

**Skagit County Planning Commission  
Continued Deliberations: Comprehensive Plan 2016 Update  
May 24, 2016**

**Commissioners:**     **Josh Axthelm, Chair**  
                              **Annie Lohman, Vice Chair**  
                              **Martha Rose**  
                              **Tim Raschko**  
                              **Kathi Jett**  
                              **Kathy Mitchell**  
                              **Amy Hughes**  
                              **Tammy Candler (absent)**  
                              **Hollie Del Vecchio (absent)**

**Staff:**                 **Dale Pernula, Planning Director**  
                              **Ryan Walters, Assistant Planning Director**  
                              **Kirk Johnson, Senior Planner**  
                              **Brian Adams, Parks & Recreation Director**  
                              **Paul Randall-Grutter, County Engineer**

Chair Josh Axthelm: It's Tuesday, May the 24<sup>th</sup>. Welcome to our Planning Commission meeting (gavel). We call this meeting to order. Commissioners, if you look at the agenda, do you have any changes to the agenda?

(negative sounds)

Chair Axthelm: Okay. Well, seeing none, we'll move on to the next – or to the Continued Deliberations on the Comprehensive Plan. Dale, you had some comments you'd like to make.

Dale Pernula: Some real quick comments. You received Supplemental Staff Report #4. It primarily dealt with the non-motorized transportation issue, so I'll go over the rationale for it. First of all, RCW 36.70A.070 requires the identification and designation of planned improvements for pedestrian and bicycle facilities and corridors, and that was included in the memo that you have. The motion that was passed at the last meeting eliminated all 11 of the proposed projects, so the recommendation that you're recommending to the Board of County Commissioners would not be compliant with the Growth Management Act. So in response to that, we prepared the memo that you have.

It did a number of things. We at the staff level scrutinized all 11 of those projects and other projects and we came to some conclusions. First of all, we recommended removing four of those projects: the Bayview Ridge Spur, the Swinomish Tribal Community Safe Routes to Schools project, the Tiger Trail along Chuckanut, and the Avon Multimodal Cutoff. The former two – the last two that I just mentioned – are being consolidated into one of the other corridor studies – in fact, the last one that's on the list. We found a couple other projects that were inadvertently left off of the list, including some improvements to Peterson Road that is on the TIP already from – well, a stretch of the road where they're proposing either sidewalks or a trail. The design hasn't been done yet. And the other is the Wiseman Creek Boardwalk, which is on both the Parks & Recreation Plan and on the Regional Transportation Plan.

So just kind of in essence, what we're recommending is some studies to about three of the corridors – these projects be relegated to being studies – and that would be on Routes 5, 10, and 13. Two of the projects are clearly safety projects. One is the lighting on the North Fork Bridge and the other one would be a path project on Guemes Island going from the ferry to the north. There's one that is a rest area. One is a boardwalk. And there's another one that is shoulder enhancements. So these, I think, are either projects that are fairly necessary or slam-dunks or have had considerable vetting in the past, and those that have not have been removed. That's all I have right now.

Chair Axthelm: Kirk, did you have something, too?

Kirk Johnson: No. Not at this point.

Chair Axthelm: Okay. Okay, so our list. So last time we met we were talking about those 11 items and then revising that – those comments and waiting for additional comments. We do have Brian Adams with the Parks – the Parks Director, and Forrest Jones with Transportation or Public Works here to talk to us as well, so we can get some of those clarifications. Would you like to have them come up to the stand and ask some questions?

Mr. Johnson: You also have Paul Randall-Grutter, who is the County Engineer.

Chair Axthelm: Oh, I guess they're down there. They can do it from down there.

Martha Rose: I have a question. So if I'd like to make a motion that we adopt RC-1, then their discussion could be part of the discussion part of the motion. True?

Chair Axthelm: (inaudible)

Ms. Rose: On the Staff Report #4.

