a beefing up of existing drainage infrastructure within an existing drainage district or if it's something totally different, I don't know. We'll have to take a look at that.

Mr. Greenwood: "GI" stands for?

Ms. Stevenson and Chair Lohman: General Investigation.

Mr. Greenwood: Okay.

Mr. Walters: Does that help clarify anything?

Chair Lohman: No. Isn't that Army Corps-speak?

Mr. Greenwood: Well, I didn't know if you had a soldier out there checking this out or, you know.

Chair Lohman: It is soldiers that wrote it, right?

Ms. Stevenson: We will have Kara Symonds, who's the Project Manager on that, come and speak to you again. She did that once before but some of you weren't part of the group at that point in time and it is – the EIS is out for public comment now. It's through the Army Corps of Engineers so it's a good time to kind of hear about what's going on with that. She's made some presentations before the Board that we could send you the link in terms of some online information, too. If you'd like to have that, I'd be glad to do that. It's very important. It's –

Mr. Greenwood: Big impact.

Ms. Stevenson: It's a lot of work and the proposal is big. It has a lot of ramifications. I'll send you that link.

Chair Lohman: Thank you, Betsy.

Ms. Stevenson: Good questions.

Chair Lohman: Anything else in the policies?

(silence)

Chair Lohman: Okay, so let's move back to our memo, and this'll be the development code for Utilities. Page 6.

Mr. Walters: So right here under Applicability is where we'd add the statements about the qualifying agricultural equipment and facilities, and I guess separately about flood projects.

Chair Lohman: Nobody's talking.

Mr. Greenwood: Well, I didn't have anything, and it looked like – and you can correct me if I'm wrong, but this one seems to reflect the policies maybe even better than some of the ones I've harped on.

Chair Lohman: I had almost the same comments written in both sections, so I thought it matched up. Did you see something, Matt?

Matt Mahaffie: Yeah. There might be something on the first couple pages, though. Page 8 under (4)(f). "The Administrative Official *may* condition" (emphasis added by Mr. Mahaffie), and then there's a "must" after that. It seems a little contradictory. I'm just kind of thinking of projects, especially number (iv), "install vegetation consistent" for an outfall. It might not be feasible or practical.

Ms. Stevenson: So just in terms of the layout, separate those?

Chair Lohman: Decide which one.

Mr. Mahaffie: "May" or "must"?

Ms. Stevenson: Both, basically. He *may* condition it and you also *must* meet and comply with (i) through (iv) underneath that – right? – is how I read that.

Mr. Greenwood: Yeah, I see the separation.

Ms. Stevenson: So should we just separate the "Outfalls must" away from that other sentence, perhaps?

Mr. Greenwood: That would clarify it to me.

Mr. Mahaffie: I think so.

Mr. Temples: Almost give it a title to (i) through (iv).

Mr. Greenwood: Because the "may" pertains to aesthetic –

Ms. Stevenson: Right.

Mr. Greenwood: – compatibility and reducing environmental impacts.

Chair Lohman: This is the one that made me ask a question about how in the world you're going to handle a flood water situation.

Mr. Mahaffie: When you have “must,” just the vegetation one – I mean, let me refresh my memory here. Vegetation installation: Say it’s in a right-of-way but somebody’s doing it privately, would you have to have a performance standard on that? Say somebody’s putting a driveway in up the hill; they’re running a culvert under the road to the lake, but your outfall’s going to be in a right-of-way. So any vegetation they installed would have to be in a public right-of-way. Would you make them liable for that, as far as a performance standard? Or would that not come in under vegetation installation? Can you just install it and walk away? Am I making sense?

Ms. Stevenson: Yeah. Your example of somebody putting a culvert under their driveway wouldn’t fall under the Utilities section.

Mr. Mahaffie: A culvert under a public road? The example I’m thinking of in my head is North Shore Drive on Cavanaugh. You have multiple driveways coming down with ditches – long ones – into a catch basin run under the road and direct outfall into Cavanaugh. People have upgraded those over time. Sometimes the County; sometimes I think it’s been privately.

Ms. Stevenson: Okay.

Mr. Mahaffie: Or am I just making a mountain out of a molehill?

Chair Lohman: Would it still meet the definition of “utility,” though? Or is this Surface Water and Stormwater Outfalls scenario only in the utility context?

Mr. Mahaffie: Yeah, would this only fall under Public Works Department, I guess?

Mr. Temples: Is it public utilities or private utilities?

Ms. Stevenson: I think it could be either.

Mr. Mahaffie: Or should I just not worry about it?

Ms. Stevenson: No, you should worry about it. I appreciate it.

Mr. Mahaffie: I just have it pictured in my head. A lot of times you wouldn’t put a planting on the side of a road. That’s all. So when you have a “must” in there it seems like something that’s set up for failure. Like if somebody has a performance standard or a bond attached to it.

Ms. Stevenson: Okay. I understand what you’re saying and I don’t have a good response for you so I need to go back and look at the Vegetation Conservation section and just see what it says again and see what our thinking was by including that there.

Mr. Mahaffie: I’m not saying it’s a bad idea or anything. I just thought maybe a “may” instead of a “must” for that.

Chair Lohman: But the site is the Environmental. It’s not the Vegetation chapter. It’s the Environmental Protection chapter.

Mr. Temples: But should the Definition portion of this be defining – I mean, this issue is whether it’s deemed as public, private, or both. In other words, what’s the utility?

Ms. Stevenson: We have both now. I mean there are pipe lines that are run by private companies for oil and natural gas and things like that.

Mr. Temples: But does that show up in the definition?

Ms. Stevenson: Yeah. I mean, it doesn't say private or public but it does say what the utility basically is. "Include but are not necessarily limited to facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications, and pipe lines for fuel, oil, natural gas, and petroleum products."

Mr. Walters: I think when I first read this I sort of assumed that this outfall section of the vegetation requirement was associated with outfalls on the marine – actual shorelines. Do you think?

Ms. Stevenson: Or into the river, perhaps?

Mr. Walters: Yeah, yeah.

Ms. Stevenson: Yeah. Into a creek.

Mr. Walters: But not into roads or ditches. And, in fact, you might have limited ability to do that. But maybe – so maybe we could constrain it if –

Mr. Mahaffie: The situation I see in my head is roads that parallel the shoreline. So anything that's coming from the other side goes under the road into the shoreline. And there are quite a few of those. Usually when they're permitted they're done \_\_\_ rock below and things like that. So I'm used to seeing the top three, and the bottom one as a must was \_\_\_.

Ms. Stevenson: Okay.

Mr. Temples: I mean, when you're talking gas lines and electrical/hydroelectric plants and that type of thing, I mean, you're obviously talking about public utilities. So it's like – I'm not quite sure – and that brings up a good point. It's like, Where's this kind of – I mean, if we're going to call it utilities, then *whose* utilities? Unless you're trying to cover everybody – so you better say that.

Ms. Stevenson: Okay. Yes, we are covering everybody. I mean, it's for public and private movement of fuel, natural gas, all those things that I listed. Because there are private companies that do that as well.

Mr. Temples: Yeah.

Chair Lohman: The majority.

Mr. Greenwood: What does 14.26.340 say? I mean –

Chair Lohman: It's the Environmental chapter.

Ms. Stevenson: That may not be the right reference anymore.



Mr. Greenwood: Okay.

Ms. Stevenson: It may have changed.

Chair Lohman: I think it is the wrong cite.

Mr. Greenwood: So if we're consistent with it, perhaps there's exceptions to what it's actually requiring. Hopefully it wouldn't require vegetation on rocks, cliffs, and some of those places – and I've heard others make mention of – that aren't appropriate for vegetation, and then to have an 80% survival standard or something like that would be silly.

Mr. Mahaffie: That's been an issue since the first draft.

Mr. Greenwood: I remember Carol brought it up so it's been a little while.

Mr. Mahaffie: The next question I had was under (h), Solar energy. Personally I think I'd either rather see it expanded or taken out. It's kind of a copout for a very broad spectrum of potentials.

Mr. Walters: It does occur to me that most of the time people put solar panels on their houses, in which case nobody really cares. But you could put them on the ground and there was at least one suggestion to do that on Guemes, although not in the shoreline area. But say you wanted to do it in the shoreline area, then maybe you would want to regulate it.

Mr. Mahaffie: Go look again at Cavanaugh or the Cascade River or Marblemount. You know, anything – development on the north side facing south, everybody's gone out of the trees and put their little panels right at the edge because that's where the sunshine is, you know. A lot of the times they're two-by-three panels just screwed to a tree. Is that what you're meaning to regulate, or is it big panels on a galvanized pole?

Mr. Walters: I think this line doesn't anticipate that they would be anywhere other than the roof of a building.

Ms. Stevenson: I think we had some proposed on poles and stuff on Guemes, too, where it wasn't actually on a building.

Mr. Walters: We did.

Ms. Stevenson: But the one that you're talking about, if it doesn't meet the threshold for substantial development, would probably be exempted; however, its location could be regulated if some other kind of permit was needed for it. If they're putting them on trees, not necessarily, although that's not so great either.

Mr. Mahaffie: I kind of read it for primary use of the building. I mean, if it's a house and you have a setback, which is the buffer, it's 100 feet, and even if you've already cleared the lawn all the way down are you saying you can't put a little panel on your dock or lighting or –

Chair Lohman: How about power in your electric fence?

Mr. Mahaffie: It's in a section I don't think a lot of people would be looking for it in. I think you'd want to encourage it.

Ms. Stevenson: So you're kind of speaking more in terms of residential use?

Mr. Mahaffie: Yeah, I'm stuck on residential tonight.

Ms. Stevenson: No, that's fine. That's why I just want to make sure.

Mr. Mahaffie: Instead of commercial.

Ms. Stevenson: Okay.