Chair Axthelm: Page 3.

Ms. Rose: So I guess I'd like to move that we adopt this group of recommendations to replace the unnumbered non-motorized transportation projects that were on pages 58 to 60 and 91 and 92 of the proposed Transportation Technical Appendix with the information from the attached table. I'm making a motion that we adopt their recommendation.

Chair Axthelm: Do we have a second on that?

Annie Lohman: I'll second so we can have discussion.

Chair Axthelm: Okay. It's been moved and seconded to replace the unnumbered non-motorized transportation projects on pages 58 through 60 and 91 through 92 of the proposed Transportation Technical Appendix with the information from the attached table. And that's in Staff Report #4, dated May 20<sup>th</sup>, 2016. Discussion?

Tim Raschko: I have a question for Kirk, I guess. On page 2 of the staff memo in the second-to-the-last bullet it states that the process for addition of a project – it says “in the 20-year plan.” When I first read it, I was reading it as if it said “to the 20-year plan,” so I presume what you're saying is if something is in the 20-year plan to move to the 6-year plan it requires approval by

Board of Commissioners, Planning Commission at a public hearing, or to get on to the 20-year plan.

Mr. Johnson: You're looking at the two bullets at the bottom? Yeah, so the process – the current process for adding a project to the 20-year plan, which is the Comprehensive Plan, is this process that we're currently in, where the projects were proposed as part of the proposal that went out in March. There was public review and comment, there was a public hearing before the Planning Commission, and you are now deliberating on the basis of the public comment. And you'll make a recommendation to the Board of County Commissioners and the Board of County Commissioners will either agree with or not agree with your recommendation as it relates to the projects going on the 20-year list. If projects are put on the 20-year list and they're not already on the 6-year TIP, there is a second process which is very similar but not exactly the same where there is a – I believe there's a briefing with the Planning Commission, the Public Works Department holds an open house, and then there's a hearing before the Board of County Commissioners where the public can comment. And the Board establishes the 6-year TIP through that process.

Mr. Raschko: So that's to get from the 20-year list onto the subset that is the 6-year list.

Mr. Johnson: Yeah.

Mr. Raschko: Okay.

Mr. Johnson: And if I've misstated that or if Public Works wants to add anything it's really – the 6-year TIP process is their process so I defer to them to add anything or correct.

Mr. Raschko: Where I got confused it says the process for addition in the 20-year plan is essentially the same as the process for inclusion in the TIP.

Mr. Johnson: Yeah. I think the point that we were trying to make was there are public comment opportunities. The Planning Commission's involved formally in the 20-year plan and makes a recommendation to the Board, but in both cases there are public hearings and in both cases the Board of County Commissioners makes the final decision. Ryan, did you want to add anything?

Kathi Jett: I've got a question, too.

Ryan Walters: No. I think that clears that up, I think.

Chair Axthelm: Okay. Kathi?

Ms. Jett: I guess so it'd be for Mr. Johnson. How does a project get suggested for the 20-year plan? I know if it's been previously in the Comprehensive Plan then it's moving forward – carried forward. If it's a safety concern then that's obvious: It's a safety concern. But what if it's just somebody's wish? How does – does the public make those suggestions or does your department make those suggestions or some other department?

Mr. Johnson: Yeah, there are multiple ways it could happen. We haven't had a 20-year project list that exists in the Comprehensive Plan in the past. This is – we should have, under the Growth Management Act, but we haven't. So this is a new process and I think that's why there's some confusion. One of the ways, and the way that most of the 11 proposed projects made it into the plan, other than those that are already in the Parks & Recreation Plan, is – as we said in

the memo on page 3 – Public Works staff had the assignment to develop a list of proposed non-motorized projects and a map of those projects. And they are the County's transportation people. They work with the transportation system day in and day out. And so they reviewed existing or proposed projects identified in other plans. I guess – I don't want to read from the memo, but you can look there in the middle of page 3. So places where they thought it would make sense – some places where the County owns land or has right-of-way that's not being utilized, or where safety concerns have been brought to their attention. So a lot of those projects came from them.