Mr. Mahaffie: I mean, yeah, if you're putting half a dozen ten-foot-square panels out there that's a little different story than –

Ms. Stevenson: Yeah.

Mr. Mahaffie: – somebody that wants to supplement their generator.

Ms. Stevenson: Okay.

Mr. Walters: And I think that was the Guemes proposal that I heard about. There was no primary use. It's a lot that was *only* going to have solar panels and a lot of them and on stands or poles or some kind –

Mr. Mahaffie: Yeah, I guess – yeah, that's another thought I had a minute ago was a lot without a structure. You know, there's a lot of residential lots, especially on the river – you know, some of those upriver lakes – that they don't have a structure. It's just somebody pulls their RV down for a couple months of the year.

Ms. Stevenson: Okay, we'll try to better clarify when that fits in to the Utilities section or when it would be related to accessory to a residential development.

Chair Lohman: Or both.

Mr. Mahaffie: Or maybe sizing, whether it be physical size or output size of, you know, electrical.

Ms. Stevenson: Okay. Thank you. That helps.

Chair Lohman: Anyone else?

Mr. Greenwood: No, just that I was looking at 14.26.340 and it doesn't – if someone were to find that section about vegetation consistent with, and then they come over to that section they're going to not really understand the correlation, the connection. It's about mitigation sequencing.

Chair Lohman: I think it's a mistake.

Mr. Greenwood: And maybe it's *my* misunderstanding about mitigation sequencing because it's not all about vegetation.

Mr. Walters: I think it's just the wrong number. I think it's probably just supposed to be referring to 370.

Mr. Greenwood: Oh.

Mr. Walters: But I think we still need to look at 370 and make sure that that section has got some \_\_\_\_.

Mr. Greenwood: Okay. All right. Well, that would help because I didn't see anything. I didn't see the word "vegetation" in there.

Chair Lohman: Okay, so nobody's sure what cite it should be.

Mr. Greenwood: Ryan says 370, he thinks. 340 is Environmental protection.

Chair Lohman: Right.

Mr. Walters: It's not really obvious to me that it's related to either of those sections. So we're going to have to look at that.

Ms. Stevenson: We might just decide to propose to delete it because, like he said, with an outfall usually it's rock or something around there and not real conducive to planting and trying to get the water out of there.

Mr. Walters: No, and –

Mr. Greenwood: 370 is Vegetation conservation.

Chair Lohman: You're allowed to delete. It's okay.

Mr. Walters: Yeah, and there's a separate provision for aesthetic compatibility and environmental impacts.

Ms. Stevenson: Okay.

Chair Lohman: Can we recommend striking?

Ms. Stevenson: Well, we'll look back and just see if there's a reference somewhere there that applies here, and we can remember why we included it.

Mr. Mahaffie: I want to say, I mean, it depends on your project. You know, usually you don't just – your project isn't a two-foot wide culvert. You know, you might have a staging area or who knows.

Ms. Stevenson: Yeah.

Chair Lohman: But it's talking about –

Mr. Mahaffie: That should come back in under some other section.

Chair Lohman: Yeah, but it's talking about surface water and stormwater outfalls.

Mr. Walters: And –

Chair Lohman: That's what it's under.

Mr. Mahaffie: I was just thinking the actual installation of it. So as you build it, you know, you can't just drive an excavator over top of it and not make an impact. But, again, you still have mitigation sequencing elsewhere in the Plan.

Mr. Greenwood: Well, and if it's not mitigation sequencing but it's vegetation conservation, there's a portion of 14.26.370 which says, "In the event that existing significant vegetation – trees or vegetation – designated to be retained die of damage" and then it talks about "shrubs and groundcover must be replaced in all disturbed areas by a mixture of native shrubs, groundcovers, and other plant materials intended to provide 85% surface cover within two years of planting." So it corresponds to you're supposed to keep it and you got rid of it. That's when you'd be looking at restoration.

Mr. Walters: Yeah.

Chair Lohman: But if that's what you're trying to say, then we need to write it.

Mr. Walters: I think it's just an error that we will probably end up deleting, and I'm thinking about striking it right now while Betsy's not looking. Because 370 is really focused on conservation and this is about planting new, so –

Ms. Stevenson: Right. And it may refer back to the environmental section where you're doing your mitigation sequencing, you're doing your site assessment, you're proposing whatever mitigation, which would be re-vegetation and all that sort of thing. So it may be the correct reference at 340, but we need to be more specific with it if that's what it is.

Ms. Candler: And if that is a reference to 340, it seems like it should say "consider vegetation consistent," not "install."

Ms. Stevenson: Okay.

Ms. Candler: Because we might not want to install.

Ms. Stevenson: And, yeah, it may not be that that's part of the proposal, so yeah. With the "must install" that may not be the best solution.

Mr. Meenaghan: Okay.

Ms. Stevenson: We'll figure something out. And if you could see these notes, it's going to be really scary. If I don't go back and do it right now we might have the right answer.

Chair Lohman: Okay. All right, let's move on. We're on Residential Development, so it'll be – the policies will be on page 24 in your notebook. This will be Policy 6C-11.

Ms. Stevenson: Here again I'm not sure we proposed any changes since the last time we went through this.

Chair Lohman: I did kind of a weird thing because I read stuff. It talks about "Liveaboards in marinas having adequate facilities may be allowed," but yet it seems to conflict with our Marina section where it's prohibited. And that was on our May 6, 2014, meeting memo and it's on page 101 of the old version. That was the only thing I saw in the Policy.

Ms. Stevenson: I would agree with that. I would recommend just striking it out of the policies, if that's okay.

Mr. Greenwood: Were they both in reference to residential, or was one in reference to commercial or –

Chair Lohman: One was in a marina.

Mr. Greenwood: Marina? Well, either one would be a preferred use, I would assume. Right? Water-dependent or residential, so I don't – maybe it doesn't matter in that regard.

Mr. Temples: It's like in the memo on page 11 under item (2)(b). The line basically says "Overwater homes and floating homes, including liveaboards, are prohibited."

Chair Lohman: Okay, there it is, too. And in the marina section – the Boating section – it's prohibited too.

Ms. Stevenson: Yeah, which was my intention.

Mr. Walters: Did you say you found a policy – a marina policy – that –

Chair Lohman: No, it's under Residential Development, page 24, 6C-11.5

Mr. Walters: Under Residential Development. Yeah, I found that one.

Mr. Greenwood: I'm going to show my ignorance here too – I already did once – but what is a liveaboard?

Ms. Stevenson: Somebody who lives on their boat.

Mr. Greenwood: That's it? So it's a place where you could park your boat and live there. It's not referring to the person. It's referring to the boat? Or is it referring to the boat that's being used for that purpose?

Ms. Stevenson: The boat being used for that purpose or the person living on the boat being used for that purpose.

Chair Lohman: So in Skagit County we're going to disallow that completely categorically?

Mr. Walters: That's the current policy. It says it's the current policy.

Chair Lohman: It says "may be allowed" is current policy.

Mr. Walters: Yeah.

Chair Lohman: So now we're saying –

Ms. Stevenson: Be in a marina with adequate facilities.

Mr. Walters: Do we have a marina?

Ms. Stevenson: Not with adequate facilities that I'm aware of within the county.

Chair Lohman: But this doesn't refer to, like, the city's marina. So it's just in the county.

Mr. Walters: Twin Bridges Marina.

Mr. Greenwood: So we're talking about – oh, go ahead. I'm sorry.

Ms. Candler: If there is a marina in the county that has adequate facilities, we're saying people can't use them and that is a change, right?

Ms. Stevenson: They can't live on their boat there.

Ms. Candler: And that's new, though, right? And was there some reason for that, like a particular impetus?

Ms. Stevenson: I think the intent was to prohibit liveaboards just out in the county off a dock – in a situation like that. So maybe that would be okay and maybe we need to clarify it in the Definitions if, in fact, a marina is developed and they do have facilities, and they're required to hook up and do all that sort of thing if they're going to be a liveaboard and, you know. I know we have at Twin Bridges. To me that's a little bit different. Those are boathouse types of facilities and not necessarily – to me, still, a liveaboard is a boat. But I guess that argument came up in that whole case as well, so in thinking about that, maybe we do need to clarify that a little bit.

Mr. Temples: Would that also perhaps mean checking with some of the marina policies, because I've seen marinas go two directions. One is they require nothing but boat storage. You cannot live on them. You can dock your vehicle and you can offload and onload but you're not allowed to live on your vehicle. And I've seen other marinas – particularly I'm thinking of Seattle – where it's permitted, but you pay for it.

Ms. Stevenson: We've had issues over the years with people living aboard boats that didn't have proper facilities on the boats, and it's really hard to regulate, to get them to move, get them to try to comply with water quality kinds of issues and all that sort of thing. So it seemed at least simpler to just say, you know, liveaboards aren't going to be allowed. I think the policy if it's in a marina that has pump-out facilities and that you are properly doing what you're supposed to be doing with your waste waters and things it may be okay.

Mr. Greenwood: That makes sense. A target is tying your boat up to the shore and then living on it and then dumping, doing whatever. Because you don't really live there. It's not your place but you've chosen to make it your home.

Ms. Stevenson: Right. Or even if you have a dock someplace and maybe you let somebody tie their boat up and rent out the space and they live on their boat or whatever. But if they're not set up and designed, you can't guarantee that they're going to go use a pump out facility at a marina somewhere, and we have had issues with those over the years.

Ms. Candler: I'm picturing like people who want to head out early in the morning on their sailboat and want to spend the night or something, too. It seems like that could get kind of gray.

Ms. Stevenson: Something like that – to me a liveaboard is a more permanent situation, you know, not somebody who's just staying and going. Hopefully they have their Coast Guard-required, you know, holding tanks and systems in place and they deal with that as they need to as they're gone and on their way. This would just be somebody who just lived basically fulltime on their boat.

Mr. Walters: And we don't have a definition of "liveaboard" in the Definitions –

Ms. Stevenson: Okay.

Mr. Walters: – part, so we might add that. So do we know – does Twin Bridges, as the one marina that might be set up for liveaboards, is it actually set up for that?

Ms. Stevenson: Those big boathouses, I think there are people who do stay in those for extended periods of time. So whether you would consider that a liveaboard or not – you know, there was some discussion over time of whether those were considered vessels or not.

Mr. Greenwood: I've taken some pictures of my daughter at the helm of some places I'd like to live! Anyway, but there're some pretty nice boats out there.

Chair Lohman: But you could have somebody that maybe is going on a very large cruise and they just stop here temporary for, you know, who knows how long and then they move on.

Ms. Stevenson: Right. That's totally different.

Ms. Candler: It doesn't seem like it would be.

Chair Lohman: But they're 100% living on their boat.

Mr. Walters: Yeah, if you talk to a marina operator, I think, though, they're going to say that liveaboards are – really are permanent. The boat is not moving out of the marina, so it's a different situation. Defining that might be sort of tricky, but fortunately we can go steal a definition from somebody else and bring it back. I do think that this has more definition to it than we're able to produce here.

Mr. Mahaffie: There have been issues, especially down south – almost like a squatter situation with houseboats. They'll just kind of go somewhere and tell their force to move, you know, with no skirmishes or things like that.

Ms. Stevenson: If you spend any time out on the – either of the forks of the Skagit, there's – you know, you get back into some of the wetland areas and some of the sites, there's all kinds of people living out there.

Ms. Candler: So it seems like the policy as it's currently written – “Liveaboards in marinas having adequate facilities may be allowed” – would be okay, and then what we've done here is completely prohibit it.

Ms. Stevenson: Right.

Ms. Candler: I mean, at least if you have that you could tell them this marina allows it, you know, go there, or something. I don't know.

Chair Lohman: So we'll have to clarify that from the May memo.

Mr. Walters: Okay, so there will be – no, there will be multiple locations we will need to change this. So the current line in the development regs says: “Overwater homes and floating homes,” which, I think, is distinguished from just a liveaboard, which is probably a boat that you're living on. So do I assume that we want to continue to prohibit overwater homes and floating homes? I think that's Betsy's recommendation.

Mr. Greenwood: I don't know. I watched “Sleepless in Seattle” the other night with my daughter and they thought that was pretty cool.

Mr. Walters: That was Seattle.

Mr. Greenwood: I mean but that's – see, when you said “liveaboard” that's what I'm thinking of. You've got a house and it makes you seasick. It's kind of like being \_\_\_ waterfall or something.

Mr. Temples: But they're required to have, you know, proof of, you know, pumping out the gray water and black water and all that stuff. So that's a requirement there. Period. If you want to have a house, you've got to have the service.

Mr. Walters: And I think that the idea here to prohibit overwater homes is that it's difficult to regulate and unlikely to work out.

Mr. Greenwood: You didn't like the movie, Betsy?

(laughter)

Mr. Walters: A lot of the Shoreline Management Act is about preventing what happened to Lake Washington to the rest of the state.

Ms. Stevenson: Right.

Mr. Greenwood: Oh, okay.

Ms. Stevenson: Sausalito has a huge colony of liveaboards.



Ms. Candler: But I would like to just – I'm sorry.

Ms. Stevenson: Go ahead.

Ms. Candler: I would like to distinguish that from, like, a person who maybe their lifestyle is they spend six months out in nice weather and then they need a dock. I think there should be someplace where people can do that.

Chair Lohman: Yeah.

Mr. Walters: Yeah, I don't think that's the intent so I think the definition can fix that pretty easily.

Ms. Stevenson: Most of the marinas here are located within the cities, but that doesn't mean there aren't a whole lot of spots that are great for marinas. That doesn't mean we couldn't still get one proposed at some point where it would probably be just fine to have somebody there for a month or so while they're getting new rigging, or something happened, they're having to have their boat repaired, and they're living there. Yeah. That's a good catch. We'll have to clarify that.

Chair Lohman: There are a lot of responsible people. It's just the bad eggs that you remember.

Ms. Stevenson: Well, all it takes is one. All it takes is one.

Chair Lohman: Yep.

Mr. Greenwood: I mean, we have that in the forest setting, too, where we have people who live in a particular structure that's on wheels and then they just seven days here and seven days there and they're moving around. You have compassion for them but there needs to be some hygiene addressed at the same time.

Ms. Stevenson: Okay.

Chair Lohman: Okay, shall we move on? Everybody ready to move on?

Mr. Temples: I think we floated the boat enough.

Mr. Greenwood: Hmm...

Mr. Mahaffie: Are we in – are we still in the Comp Plan or are we back on development regs?

Chair Lohman: We can jump to the development regs – page 11 in your memo. You're up.

Mr. Mahaffie: Just me again?

Mr. Greenwood: I think you deal with this a lot.

Mr. Mahaffie: (4)(b) I'm taking some issue with. Just yesterday I went to a property that the road in front of the house – not the shoreline – so they want a garage, a separate garage, in front of their house fronting the road – the road, which then separates their property from the river. There's a lot of areas where that situation comes up. The river, and especially Cavanaugh – a lot of development. Houses are at the back of what would be the Shoreline Management zone.

They put their garages, their sheds – everything's in front of it. It's lakeward, waterward, but... I mean, I see the point of this if you have a row of houses on the lake. You know, that's what most people think of. But it's not always the case.

Ms. Stevenson: Okay. I'm going to have to check that. I think this may have come from something out of the WACs as well, but I couldn't put my finger on exactly where, okay?

Mr. Mahaffie: I mean, I think it could be fixed and written to reflect that, you know, if the primary residence is on the water side.

Chair Lohman: Because you're still within the 200 feet setback.

Mr. Mahaffie: There's a lot of – yeah, I was out on Riverbend Road. It's all ag land. There's a dike. But the property's still in the Shoreline zone so I'm still – you don't even see the river but you're still bound by developed surfaces, you're still bound by things like this. You know, there's no buffer or anything but you still have to go through all these hoops, you know, and you're trying to save your farm land. Which one's – you have conflicting interests there.

Mr. Walters: I drew a little picture to remind us. I think it's sort of analogous to the – to not requiring the buffer to cross a road.

Mr. Mahaffie: Was there any – I mean, if that *is* a thought – was there any discussion, you know, for the county road for the Shoreline zone – like a buffer – not to cross the road? Or is that bound by WAC?

Ms. Stevenson: I think it is, but –

Mr. Walters: Although it doesn't hurt the critical areas ordinance. They have an exemption for that – or exception.

Mr. Mahaffie: Yeah, the critical areas ordinance does. Your buffer won't go across. But what I find is people build next to the road – put their house and their garage – and they're 150 feet from the lake, but there's only 50 feet of their property in there so they're 80% site coverage because they built next to the road. You can't do anything. It's just kind of a difficult thing to deal with. You can't even go build back farther because, you know, you'd have to put a driveway in and you couldn't do that without a variance. And I guess it's the same thought for a dike, too, especially on ag land. Your buffer might stop but your shoreline regs don't. Functionally it's kind of hard to validate.

Ms. Stevenson: Good point.

Mr. Greenwood: Wouldn't that be something that could be clarified in the policies? Because the intent needs to be met and if it doesn't meet the intent, you know, the development regulation should be designed to meet the intent. If the intent is to not have new structures closer to the water but you already have something that is closer, then it doesn't make sense. So I don't know what policy addresses the structure.

Mr. Mahaffie: It doesn't matter what the policy says when you have a development standard that has the word "must" in there.

Mr. Greenwood: Well, that's what I'm saying. The development standard has to be reflective of the policy, so if there's a policy statement in here that supports that, then leave it in. If there isn't a policy statement that supports that, then maybe we should take it out.

Ms. Stevenson: Let me look at that. I think you've got a good point. I'm thinking residential development's water-dependent – somewhere, but I'm trying to figure out where to find that.

Mr. Walters: So we'll look at that one.

Mr. Greenwood: Well, I think – here's the policy statement that I think clarifies it for me, is on page 25 of the Comp Plan, 6C-11.10. It says: "Unless clearly shoreline dependent (such as docks and floats), accessory uses should be set back from shoreline areas, be reasonable in size and purpose, and be compatible with on-site and adjacent structures, uses, and natural features." So if a road breaks that up, if there's already another building there, you could put one in between. So maybe this isn't reflecting that policy. Does that make sense?

Chair Lohman: Agreed.

Mr. Mahaffie: Yep. But it's writing a development standard that the Department can enforce in some fashion.

Mr. Greenwood: Right, and that's a challenge for sure. But if we write something that fits exactly like you describe, then you scratch your head when someone says, Why?

Mr. Walters: Well, so I guess that policy doesn't say that the accessory use has to be located landward of the principle structure.

Mr. Greenwood: Right.

Mr. Walters: It just says that it has to be set back. Well, and what does it mean, "set back from shoreline areas"?

Chair Lohman: Well, as a policy it shows you the why. But it also says "compatible with on-site and adjacent structures." That could be your neighbors.

Mr. Mahaffie: And the topography and geography and – you do what makes sense, is the gist of it.

Chair Lohman: Right. Okay, ready to move on? Okay, we're on Shoreline Stabilization, and the policy is on page 25, 6C-12.

Mr. Meenaghan: I have a naïve question. 12.3 says, "...encourage voluntary replacement of hard armoring with soft armoring." What is the difference between the two? Could somebody here explain that or show me a picture?

Mr. Greenwood: I could. I'll let somebody else do that! What do you guys think it means?

Mr. Mahaffie: Last page – nice example.

Mr. Greenwood: Rocks are hard. Vegetation, wood, that sort of thing is considered soft.

Mr. Meenaghan: Okay.

Mr. Greenwood: That's my understanding of it.