Another example of projects on the plan is the Guemes Ferry Trail proposal, which, as I understand it, came up organically through the Guemes Island community. I don't think it was a part of the Guemes Subarea Plan, but I could be wrong on that. And they identified a need, a safety need, and they contacted both the Parks and the Public Works Departments – as I understand it; I haven't been directly involved in that process – and said, We would like to see this trail happen at some point in the future. How do we do that? And so I think Parks and Public Works had said, Well, here are some steps that you would need to go through. And again, I think that either Parks or Public Works can talk about that better than I can. But there was an attachment to the Supplemental Staff Report that was developed by the Guemes community that kind of provides an overview of where the idea came from and what level of community support there is and how they're trying to move that forward.

So I guess as a part of a public comment process, any member of the public could suggest a transportation project through an annual update of the Comprehensive Plan or a member of the public could submit a proposed Comprehensive Plan amendment that would be in addition to the transportation list in the Transportation Element or the Technical Appendix of the Comprehensive Plan. So there're a number of routes that projects could be proposed.

Ms. Jett: Okay, I remember reading all that you discussed in the memo and when I saw this attachment from Guemes Island that's what prompted my question – was if I see a need or my community sees a need, then we should contact probably Public Works or Parks, some County department, and say, This is something that we feel should be at least looked at. That's an early opportunity for public to give input?

Mr. Johnson: Right, right.

Ms. Jett: Okay.

Mr. Johnson: When we – I don't know if you were there, but when we held the community meeting in Edison as part of the 2016 Update – in Edison at the school there – I know a number of the Planning Commission members were there – one of the major issues that was talked about was transportation, and it was not only non-motorized but also parking and trucks and other vehicles moving through the community at a fairly fast speed. So, I mean, that's another way – through community meetings like that – that, you know, the various departments are listening to concerns that the community has.

Ms. Jett: Thank you.

Chair Axthelm: Kathy Mitchell?

Kathy Mitchell: I can see where a lot of confusion has come down the pike and a lot of it has to do with this 20-year plan being implemented now in this way. I was one of the ones at that

October meeting with Forrest and the Public Works guys with the projects that were on the list, and I can see where a couple were missed that should have been on here. So thank you for bringing those up. That's a big help to people. I still have the basic concern with a part of the public process that seems to be missing or is transparent so people understand where it goes. And with this coming forward with a new 20-year plan, that's a pretty important deal to do and to get right. And I think where people are upset and confused is because of the ones that feel like they've been disenfranchised or left out of the public process. And here's the thing: The Peterson Road project should have been on there. The North Fork Bridge Safety project should have been on there. Thank you. I know that the Guemes Trail had been talked about before. I don't know if it's been through its full public process or not beforehand to get on the list. And that actually brings us to another question. If you look at the staff memo, page 3, Kirk, on the top of that there's the one bullet where you guys have said "Most of these projects have already been included in other prior-adopted plans." And I think that there's a distinction there that people need to be aware of. Things may have been adopted on somebody else's plan. That doesn't mean that they necessarily have been through the proper public process for the County. And I would want to see where that is to make sure that we were doing this right. And mostly from the standpoint it's not because any one of us are anti-trails or anything like that that needs to be looked at. It's because the process needs to be crystal clear to everybody. And it was pretty evident at the meeting last week when we asked pointedly where did some of these projects come from, and you guys couldn't answer for us. It was clear that if you guys didn't know, we wouldn't know, the public wouldn't know. And I think that's where we need to back up a little bit and take a close look so that these are done right. It's in nobody's interest not to make sure that they go through the full public process. And I'm not so sure that this is really the public process when some of these things pop up for the first time. It's not that anything's not worthy. They may all be worthy. But that's my concern at this point. So when you say here most of these projects have already been included on prior-adopted plans, which ones and how do we go about the process? Because I know SCOG does a pretty good job at vetting what goes on theirs, but the onus comes back on the County to make sure that they're vetted and go through the right processes.