Mr. Mahaffie: Rocks are hard to get.

Ms. Stevenson: Rocks can get – yeah, rocks can be –

Mr. Meenaghan: Concrete is hard armoring?

Mr. Greenwood: Right.

Mr. Mahaffie: In varying degrees. You know, you get a concrete flat wall or a flat wall \_\_\_ that's a pretty direct reflection of waves, where you have a sharp rock kind of low where it breaks things up and you don't see the offsite erosion factors and things like that as much.

Ms. Stevenson: You can still plant some of the rocks and it can grow over it and you'd never even know they were there, too. So there are times when you can consider that as part of a design for soft shore stabilization.

Mr. Greenwood: Right, because up at Rockport where they put the combination of blocks with rocks with wood – that sort of thing – as it's staged on the shoreline, it's considered soft.

Mr. Mahaffie: Usually it's, especially the farther south you go where the more money there is, you see rock walls that are, you know, inset with – Deltalok is one product. It's like a plantable bag with little inset pieces of it. It's structural, but you can plant it with grass or stake it or – you have pockets for planting.

Mr. Walters: So we identified a problem with our definitions here because we have a definition of "shoreline stabilization" and the definitions are straight out of the WAC – it's another one of those crazy, wacky WAC definitions – that includes moving the house away from the shoreline. So what we wanted to do here – we didn't give you new definitions because we're not to the Definitions part yet – what we wanted to do here is do "hard shoreline stabilization," so not use the word "armoring." And Betsy made a note to change the policy – to not use the word "armoring" but just "stabilization" because that's what the WAC uses – but call it "hard" and "soft" shoreline stabilization and then define those. And you'll notice that the development regs say "stabilization structures," so as to distinguish between the stabilization that involves moving the house and building setbacks and groundwater management, from the WAC. So I think that'll become clear when you see the new definitions.

Mr. Meenaghan: So, Ryan, on page 195, which is our Definitions section, there's a definition there that says it's from the WAC. Is that now what we need to put in and use on page 12?

Mr. Walters: Yeah, in my version here it's 193, Shoreline stabilization.

Mr. Meenaghan: Yep.

Mr. Walters: Yeah. So we tried to leave that definition alone, because it *is* the WAC definition, and just use the more specific terms "stabilization structures" and "hard" and "soft." And then

what we thought we would do is put those all under “Shoreline stabilization” in the Definitions so that you wouldn’t have to go to the Hs to find it. You’d find it all under “Shoreline stabilization.”

Chair Lohman: But you would – you would just completely eliminate using the word “armoring”?

Mr. Walters: Yeah.

Chair Lohman: Okay.

Mr. Greenwood: So – I’m sorry; I must have missed it – you’re going to come up with a new definition of “shoreline stabilization” for *our* document, and leave out the WAC definition of “shoreline stabilization” for clarification purposes?

Mr. Walters: Well, I think what we thought we’d do is leave “shoreline stabilization” alone – leave it with the WAC definition but use the terms “hard” and “soft” and “structures.”

Mr. Greenwood: Oh, okay.

Mr. Walters: Shoreline stabilization structures. To avoid, where we can, conflict with the WAC definitions. So if we’re all reading from the same definitions then they can be consistent.

Chair Lohman: Okay, and on number – are we ready to jump to the development code, page 12 in the memo? It says “Existing shoreline stabilization measures are regulated by this section and not by Part VI,” the “Legal Pre-Existing Uses...” This is number (1)(b). That’s what it says in the WAC too, right? I did go back and read that WAC. It’s hard to find it.

Mr. Walters: I don’t recall if there is a line that specifically says that, but there may very well be because they –

Chair Lohman: So they cleaved that from the pre-existing use?

Mr. Walters: They create all these special rules for maintenance and repair. Or actually, I guess they don’t actually create a whole lot of special rules. They just redefine some levels of maintenance as – or repair – as new structures.

Mr. Greenwood: So is that clear to you, then, Annie? I don’t see the difference between those two statements – that existing shoreline stabilization versus pre-existing uses and structures. What’s the difference?

Chair Lohman: I was thinking about something that’s already established, that already has – it’s already built, been there for a long, long time.

Mr. Greenwood: Right. So an existing shoreline stabilization measure –

Chair Lohman: Somebody’s been there for decades.

Mr. Greenwood: – that’s not a pre-existing structure?

Chair Lohman: I said it – I would think it would be –

Mr. Walters: It would be except for this line.

Chair Lohman: – except for this line.

Mr. Greenwood: Okay. All right. That's what I was trying to understand.

Chair Lohman: This is an exception.

Mr. Walters: Yeah. Usually uses are regulated by that pre-existing section, so if you've got one already – so, real simplistic: If you have a liveaboard –

Chair Lohman: What if you had a place on Samish Island, to pick a – just imagine a –

Mr. Walters: Any particular use, if you have any particular use – a zoo in the shoreline jurisdiction, and the Plan says zoos are prohibited but it's an existing zoo. Then you don't have to shut it down. You go to the pre-existing section of the Shoreline Plan and read about what happens when you turn the zoo off or whatever length of time – when you abandon the use, or when the zoo burns down, et cetera.

Mr. Greenwood: Okay. So any shoreline stabilization structures that are protecting an existing use, or existing use, those can fall into the maintenance or repair – or no?

Ms. Stevenson: There're specific standards in the WAC that deal with the shoreline stabilization. That's why we held it out of Part 6. So we try to reflect that in – we talked about maintenance and repair – what that is; what replacement is; and then what expansion is. So that's kind of what comes out of the WAC in our version to try to make some sense out of what's actually in the WAC and to make it sort of flow a little bit better.

Mr. Greenwood: So when we're talking about residential development, we're trying to reference the stabilization section, or are we pulling parts of it out and putting it in here? Because sometimes the shoreline is stabilized for something other than residential, right?

Ms. Stevenson: Right. Right.

Chair Lohman: But this is not the Residential section.

Ms. Stevenson: Right. This is just for shoreline stabilization.

Mr. Walters: Yeah, for all shoreline – yeah.

Mr. Greenwood: Oh, okay. I'm sorry. I'm sorry. I didn't transition well.

Chair Lohman: I mean, it could be a commercial structure.

Mr. Greenwood: I'm sorry – my fault.

Chair Lohman: When you get down to number (2), the When Allowed, and the first thing is prohibited.

Mr. Walters: Are you saying you prefer it would be more friendly, positive? Because it says “prohibited, except...” You could say “allowed only.” Is that what you –

Chair Lohman: Yeah, because you’re reading is the allowed and the first thing it’s, Nope!

Mr. Walters: Yeah, we do do that in several cases because sometimes there’s a list of things that are – places that are allowed and then we call out one that’s prohibited. Like liveboards, except not liveboards now. But overwater \_\_\_.

Chair Lohman: You’re hung up on the liveboards!

Mr. Walters: Anyway, that’s –

Chair Lohman: He’s going to be your first permit application for a liveboard, I can tell.

Mr. Walters: That’s an easy fix.

Mr. Temples: That’s like giving them a green light then hitting red.

Mr. Walters: Mm-hmm. Well, and remember there’s going to be this line that says go see the big table that says when these uses are allowed. So there will be a bunch of places where they are allowed and then the exceptions.

Chair Lohman: But I thought we were trying to catch stuff like that so that we were consistent throughout. Because there were other ones further back that we saw that were just like that.

Mr. Temples: You might even consider the – you know, “where uses are prohibited,” then these things come in to apply.

Mr. Walters: Would you say that again?

Mr. Temples: Well, if you’re referencing the matrix and you say there are a lot of uses that *are* allowed, then when you jump into (a) maybe what you say is, When the structure uses *are* permitted, then these things apply. Or if they’re not permitted, then –

Mr. Walters: Oh, I see.

Mr. Temples: Just make it, you know, so you’re kind of covering – I can see what you’re trying to do. Without the matrix it gets a little muddy.

Mr. Greenwood: Is there a geotechnical report required for any instream stabilization structure to be placed currently? Do you know, Matt?

Mr. Mahaffie: Depends.

Mr. Greenwood: Depends on what? What jurisdiction, you think? Or –

Mr. Mahaffie: Give me an example.

Mr. Greenwood: I'm thinking of one right now that we're going to do a site visit on which happens to be a shoreline and it's a creek and there's residences along it and it's headed right for the houses. So –

Mr. Mahaffie: They seem – well, it got written into the WAC for geotech, and I've dealt with a lot of them. I've never seen a geotech not sign off on it. It's a pointless exercise in spending money. I mean, I've yet to see an engineer not willing to take the liability for saying no, you know, if it's a reasonable project.

Mr. Greenwood: And there are geotechs that specialize in bank stabilization that you know of?

Mr. Mahaffie: Yeah.

Mr. Greenwood: I assume there are.

Mr. Mahaffie: Yeah. Locally not a lot. You know, a lot of our civils will try and do it. You go down south, a lot of jurisdictions won't take a civil stamp for geotechs. You have to be a geotechnical engineer.

Mr. Greenwood: What do we do here?

Chair Lohman: But it is right out of the WAC.

Mr. Greenwood: I'm sure you've seen them before, right? So –

Mr. Temples: Keith, I can give you some names later after the meeting.

Mr. Greenwood: Well, I know of some names, too, but I was just wondering what the County requires with regard to that.

Mr. Walters: So this says qualified professional – under (3)(a)(i): A geotech analysis prepared by a qualified professional, and the definition of a qualified professional says “A qualified professional for a geological hazard,” so I'm not sure if that qualifies here or not. But, anyway, for that one “...must be a professional engineer or geologist licensed in the state of Washington.”

Mr. Mahaffie: I have – I was – this comes up in a few places. I mean, I have no issue with somebody on a 40-foot bluff having a geotech do a geotech report on it. But when you're talking, you know, somebody's house that's two feet above sea level on a low bank, you know, maybe floodplain erosion kind of issues. A geotech, that's not – it's not the proper profession. It's – well, a geomorphologist would be the person who should be doing it. Geotech and a geomorphologist are two very different professions.

Ms. Stevenson: Right.

Mr. Mahaffie: So having a just blanket geotech is just kind of – it comes up a lot, the new pieces of 14.26, in different places.

Mr. Walters: Well, so – yeah, I agree. So –



Mr. Mahaffie: And I know it's in the WAC. I mean, I've seen it but it's –

Ms. Stevenson: Yeah.

Mr. Walters: Yeah, here it says “A geotechnical analysis,” so is that distinguishable from a geotech?

Mr. Mahaffie: I don't think so – not to the lay person, not to most reviewers I've run across. They want to see a geotechnical engineer's stamp on anything that comes in from them.

Mr. Walters: So not a professional engineer?

Mr. Mahaffie: No. In a lot of cases, no. Some places, yes, a civil I've seen do it just fine. Other places, no.

Mr. Walters: So do we want that?

Mr. Mahaffie: I don't think so.

Mr. Walters: Okay.

Mr. Mahaffie: I mean, it's – where appropriate, we have a darn good geologist on staff that would be reviewing these things. I don't see why you need to be pushing for a specific stamp.

Ms. Stevenson: Somebody has to be making the call that there's going to be some kind of damage to the structure onsite within three years.

Mr. Mahaffie: I haven't got to that yet.

Ms. Stevenson: Huh?

Mr. Mahaffie: I haven't got to that yet!

Ms. Stevenson: Oh, okay.

Mr. Temples: Trust me –

Mr. Mahaffie: Anybody that's putting a stamp on it has insurance.

Mr. Temples: Yeah?

Mr. Mahaffie: Whoever – to go to a specific person unneeded and pay what they charge compared to what you can find a civil to do it, I think is a little unwarranted.

Mr. Temples: Yeah, I think from jurisdiction to jurisdiction that varies greatly.

Mr. Mahaffie: So if you want to call it geotechnical analysis, maybe someplace define what it is and, you know, maybe have a different level of – you know, if it's in a geohazard area versus low bank.

Ms. Stevenson: Yeah. You've read the WAC and that's exactly what it says in there.

Chair Lohman: Mm-hmm.

Mr. Temples: Well, to me that's like –

Mr. Mahaffie: That doesn't mean we have to make it word for word.

Ms. Stevenson: Okay.

Mr. Temples: Well, that's like saying you need an architectural review of your house. It doesn't say that you may need an architectural stamp to have it built – depending on jurisdiction.

Ms. Candler: Is there a more general term that comes to mind?

Mr. Mahaffie: Honestly I don't think we can get away from geotechnical analysis. It's just –

Mr. Walters: Right.

Mr. Mahaffie: – defining who and what it is. I think that was still open in the WAC.

Ms. Stevenson: Yeah.

Mr. Walters: Yeah.

Ms. Stevenson: I agree with that idea. Let's tackle it that way.

Mr. Walters: So then we could either put it right here so it says –

Chair Lohman: Where 'here'?

Mr. Walters: So it says under (3)(a)(i): "A geotechnical analysis" – this is on page 14, (3)(a)(i) – "A geotechnical analysis prepared by a qualified professional..." So we could define "qualified professional for shoreline stabilization," which is sort of what we do with the other qualified professionals. Or we could call it out right here instead of putting "qualified professional," since we only do it once. I think...

Mr. Mahaffie: I just see it to the extreme. You've got a 40-foot sand bluff eroding; a landslide hazard area; your house is going over; or, you know, something sitting low bank that might just get undermined a little bit from a storm surge. You don't need the same standard of work done to –

Mr. Walters: So then maybe that weighs in favor of defining – creating a new term in Definitions, "qualified professional for shoreline stabilization" that says – that provides a range?

Mr. Mahaffie: Yeah. I think it needs to be distinguished from, you know, a geohazard assessment.

Ms. Stevenson: I do, too. I do, too.

Mr. Mahaffie: Because, I mean, that's how most people read this. That's how I would initially read that.

Ms. Stevenson: Yeah, I agree. I already put that \_\_\_\_\_.

Mr. Temples: That might be worth some research with some major geotech firms in the area and just get what the interpretation is. I know there's been a lot of changes in \_\_\_ that testifies to this – in the architectural realm where now it's a state requirement you have to have, you know, a license. There's no if, and, or but about it. So why are they any different? And, yes, they charge for it. But I think you might want to find out what the differences really are in the industry. If they come back and they say simply, This is now a state requirement, so be it. That's the trump card.

Ms. Stevenson: I will say that this is probably one of the sections that we will get scrutinized as much as any from people out there in the nearshore restoration business. So they are looking for, you really need to prove it to come in and propose some hard armoring. I realize – hard shoreline stabilization – sorry – I realize this says “for all.” It doesn't matter whether you're doing soft or hard. So I think there's some wiggle room in there to define what we're talking about and what it really is and be real specific, and maybe we need to divide it out a little more. Like you guys are talking about with a range of – for the more minimalistic and then for the one that may have some more concerns. But I do know we're going to have to require that applicants show their work for, one, why it's necessary; why they've chosen what they have to do it. And there's a lot more of a standard than there has been in the past.

Mr. Mahaffie: I'm not faulting that at all.

Ms. Stevenson: Yeah, yeah. But I agree with you in terms of defining what it is and who the qualified professional is and what it is that you're asking him to look at, depending on the situation.

Mr. Mahaffie: I mean, you're talking a price range, you know, for – bare bones – for – an engineering geologist might be doing something 3 to 3500 bucks, where you can probably find a civil to do the same work for less than half of that. If it's not warranted, why would you?

Mr. Temples: Well, I know, for example, like in the architectural realm if you're dealing with something less than 4000 square feet then an architectural stamp is not required. It could be done by any other professional, trained designer architect – whatever. And maybe the same thing is in the setup for geotech work. I don't know. It'd just be worth checking with them and finding out. He's got a valid point. There must be, you know – where do they draw the line?

Mr. Axthelm: Well, the WAC's got to – got to draw that line somewhere.

Ms. Stevenson: It's pretty detailed in this section. But it's not real specific again – what?

Mr. Walters: It's detailed except who has to do the geotechnical.

Mr. Mahaffie: Well, it's not detailed on what that is though, either.

Ms. Stevenson: Or what it is. It talks about the impacts and some of the different things you're supposed to be looking at, but you're right. So I think there's room for improvement and

opportunity for us to do a better job of clarifying that and making it maybe a little bit more usable, while still meeting the intent of what they're trying to accomplish.

Mr. Mahaffie: I know – it's been several weeks since I actually read that chunk of WAC, but going back, you know, they're step-by-step and a lot of it is something a landowner would probably do better. You know, we're coming back to 'when allowed' and, you know, the three years – and I think there's wiggle room in there, you know. Because part of the geotech in the WAC is showing a rate of erosion. That is defined in there.

Ms. Stevenson: Mm-hmm.

Mr. Mahaffie: That's not something somebody's going to come out and see in one day. You know, again, if a landowner comes in with a set of pictures dated, you should be able to put something together without having to hire –

Ms. Stevenson: Right. That's where I'd start. We have good historical aerials.

Mr. Mahaffie: I mean, I've been on people's property and they show it: Here it was last year. Here, you know, with nice photos of the last ten years of – I mean, even if they're family pictures you can see where things are moving and you can actually get an erosion rate. That is something that's required. But When Allowed, number (2), I kind of see it as it's written as kind of pointless. Not that it's – if you say no, you're going to get sued, is kind of going to be the end result down the road, I think.

Mr. Walters: Yeah, I guess that's possible. But that part is from the WAC here – the three-year requirement. That's what you're talking about?

Mr. Mahaffie: Yeah.

Mr. Walters: Yeah, "Hard armoring solutions should not be authorized, except when a report confirms there is significant possibility that such a structure will be damaged within three years as a result of shoreline erosion..." "...as a result of shoreline erosion in the absence of such hard armoring measures." So I just want to point out in that sentence they call hard armoring solutions, measures and structures. Three words that mean the same thing.

Mr. Mahaffie: I just see the second part of that paragraph being what actually defines it.

Mr. Walters: The next line?

Mr. Mahaffie: Or "...where waiting until the need is immediate results in the loss of opportunity..." I'm just playing devil's advocate. That's how I would approach anything. It's ten years down the road, but, you know – we want to do it now because we have money now, and it's going to get done. Or –

Chair Lohman: The crew's there.

Mr. Walters: Yeah, but that's "...where waiting until the need is that immediate it would foreclose the opportunity to use measures that avoid impacts on ecological functions."

Ms. Stevenson: \_\_\_\_\_ the bank in the middle of the night!

Mr. Mahaffie: I mean, I'm just – you know, it's how somebody's going to spend it.

Mr. Walters: Yeah. Yeah.

Mr. Mahaffie: I thought it was a little looser in the WAC for the three years, though. I guess not.

Ms. Stevenson: I don't think so. I don't think we were – go back and look at it if you get a chance. I don't think that we're proposing something more stringent.

Mr. Mahaffie: I didn't say or imply that. I don't – I wasn't trying to imply that.

Ms. Stevenson: Okay. Okay.

Mr. Mahaffie: It goes back to the whole – if it's four years or three, nobody's going to put a stamp on it if it's going to be four or five.

Ms. Stevenson: Right.

Mr. Mahaffie: Nobody's going to take that liability. So it just kind of makes it –

Ms. Stevenson: Including the County, I'm guessing – like you said.

Mr. Mahaffie: That's what I mean, yeah. Well, like our danger tree ordinance. I mean, who's going to...

Ms. Stevenson: Right.

Mr. Mahaffie: I did have a question too on reconstruction on the number (B): "Reconstruction of the footing or bottom course of rock." That – do you mean a *whole* set, the *whole* floating, the whole bottom course or rock, a portion? Is it – I kind of see it as the same as the line above: 50 percent.