Mr. Walters: I think it's important to point out that there is no established process prior to this one that we're in for the 20-year project list. So there's not been any process that we've missed because there hasn't been an established process other than the process that we're currently in for adding projects to the 20-year list.

Ms. Mitchell: Then how could it be clear if staff didn't know what was right and the rest of us didn't know it was right? How can that be clear?

Mr. Walters: Your question is, How could it be clear if we didn't know where the projects came from? Well, we didn't have Forrest or Brian here, who are the people that are related to these projects. Kirk really does not work on this. Kirk just pulls it all together for the purpose of the Comprehensive Plan.

Mr. Johnson: There's a lot that goes into the Comprehensive Plan as a whole. There's a lot that goes into the Transportation Element and the Transportation Technical Appendix as a whole. One of the major focuses that we've been working on for the last couple of months is the 20-year finance plan, which is really a key component of the transportation program, and we didn't have that right and so we've been focusing very hard on getting that right so that the Skagit Council of Governments can certify the County's Transportation Element so that the County can move forward and be eligible for state and federal transportation grants for roads or any other transportation things.

I went back to my desk after that meeting – I did say at the meeting I wish Forrest had been here because he was the person I worked most closely with – and I went back to my computer and I, you know, looked through the files and pulled up an Excel spreadsheet from 2014 where Planning, Public Works, SCOG, and the DOT sat down with BERK and said, What do we need to do to bring this 16-year-old Transportation Systems Plan into compliance with the Growth Management Act? And we identified about 12 or 15 different tasks, and I looked down and Public Works was the organization that had been assigned the task of coming up with the non-motorized project list and the map. So, you know, with given a little time to re-piece that together, we've provided the information. I can walk through each of these projects and point out in each case where it said they've already been adopted in an existing plan. I don't know if that's a good use of time. But one of the comments was, Well, there's been no process for these. And whether you think the process for the Parks Plan or the process for the Regional Transportation Plan is an adequate process or is the County's process, we were simply trying to point out where they have been through processes. And the thing about the Regional Transportation Plan was it was moving forward at the same time as the County's Comp Plan Update, as is the case with the other local jurisdictions. So ideally the County would put the projects in its plan and then would propose them to the Regional Plan and they would be put in there, but we are moving forward together and so basically SCOG has said, We will see what happens with the outcome of your planning process. If there are projects, County projects – and there are several projects in the Regional Plan and they're identified as Skagit County projects – which were either put forward by the County or were authorized as being in the plan by the County, if they are not included in the County's Comprehensive Plan, either in the Transportation Element or the Parks & Recreation Element or the Capital Facilities Plan, when our Comprehensive Plan is adopted, if they're not in there they will come out of the Regional Transportation Plan. So, you know, we have two moving documents and we're just happening to be moving a little bit behind the Regional Plan.

Ms. Mitchell: And that's what I want everybody to understand. This is why it's so complicated. It's not easy. It's very, very difficult. I know that SCOG's trying really hard to do right. I know that the staff's trying to do the right thing, too. But it's one – one thing that's pretty simple is that everybody needs to understand what's going on and the steps that should be taken so everybody knows what's on the plate.

Chair Axthelm: Thank you. Tim?

Mr. Raschko: So when Parks or whoever was presenting some of these 11 items, did they go through public process then? You know, public hearings or –

Brian Adams: Do you want me to answer that?

Mr. Johnson: Yeah.