Mr. Walters: I think it's any of the footing, but that is also from the WAC here so let's see. Well, I thought that was from the WAC but maybe it's not.

Mr. Mahaffie: I think I'd just like to see some kind of threshold there for it.

Mr. Walters: Yeah, that – the bottom course of rock thing might have just been from the consultant draft.

Ms. Stevenson: Just trying to provide some guidance on – I'm not sure. I'm not seeing it. It's not jumping out at me.

Mr. Mahaffie: I can see, you know, tin footing gets undermined. It's a lot different than 50% of your wall.

Mr. Greenwood: Is the assumption that the footing or bottom course failing is an indication that the whole structure has failed? Is that why, do you think, they chose that? Matt, what do you think?

Mr. Mahaffie: I think so. Or if you fix it, you've got to take everything off the top so you're starting over again anyway, would kind of be my impression.

Mr. Walters: But I'd sort of imagine you wouldn't have to take everything off, just above the section where the footing is damaged. I mean, everything above that section, but –

Mr. Mahaffie: Yeah.

Mr. Walters: – you're not taking out the whole structure, right?

Mr. Mahaffie: Yeah, that's what I mean. So, I mean, some kind of threshold would make it seem a little more sense.

Ms. Stevenson: I don't see it, but that doesn't mean it's not here.

Mr. Walters: So we'll check on that one.

Mr. Temples: Maybe you add to it something to the effect of not just reconstruction but also as recommended by a licensed professional or – something that kind of gives it a little bit more teeth. Right now it's kind of nebulous. Reconstructed by who? And how much? And why?

Mr. Mahaffie: I guess if I really think about it, what is the bottom course of rock? Are you talking about the actual structural rock in a rock wall, or would it be – you know, the quarry spalls. A lot of people put, you know six-inch spalls that people put out front that go away after a while.

Ms. Stevenson: To me it's whatever's dug down in the trench if it's a footing. Usually that's where the biggest threat is. That's when I would do that.

Mr. Mahaffie: That's what my impression is and that's what your impression is, but what's the person after you retire and go away think? That's all I ever worry about.

Ms. Stevenson: Okay. I don't see it here so I think we need to clarify that.

Mr. Walters: Well, maybe we could just strike it.

Ms. Stevenson: So "Reconstruction of greater than 50 percent or 50 feet of linear length, whichever is less, within three years" or whatever?

Mr. Walters: That would be the only \_\_\_\_.

Chair Lohman: Do you really care which rock? Because you've got the parameters.

Mr. Walters: Right, because otherwise what would be the basis for a threshold?

Mr. Temples: I think ultimately you're looking for some type of approved foundation support.

Ms. Stevenson: Mm-hmm.

Mr. Mahaffie: I mean, that's what I foresee, is you've got a failing wall and somebody just goes in and puts some big, giant foundation under the whole thing, and I don't think that's your intent either. Yeah, you're not – the lineal feet of wall's not getting reconstructed, but I think it's kind of circumventing what you're intending.

Ms. Stevenson: I think we're – yeah, I guess we're trying to indicate that if you go in and replace the footing then you're sort of assuming that you're probably going to have to replace the rest of it because you're going to have to remove it. Then it isn't basic normal maintenance and repair. It's the next step beyond that.

Mr. Temples: But you're using that 'assume' word.

Mr. Walters: And that means you couldn't reconstruct the footing at all. Well, I mean, I guess you could but it would mean that you would have to permit it as a new structure.

Ms. Stevenson: Right. It wouldn't be maintenance and repair. So that's what you're trying to differentiate between replacement and maintenance and repair there.

Mr. Mahaffie: And then you get put through the whole permit sequence and whether you'd even have your wall at the end.

Mr. Walters: Mm-hmm.

Ms. Stevenson: Mm-hmm.

Mr. Mahaffie: So again it goes back to somebody – you just have ten feet being undermined. Maybe the concrete guy didn't pour enough on his footing or something. I mean, do you want to put somebody –

Chair Lohman: Or it was a failure because of the concrete itself.

Mr. Mahaffie: Yeah.

Ms. Stevenson: So basically we just have the one in (A) above relate to the footing or the bottom course. You know, that just would be your threshold, and just leave it at that. If it's –

Mr. Temples: I think if you're going to deal with –

Ms. Stevenson: – less than 50 feet in length or 50 percent, it would just still be normal maintenance and repair. And then if it was more than that it would be considered a replacement.

Mr. Temples: Yeah, but you're talking footings, a foundation.

Mr. Mahaffie: Yeah, I – yeah.

Ms. Stevenson: Okay.

Mr. Temples: It's got to be –

Mr. Mahaffie: I don't mind the 50 percent. I just didn't want to see somebody trying to sneak in, you know, some major – I mean, there's a lot of things you can call a footing repair.

Ms. Stevenson: Right. That's true.

Mr. Temples: I had a project I did years ago where we had to lift up a house with a crane because the foundation underneath the house was a six-inch by eight-inch poured concrete wall to support a house. No rebar, no nothing. It was crumbling. It was falling. So the point is, good foundation or it's not going to stand up. I guess I'm just saying if you're going to stick it in there that way it probably should be a permitted situation. Repair's a little different scenario, but who determines the extent of the repair?

Chair Lohman: I saw on page 13 where you had "New or enlarged stabilization..." It's number (c), little c, at the top. You have they're prohibited "except." I think it's the same idea – either allow it or except. Kind of switch that ordering.

Mr. Walters: Yeah, we can do that. And I do seem to recall us talking about this briefly and thinking that since the general rule is they are prohibited that we would leave it like that, but we can do it the other way, too.

Mr. Mahaffie: Under (c)(i), you have geotechnical analysis again, but this time in front of it it says "scientific or geotechnical analysis."

Mr. Walters: Yeah, that's cool.

Mr. Greenwood: So you just have to employ the scientific method, which would be come up with a hypothesis and do a test and you're done. Right? Reach your own conclusion?

Chair Lohman: Make your own stamp.

Mr. Greenwood: Yeah. Get a grade from your teacher.

Mr. Mahaffie: I mean, you're quoting it as coming out of the WAC, which kind of implies to me some different wording.

Mr. Walters: Well, the WAC is not very consistent with its wording, but let's take a look here: (3)(a)(iii)(B)(I) – yeah, that says without a scientific or geotechnical analysis. The WAC says that, too.

Mr. Temples: See if you can get your daughter to get extra science credit for doing that.

Mr. Greenwood: That's right. Go to work for Matt.

Mr. Walters: So in both places here where it says "geotechnical analysis" we could make it consistent with what we said before and have it say "geotechnical analysis prepared by a qualified professional," with the new definition of "qualified professional."

Mr. Temples: I agree with Matt. I just – I find that the use of "scientific" as a term in this application seems out of place.



Mr. Mahaffie: For probably half the shorelines in our county, effluvial geomorphologist is going to be the proper person doing it, not a geologist.

Ms. Stevenson: I agree.

Mr. Mahaffie: So I think it needs to be appropriate to allow that.

Mr. Temples: What? The “scientific”?

Mr. Mahaffie: Other professions. A geomorphologist should be doing stuff on the river or streams or floodplain areas, not a geologist necessarily. Not that a geologist may not be able to do it or trained to do it, but excluding the actual normal professionals \_\_\_.

Ms. Stevenson: Mm-hmm. I think this is another spot where we have an opportunity to make it a lot clearer and make it something we can actually use instead of relying on what’s in the WAC. So I agree with Matt.

Mr. Greenwood: I see in the WAC where it’s consistent with Ryan’s approach, which talks about “shall not be allowed except.” I’m sure people can take that formatting.

Ms. Stevenson: But I know that was one of the comments, if not through you guys as well, at least through the Advisory Committee, where so much of the WAC is written in the negative. And it doesn’t take much to turn it – actually, I think it was Craig Knutzen who mentioned that, and it’s just – it doesn’t have to be like that, you know. Just change the words around and you get the same thing, so thank you for helping us try to remain consistent with that.

Mr. Greenwood: Yeah, they have a definition here of – in the WAC – “For purposes of this section, standards” – and this is 173-26-231, so many subsections here – but it does say, “For purposes of this section, standards on shoreline stabilization measures, ‘replacement’ means the construction of a new structure to perform a shoreline stabilization function of an existing structure which can no longer adequately serve its purpose. Additions to or increases in size of existing shoreline stabilization measures shall be considered new structures.”

So as long as it’s not functioning, then you’re saying it’s done and now it’s a new proposal. That’d be a threshold.

Ms. Candler: What does it say about footings?

Mr. Greenwood: It doesn’t say anything about footings that I could find yet.

Ms. Stevenson: I didn’t find it either and I read through the whole thing, but that doesn’t mean it’s not there. I don’t do well under pressure, but I didn’t see it. That may just have been something that I don’t know that we – we may have come up with it, but the consultants did just to try to add some clarity of –

Mr. Walters: I’m sure we didn’t come up with that.

Ms. Stevenson: I don’t think we did. I really don’t, but it’s possible.

Mr. Meenaghan: Okay.

Ms. Stevenson: But if it's not making it clearer or helping at all then there's not much sense of it.

Chair Lohman: Anything else?

Mr. Walters: Well, on the existing –

Chair Lohman: Go ahead.

Mr. Walters: The existing section here includes – in our development regulations – includes that line from the WAC, and then these development regulations add those (A), (B), and (C) – the greater than 50 percent. So my guess is that was something the consultant added to give it more numeric threshold.

Ms. Stevenson: Well, and it was probably something that had been clarified in one of the others and they actually do have quite a bit of experience doing shoreline stabilization work and using alternative methods and things like that, so it could have been from other things that they had worked on, too. I can check on that as well. Anyway...

So far, lots of notes on page 12 and 13.

Mr. Mahaffie: Page 15? (C), the whole section. I'm a little confused about it really needing to be there. Or, I guess, explain it to me. It's for a stabilization project. Why would the County care if somebody's stabilization project was working or not? I would think the impetus would be on the applicant that it'd *want* it to work. Do you want to be dealing with bonds and – I mean, it's not mitigation.

Mr. Walters: Well, I think that the success is related to the vegetation. So, for instance, (II) there says, "Success criteria by which the implemented plan will be assessed." I think that means vegetation.

Ms. Stevenson: I'm not so sure. Did what you do accomplish what you were proposing, you know, or were there some impacts on the adjacent or the stuff across the river or some other things? I think it is more about –

Mr. Greenwood: Those are the areas I'm concerned about, is the monitoring. We talked about that last month.

Ms. Stevenson: Right, right. I think the rest of it gets back to the vegetation, but I think the first two at least are actually talking about, Did you accomplish what you were trying to do with this project? Is it actually working and doing that? Have you caused some kind of issue or a concern with the beach nourishment along there by doing what you did? And then you take a look at how you're going to try to resolve that.

Chair Lohman: But it's only for projects that include native vegetation.

Mr. Walters: Yeah, and it's –

Mr. Mahaffie: It's a vegetation maintenance monitoring program.

Ms. Stevenson: Okay.

Mr. Mahaffie: I mean, if it's part of mitigation that's fine. I just don't kind of think it's an extra –

Mr. Walters: But it doesn't say mitigation.

Ms. Stevenson: Okay.

Mr. Greenwood: Well, then I would like to see more follow-up on the other aspects of it too, then, because this is what I run into, is people say, We want to do some more of this, a type of instream work, and it's not – like I say, it's not out in the ocean, but we're talking about stream restoration work – we want to do some more. But I'd like to know if the stuff you're doing is working, let alone do some more.

Mr. Walters: In terms of the stabilization?

Mr. Greenwood: Yeah, in terms of stabilization, modification. Those modifications can have impacts to downstream and side-stream neighbors.

Ms. Stevenson: Right, right.

Mr. Walters: So I guess that then would be like a five-year monitoring program for the stabilization measure by itself.

Mr. Greenwood: Yeah, at least some sort of feedback loop, I would think.

Mr. Mahaffie: Do you want to put that on an individual landowner that has a 50-foot wide lot to need to bond? Five years' monitoring and maintenance on a rockery?

Chair Lohman: I don't think so. I don't think so. He's already hired the professional to do the plan. They've already been engineered to do the structure.

Mr. Mahaffie: That kind of thing *does* get talked about, you know, in stream restoration work. We had a discussion about that.

Mr. Meenaghan: Right.

Mr. Mahaffie: That *is* important. And if this was a 500 feet of river armoring along the highway or something, it's a lot different than a residential.

Mr. Greenwood: But this isn't specific to residential, though, is it? Do we want to set some sort of threshold and just have it on the instream restoration work? Or is it –

Mr. Mahaffie: Well, it already comes up in the restoration work. It already comes up in mitigation.

Mr. Greenwood: Okay, so it's already required elsewhere?

Chair Lohman: It's already in the Vegetation section.

Mr. Mahaffie: But if you're doing an armoring or a stabilization project that you're encouraging applicants to put vegetation in there, it seems like a hindrance to want to have – I don't know if you know what the bond market's like in the last couple years. Your average landowner isn't going to get a five-year bond for *any* amount.

Mr. Walters: We were just wondering if this is supposed to apply only to projects that include modifications to *existing* native vegetation. But, if so, does it need to be in here? Can't it be in one of the other sections?

Ms. Stevenson: Yeah.

Chair Lohman: I'm looking at the clock and I have quarter to nine, and we are – do you want – what are the wishes of the Planning Commission? Do you want to finish the packet and finish the agenda, or do you want to –

Ms. Candler: I'd like to leave a little time for the Department Update. Tonight I can't stay late.

Mr. Temples: Last week we apparently voted to get out by nine o'clock.

Mr. Greenwood: I'd like to revisit the stabilization a little more. I have a little more homework to do. Matt's stirred up some interest in some areas for me.

Mr. Axthelm: To me this section seems to repeat itself. It says the same things over and over again. It seems like it can be reduced quite a bit down. Because like, for example, like your engineering – requiring your – not engineering, your geotechnical: It says in several different locations where that's required. It's just like the repetition seems – it's almost like they took it from four different codes and slammed it together and just put it in a line, because there's a lot of things in here that just repeat over and over again.

Mr. Walters: And yet it used to be worse. But, yeah.

Mr. Axthelm: I just – it's like I'm reading it and then I come to it again and I come to it again, and I'm, like, How many times do you need to say the same thing? I think this section really needs to be reworked and reduced. It's confusing.

Mr. Temples: Betsy? In light of we're not – we're all kind of struggling with some of this section and we're talking about – it sounds like – wrapping it up maybe at another meeting. Do you want to take this section and do any more revamp, or do you just want us to read this on our own and come back next time and we'll continue further? I'm just trying to get your feedback from a staff issue.

Ms. Stevenson: It depends on when the next meeting is – I'll start out saying that – and how much time we have. But, yeah, clearly we need to come up with some additional thought on who can, what it looks like, all that sort of thing, in terms of the review that we're asking for and the analysis. If you want us to try to look at the whole thing – go back, based on what you've told us, and try to be consistent with that. If – I don't know what your plans are for your next meetings or what our Department's plans are for what else you may have coming up, so that could be part of the discussion too. We can do that and try to look at it and get something back to you. If it's not before the first meeting in August, that would probably be enough time to try to

look at the whole section again and figure out some things that would make it clearer somehow. I don't know if you guys are planning to meet in August or if you have other things already that other people may have in mind for you. So if it's not before that, then I would say, yeah, we could probably try to do that for this section at least.

Chair Lohman: This is the last – this would be the last thing, because didn't we make it through?

Ms. Stevenson: Yeah.

Chair Lohman: I mean, there's a lot of stuff that we kind of said we need to go back in and... But I'm looking back at the original kind of blocked out timeline and it appears that this would be the only trailing one, then, for maybe the next meeting? I mean, besides the ones we want to revisit.

Ms. Stevenson: Right. Because we didn't get completely through this. Yes, I agree.

Chair Lohman: Somebody throw out an idea what you would like to do.

Mr. Meenaghan: So, this is a question here: Betsy, on the front page of the memo here it says "What's Next?" and then you're going to integrate the PC comments, but the number 2 says, "Department will send the Planning Commission a completed revision." So what do you think is your realistic timeline for that? Ryan?

Ms. Stevenson: That's a hard one. Don't ask him because he's going to tell you something different! Because he doesn't sleep.

Mr. Walters: My timelines are always optimistic.

Ms. Stevenson: That's right. He actually proposed some and we took them out. Again, it depends, just like everything else. I can see that it's going to take a while. We still have a lot of work to do on a lot of the sections that you gave us to take a look at and find some answers to some questions on a lot of the dock standards and a lot of that information.

Mr. Meenaghan: So are we talking, like, October?

Mr. Walters: Well, this is the first of July.

Ms. Stevenson: That sounds fairly reasonable.

Mr. Walters: We are on a harder deadline to release Comp Plan Amendments, including Bayview Ridge, by about September 1. So that will assumedly take precedence. Yeah, maybe realistically October.

Ms. Stevenson: Yeah.

Mr. Walters: So we're –

Chair Lohman: Or November?

Ms. Stevenson: I think that's doable.

Ms. Candler: So why don't we take a look at this again on the next meeting?

Mr. Meenaghan: Agreed.

Chair Lohman: So we finish the next – we finish Shoreline Stabilization at the next meeting.

Mr. Pernula: In August?

Ms. Candler: Yeah.

Mr. Meenaghan: Yeah.

Mr. Pernula: We've had some Augusts when we didn't have meetings, from what I recall.

Mr. Temples: Well, we're still playing catch-up here.

Mr. Pernula: Yep.

Mr. Axthelm: Well, and that's right. The first week is the County Fair?

Several voices: Yeah.

Chair Lohman: I will not be here for sure.

Mr. Axthelm: Nope. I will not either.

Mr. Walters: You could –

Mr. Temples: How about the second week?

Mr. Walters: You could skip August.

Mr. Mahaffie: Is there anything else on the agenda for August? I'm not wanting to come in for a meeting for this.

Ms. Stevenson: Yeah.

Chair Lohman: No, I'm not.

Mr. Pernula: We have some potential things but nothing with a close deadline. I wanted to start on the low impact development standards, which is something we have to adopt by January of 2016. Also go over the GI Study, but those are things that we can put off for a while.

Mr. Greenwood: I'm wondering – Annie, would this be something that we've dove into quite a bit already to where maybe between now and the next meeting Betsy and Ryan are working on revising and incorporating what we discussed already on stabilization. Maybe we can submit in some public way input to you on what's remaining, any remaining comments from us, without having a forum of discussion on it.

Mr. Walters: Yeah, you could do that. If you send – if you just send to Betsy by –

Mr. Greenwood: Through the County e-mail.

Mr. Walters: Right – the comments.

Mr. Greenwood: And that might finish out the stabilization.

Ms. Stevenson: And the last couple pages.

Mr. Walters: Yeah, and then – right, and the last couple pages – and then we could integrate those, and then we'll be bringing the *whole* thing back to you later.

Mr. Greenwood: That's what I'm suggesting.

Ms. Stevenson: And then –

Mr. Temples: Or what's even the possibility if you get part of this revisited, even sending us out a memo in August – I mean, if we're not meeting in August, if that's what you're suggesting, and we meet in September. But if we had something out to us to at least review through August, you know, in our e-mail or something.

Chair Lohman: But nothing precludes anybody, even the public, from sending you concerns or ideas so, I mean, that is still a viable option.