Mr. Adams: I can speak directly to two of the projects that are on there, and that's the Cascade Trail and Centennial Trail. They are in our Parks & Recreation Plan. They have been probably since '96, as far as I know. That's the original plan that I was familiar with, although I came on much later than that. I would say unfortunately, yeah, it's about two years of process, I think, from the time we get started to the time we sign that document. I know there are former Parks Board members in the room and current Parks Board members in the room and I think that they may even get tired of it by the time it's signed. But, yes, it goes through a long process. We have public meetings, so we measure by that type of public input. Level of service – we make

comparisons. We do use patterns, surveys. We measure in a variety of ways and then we deliberate on that for several months, as far as getting together as our Parks Board and then coming, in the end, up with a list of recommendations. So those two projects end up as Level 1 needs in our plan based on just the extreme need that we hear over and over again for trails. And, you know, we believe that trails are good for the community, do a lot for the community, give choices also for transportation. We believe they elevate property values and are good for the community, and actually from what we see and what we read and what we've determined have lower rates of crime than the regions in which they're a part of.

Mr. Raschko: Thanks, but how about, like, Bicycle Route 5? Would that have gone through public process?

Mr. Walters: As it turns out, Brian was not the person with all the answers at the last meeting. It actually was Forrest.

Mr. Raschko: I guess that's just simply what I'm trying to get at is whether the 11 – I mean, if they all went through public process, they had public hearings and they were approved by the Board of Commissioners, then we should vote to approve them all. But I'm still a little thoughtful about that bullet on page 2 that says that if you're in the group of 20 – or the 20-year group, excuse me – you have to go through the same process as the 6-year group, which is public comment and Planning Commission and Board of County Commissioner approval. And that's just simply my question, is whether all of these 11 have done that or all the ones being presented here, and if they have been, then that's fine with me. Maybe I'm missing something.

Mr. Johnson: Before Forrest talks about what he knows about those bike routes, as Ryan said, adding these projects – proposing to add these projects to the Comprehensive Plan is like proposing any other amendment to the Comprehensive Plan. As far as the process in Skagit County exists right now, this is the process. They're proposed to be included in the plan. There was – you know, it was released with the proposal. There was a public hearing. There was a written comment period. You're reviewing the comments. You're making a recommendation to the Board. Your recommendation goes to the Board and they decide whether the projects are in or out. Now a separate question is whether that's an adequate process. Last week the Planning Commission, I think, unanimously suggested a non-motorized citizen advisory committee or advisory committee to be a part of that process. I think Dale was going to say, we don't have a problem with that. We don't have an objection to that. You know, so you could recommend multiple steps before the Comprehensive Plan Amendment process for all transportation projects or specifically for non-motorized transportation projects, but the formal process that exists for amending the Comprehensive Plan is the process we're in currently.

Mr. Raschko: Okay, so public comment for the Comp Plan was basically the opportunity to comment on the bicycle trails?

Mr. Johnson: Yeah, and then the bicycle trails have a life of their own and I'm not as familiar as others might be about that.

Chair Axthelm: Annie?

Annie Lohman: I think what threw some of us off, too, was when I'm looking at the website and the draft Transportation Technical Appendix it says that it was out on February 10<sup>th</sup>, but it really didn't come up at the workshop that we had so it wasn't on our radar. And so some folks felt somewhat surprised when we saw that it went out for public comment, because we never even

talked about it in our workshop or our work session when we were doing the Transportation Element. And I think it should have been talked about by us and in the future I hope that it is, just like when we review the TIP we get a chance to see it in advance. And so somehow or another, it didn't ever come up.

Mr. Johnson: Yeah, as I've said to, I think, several of you individually, if we had had it available in a reasonably coherent form at that point, we would have made it a part of that workshop, but we didn't. And we didn't have the non-motorized project list or the map available at that time, and that would have been better for the process if that had been the case. Yeah, that was a year ago.