Mr. Greenwood: I just think we could be free enough and through it enough to give them something to come back with us. Because that's going to be a pretty big document to go through it and look at it at whatever level we're able to do it. So to have something that incorporates the decisions or the input to date, I think that's going to be more meaty than just hanging on for another two months on, you know, Stabilization Part B. Does that sound reasonable or –

Chair Lohman: I kind of like that idea.

Mr. Greenwood: Yeah. Instead of having a work session to deal with what's left and leave it hanging.

Ms. Candler: Okay. That sounds good.

Ms. Stevenson: Is that okay? So if I understand, you would just send whatever questions and comments that you have left to help us finish working this section up?

Mr. Greenwood: Yeah, that's what I'm thinking.

Ms. Stevenson: And then you would want it incorporated into the bigger document to bring back to you?

Mr. Greenwood: Yes, that's what I'm thinking.

Ms. Stevenson: Okay, rather than another session just on that.

Mr. Greenwood: Yeah, \_\_\_.

Mr. Mahaffie: \_\_\_\_\_ done with it.

Mr. Meenaghan: Refresh my brain here. I know there's a requirement to do a Comp Plan Amendment by the end of the year. What's the requirement for the Shoreline Master Plan?

Mr. Walters: Finish it by 2013.

Ms. Stevenson: Yeah, we missed.

Mr. Greenwood: That was a while ago!

Ms. Stevenson: We're to the point now where we're getting into more of the public process, and I just don't want to try to hurry that.

Mr. Meenaghan: Yeah, okay.

Ms. Stevenson: You know, we had some goals lined out and we were trying to meet those, but I don't want to say oh, yeah, well now we're just going to set this date at the end of the year and try to push everything – just we need to give everybody plenty of time. It's huge. It's a big document.

Mr. Meenaghan: So that sixty-day public time, we'll get to that when we get to it.

Ms. Stevenson: Right. It's a big document. People need to feel comfortable with it. People need to feel comfortable coming in and talking about it and making comments. It's going to be a much better document. I mean, look at all the things that you guys came up with to help us clarify things that we thought we were doing pretty well on, you know? It made sense to us and then you come in and we go, Oh, yeah, you're right. So it'll be more and more of that. So I really don't – unless somebody forces our hand, which I'm not seeing that happening, I would like to take however long that it takes, knowing that we don't want to wait too long because it's fresh in everybody's mind. So we're going to work really hard to get that document put together and to you, but then we still want to give everybody ample time to look at it and review it.

Chair Lohman: But it's my understanding the Commissioners are on board with us taking however much time we need too. Is that right?

Ms. Stevenson: I haven't heard anything differently to now.

Chair Lohman: Okay.

Ms. Stevenson: Because I think we can keep you guys busy till the end of the year with other things.

Mr. Axthelm: They don't want to see it yet.

(laughter)



Chair Lohman: We might be sick of seeing it!

Ms. Stevenson: Yeah.

Chair Lohman: Okay, so moving on, then, on the agenda –

Ms. Stevenson: Thank you very much, you guys, for all your time on this. I really do appreciate it, and hopefully we'll come up with something that reflects your concerns and comments and clarify some of this stuff.

Chair Lohman: Okay, so moving on on the agenda: Department Update.

Mr. Pernula: My first question is then, if we're not going to have the Shoreline Program on the August meeting, are we going to have an August meeting?

Chair Lohman: How many people are going to *not* be here? I know I am. We could have it at the fair. It's kind of nice in the dairy barn.

Ms. Candler: I'm not opposed to skipping that, I guess, unless –

Ms. Stevenson: You guys deserve a break, if you ask me.

Mr. Mahaffie: I don't want one unless there's a full agenda.

Chair Lohman: I don't either.

Mr. Temples: Yeah. Let's go to September.

Chair Lohman: How about we skip August?

Mr. Pernula: No August meeting?

Chair Lohman: Yep, and start up again in September.

Mr. Pernula: Okay. Okay, a few things occurred over the last couple of weeks. Two weeks ago we had a consultation with Washington Department of Transportation, the airport managers, and the pilots regarding Bayview Ridge and its compatibility – the Plan – compatibility of the Plan with the airport and its functions. And the feedback, particularly from WSDOT, was very positive, but that's because the Plan is to be in full compliance with the DOT guidelines. So that was a pretty good meeting.

Then last Thursday we had a Bayview Ridge community meeting, and two or three of you were there, as well. I thought it went pretty well also. It was fairly long, well-attended. The new proposal was presented to the people there. We asked them after the meeting to get – to provide us with some comment cards and I'll be getting those to you real soon.

Mr. Walters: They're on the website now.

Mr. Pernula: They're on the website already? Okay. And we're still getting more every day. I just got two more today. Some of the comments that we got – one of them that seemed to be fairly consistent is they'd like to have a good buffer between the industrial area and the residential area. There are still concerns about truck traffic on Peterson Drive, particularly that may be generated by the increased industrial areas. They would like to see good path connections to the Port paths from the residential area. And, actually, the Port was there and they had some designs for some new paths down along the south end of the runway that would tie the residential area in with the existing paths. They talked a little bit about parks. And they – a couple people mentioned trying to preserve some of the views if some residential uses are permitted to the north.

So a lot of this material's going to be coming to the Planning Commission in the not-too-distant future.

Regarding some of the public comments we heard earlier tonight, particularly from the people from near Burlington regarding the Foxy Lady: There were comments about the deadline for applications for rezoning being at the end of July. Generally that's been applied to zone changes that are proposed by property owners. In this case, I'm assuming you're asking that the County rezone somebody else's property. I'm assuming that. And I'm not sure *exactly* what you're asking because you also mentioned that the coffee house that was there before was okay. So it's not necessarily the zoning. It's some of the conditions of the use that's there that are of concern. So there might be something that we can talk about at least. It's already – now, since you came here, it's been presented to the Planning Commission. I would suggest that either in writing or in person that you make a presentation to the Board of County Commissioners as well.

Unidentified female voice in the audience: We already have.

Mr. Pernula: Oh, you have. Okay.

Mr. Meenaghan: Dale, can I ask a question on that?

Mr. Pernula: Yes.

Mr. Meenaghan: Is this business in county or in the city of Burlington?

Mr. Pernula: It's in the county.

Mr. Meenaghan: It's in the county. Okay.

Same unidentified female voice: \_\_\_ block from us.

Mr. Meenaghan: Okay. I gotcha.

Same unidentified female voice: (unintelligible)

Mr. Meenaghan: Okay. Thanks, Dale.

Ms. Candler: You sort of addressed my question. The actual zoning for an establishment like Foxy Lady versus the coffee bar, is there a difference?

Mr. Pernula: No, not as far as – we looked through the code. We couldn't find that there was any difference. We just look at it as a coffee shop – no difference. We don't have standards on requiring fences around it or how people are dressed or anything like that.

Ms. Candler: I'm picturing that corner. There's a couple of other businesses and a little strip area that I'm assuming is all zoned the same.

Mr. Pernula: Mm-hmm.

Ms. Candler: Okay.

Same unidentified female voice: \_\_\_ zoned \_\_\_ there'd be a strip club in Skagit County? I mean, \_\_\_\_\_ are dressed no different.

Chair Lohman: Because there's even an ag field. I combined beets there last year by the church.

Same unidentified female voice: Yes, it's by a church, a school, \_\_\_\_\_ residence \_\_\_\_\_ strawberries there, as well. Our house is \_\_\_\_\_ and you can see directly in it every day.

Mr. Walters: So –

Same unidentified female voice: And we've never \_\_\_\_\_ in Skagit County.

Mr. Walters: So what I would offer is that the Planning Commission can't really take up something on their own – you know, a wholly new subject to go after. But the Board of County Commissioners can direct staff to look into this to generate a proposal. And it might not in fact be a land use constraint. It might be some kind of health and safety code or something like that. But it will require some pretty close examination and legal review because it's probably a First Amendment issue as well. So, as far as I'm aware, we haven't received any such direction from the Board, so we're not currently looking at it. But if someone got the ear of the Board and got the Board to direct us to do so, we'd take a look.

Same unidentified female voice: Well, other barista stands have been closed down \_\_\_\_\_. So that's \_\_\_\_\_.

Chair Lohman: But, Ryan, do we have – I want to say a morality code, but I don't know what to call it – in our County code somewhere? Or an anti-porn code?

Mr. Walters: Like an adult entertainment ordinance?

Chair Lohman: Yeah.

Mr. Walters: Actually I'm not sure that we do.

Same unidentified female voice: Well \_\_\_\_\_ we haven't had to have one.

Ms. Ehlers: I don't think we've ever talked about it.

Chair Lohman: I'm sorry. This is a – I know that you're – it's percolating and you want to get it out, but –

Mr. Walters: I seem to recall talk that we used to, and I don't think –

Ms. Stevenson: I don't think it's in there anymore.

Mr. Walters: Yeah, I don't know what happened to that. The one zone that –

Chair Lohman: It got stripped away! Sorry!

Mr. Walters: The one zone that would allow – I'm not sure how the uses were framed, but basically strip clubs – I think would be Bayview Ridge. But the question of whether this fits into it or not is a different question. I guess still we need direction from the elected officials to start pursuing it.

Chair Lohman: So we can't really do anything as the Planning Commission at this point, right?

Mr. Walters: Right. If the Board decided to start another project and sent it to you then away you could go with it.

Chair Lohman: Okay.

Unidentified male voice in the audience: Can I ask a simple question?

Chair Lohman: I'm sorry. You could ask us after.

Same unidentified male voice: Okay.

Chair Lohman: Okay, anything else from the Department?

Mr. Pernula: That's all I had.

Chair Lohman: Planning Commission Announcements. The Skagit County Fair is next month. Okay, do I have a motion to adjourn?

Mr. Mahaffie: So moved.

(gavel)