I do want to say I've got the 2014 version of the Skagit County bike map, which is put out by a group of organizations including the County and Skagit Council of Governments and many others. And all of these bike routes are listed on this map – Bike Route 5, 14, 13, and 10. And I was doing some Googling today. The Mount Vernon Chamber of Commerce lists some of these routes as attractions for people coming to Mount Vernon. The La Conner Chamber of Commerce lists – they have a bicycle map of La Conner and the surrounding areas and these routes are on their map. So I know more specifically the development process for U.S. bike routes. There are these other things called “Bike Routes,” which I'm a little less certain about, but I think they're sort of organic things that have come about. The U.S. bike routes specifically need approval by every single jurisdiction that they go through and that is the case for U.S. Bike Route 10, which goes basically from Anacortes to the eastern Skagit boundary. I'm just not as sure about the bike routes that aren't U.S. bike routes.

Chair Axthelm: Kathy?

Ms. Mitchell: Tim's never gotten his question answered. Forrest, we're going to let you go.

Forrest Jones: Like Kirk was saying, this is a new process for us. Basically they came up and asked us to do a 20-year plan, so as a transportation professional I'm basically looking at concepts that would link existing plan facilities. We work with SCOG. We work with some of the biking community. The Non-Motorized Advisory Committee, they came up with these bike routes. They're already – like Kirk was saying, they're already existing bike routes so we're basically we're not adding any new facilities per se. So basically we're looking at the safety of these routes, and when we upgrade a road then we would upgrade that route by maybe adding a new shoulder, widening the shoulder. A lot of them, they're just concepts. They're 20-year plans so I guess they have to start at some point – who decides what gets put on there. Being from Public Works, I think we can look at – reasonably look at routes and talk to the community. Guemes Island Trail – we had over 500 signatures from the community, so to me that tells me the community's involved with that. So, and again, like this is part – to me, this is part of the public process. We put those out there. People commented on them. We are debating on it right now. We had 11. We reduced those to – whatever these – seven or eight now. So, I mean, to me the system seems to be working. Does that answer your question?

Ms. Mitchell: Did it answer your question?

Mr. Raschko: Well, I thought Kirk – Mr. Johnson – answered my question more or less when he said that there were public hearings which was the public hearing on the entire Comp Plan. And whether that's adequate or not, I mean, I thought there would be something rather than as part of a hundreds-of-page document.



Mr. Jones: I think a lot these aren't – I mean, they're not projects per se. You know, eventually they might get to that point and *become* a project. A lot of them are ideas or routes that we want to improve. And as it moves forward, you get into – you get closer to the 6-year Transportation Program, I mean you start having that public forum even more. So you'll define the project. If it turns into a project, you start defining it, scoping it. You get the public involved. So I think just because it's in the 20-year list doesn't necessarily mean it's going to become a project. It could. You get some champion, enough people involved that want to do it – yeah, it's going to move to that point. But it's still – you're going to get into that 6-year TIP. It gets into the 6-year TIP, you start that public process all over again because you're redefining, you're narrowing your scope.

Ms. Mitchell: Well, here's the beauty of the 6-year TIP is that the process starts again – is it this August? Is that right?

Mr. Jones: Yeah.

Ms. Mitchell: So it's coming real close. And projects can be put up, go through the public process where people can see them and have their input from the get-go. That's the beauty of that. The new system that we're talking about now with the 20-year thing is confusing to a whole lot of people. There have been some ideas. I understand that you were charged with coming up with some ideas. And I think that's one of the things. I think the language makes a big difference as well. If those things were labelled "concept" because they *are* concepts, that takes away the idea of saying that they're concrete because they haven't even begun. I mean, it's just an idea tossed out there and put on paper. So when it comes down to something like that, I think that does make a difference.

I personally don't think that there's been enough public process in a number of these. The Guemes thing's a special issue. The North Fork Bridge is a special issue because it's already been done. The same thing with the Peterson Road – it's already been done. But to call this public process a valid public process, I still think it's lacking. If I'd been anywhere out here myself championing a project, I'd want it to go through the right way so everybody could have the input on it in the traditional way. This thing is – it keeps changing and morphing since it went out to public process. Again, this is my own opinion. It went out – from what the public saw to what it's morphing into now is not the same. The descriptions have been bettered – thank you. It's been vetted more – thank you. All that's really good. I really appreciate that and I'm sure other people do. But that means that the process still isn't very good, does it?

Chair Axthelm: Any other comments?

Ms. Jett: I do.

Chair Axthelm: Kathi?

Ms. Jett: A quick question. I don't know who to direct it to. What if a project is on the 20-year plan or even on the 6-year TIP and you get a heavy negative input or response or concerns from the public? Has any of the projects ever been adjusted because of that or would they be?

Mr. Pernula: I can say one thing on trails. They actually –

Ms. Jett: And that's what I'm thinking of.

Mr. Pernula: – usually require a special use permit so there's a hearing at that end of the project as well – not just the front end but at the end.

Ms. Jett: Right, but I mean I was just wondering if there is a lot of negative input on a particular – say a trail goes right along next to an organic farm and there's concern about potential pollution of the farmer's crop. Then would they make an adjustment?

Mr. Pernula: Sure. If a trail is impacting an adjoining property and it's a trail in a zone that requires a special use permit, then we would look at conditions to mitigate those impacts.

Mr. Johnson: I can speak to the 20-year process because that's the part that I'm involved in. There was public comment on the 11 projects. The Department got together with Public Works. We're recommending removing one, two, three – several – and converting from what was – the list that was released on March 3<sup>rd</sup> or March 4<sup>th</sup>, converting three from projects to studies. So I can definitely tell you that through this public process for proposing projects to be added to the Comprehensive Plan, there has been a direct response to public comment and a direct rethinking on the part of staff, Planning and Public Works, and you're seeing the result of that here. I can't speak to the 6-year TIP process because I'm not involved in that process.

Mr. Jones: On the 6-year TIP I can give you an example from last year. The year before we had the Cascade Trail paving project on that at two locations, one of them being the Town of Concrete in that area. The Town of Concrete, they wrote letters and they made public comment that they were not comfortable with paving the trail so we made the decision to remove that from the 6-year TIP last year. So it's no longer in our TIP.

Ms. Jett: Thank you.

Chair Axthelm: Martha?

Ms. Rose: Thank you. I'd just like to comment that the process makes sense to me. The overview and the origination of a high level view by the Public Works staff and then, you know, the tiered approach where when something gets closer to a reality – meaning the 6-year TIP – it goes through a more formal public process. At the hearing, my sense was that about 80% of the people that had things to say about non-motorized trails were positive towards the whole concept of more non-motorized trails. There was some opposition but it was a very low percentage. So I just think – I just want you to hear that at least I believe that the whole process makes sense and I'm in favor of it, and I think that we should approve this recommendation. But thank you for making those adjustments, as well, in response to people's concerns.

Chair Axthelm: Any other comments from the Commission?

(silence)

Chair Axthelm: So I do have a question or comment. So from my understanding now is anybody can suggest these in the future, just like every other Comprehensive Plan amendment; that it'll have a hearing to go onto the 20-year; it'll have a hearing to go onto the 6-year. So it'll be pretty clear moving forward. Is that correct that's the process? In a nutshell?

Mr. Johnson: Yeah. Again, I mean, there are multiple routes. People can talk to Public Works. People can talk to Planning, although we don't control the – and people can talk to Parks. People can talk to their County Commissioners. Some of these things can move through the

departments. People can make comments at the public hearing next year on the Comprehensive Plan, or the Board clarified through this cycle that policy amendments, as opposed to site-specific map amendments, can be submitted by members of the public without the \$5000 fee. So somebody could submit a Comp Plan amendment saying, I would like to add, you know, xyz project to the Technical Appendix of the Transportation Element of the Comprehensive Plan and that would go to a docketing hearing with the Board of County Commissioners and they would decide, based on public comment, whether that would move forward for the full review through the Comprehensive Plan process, which would then come to you.

Chair Axthelm: And that's both for the 20-year and 6-year?

Mr. Johnson: That's for the 20-year.

Chair Axthelm: 20-year. Okay. But to move it from the 20-year to the 6 –

Mr. Jones: 6-year, same thing. I mean, we have over 800 miles of roadway within Skagit County so it's very difficult on our limited staff to be out on every place. We rely heavily on the public to contact us and say, Hey, there's a problem here. Have you guys looked at this? So, I mean, that's the start of a lot of these things is we go – someone calls us and says, Hey, you guys have an issue out there. We go out and look at it and, you know, hey, you're right. So then we start looking at it a little closer and, you never know, eventually it gets on the 20-year plan or the 6-year TIP.

Mr. Walters: I think I could break this down a little bit more simply – not the process, but the substance of this. I think you're basically looking at the first four projects. The first one is \$200,000, a study. What we're suggesting is most appropriate a study, not a construction project.

The second one is lights on a bridge. Frankly, it doesn't need to even be on this list. It's less than our threshold for a capital facilities project. It's only \$7000. But having it on the list makes us eligible for grants for that and it's important to keep track of maybe.

The third one, Bike Route 14, I don't know that that one is from a prior adopted plan, and if anyone had any input into that, they should jump in. But it's also relatively small compared to some projects, compared to almost any transportation project. It's only \$100,000.

The fourth one, the pocket park – now called a rest area – that grew out of the Best Road roundabout. When the Best Road roundabout property was acquired, Public Works sent it up with a little bit of extra property as part of that and some of the – I understand that some of the Tulip Festival promoters would appreciate having someplace for bikes to get off the road there.

Then the next four projects we're suggesting you remove, for various reasons but they would all be gone under the Department recommendation.

The next one, which is Peterson Road, is already in the 6-year TIP.

The one after that, Guemes, is not in any adopted plan that I'm aware of, and I just looked for the Guemes Subarea Plan; I don't think it's in there. But 500 people signed a petition. That's the entire population of Guemes Island. I don't know that they were all Guemians, but you may face their wrath on your own.

And the project following that also is in the adopted Parks Plan, and then the final two projects are in the Parks Plan and the CFP. So I think if you actually start looking at the project list, especially as recommended to be changed, there are very few that are not actually already in some adopted plan or are very minor anyway, like the \$7000 worth of lights. So I would suggest that you focus in on those and think about what you want to be your recommendation on those projects.

Chair Axthelm: Okay. Any other comments? Tim.

Mr. Raschko: Can I just make the comment then: I don't see anything wrong with any of these projects, and I think perhaps my confusion or angst comes from just the process whereby this is the first time this is done – I mean, this 20-year plan. It seems like a transition time, and I think in that time I really don't have a gut feeling that these projects had the same rigorous vetting that the ones in the 6-year thing did. But nevertheless, hopefully this is a one-off.

Mr. Walters: It might be appropriate that they receive less rigorous vetting than the 6-year projects because they have –

Mr. Raschko: Well, it says right here that they – essentially the same process.

Ms. Mitchell: That's right.

Mr. Walters: That's right – public hearing and adoption by the Board. There is an open house before the 6-year TIP. But it might be appropriate that they receive less rigorous process because they are more conceptual and they still have to go to the 6-year TIP process before they end up at construction. So even if they received *no* process now, they are facing some *future* process.

Chair Axthelm: Annie?

Ms. Lohman: I almost think that calling things the 6-year TIP, it's almost a misnomer because things have languished on there for a lot longer than six years, and some things have been on there a lot less than six years. So it's almost – why we call it that, I don't know, other than to confuse us kind of like when we do our Comp Plan updates and when you're allowed to ask for an amendment to the Comp Plan. It's confusing because of the titling. So I just had to say that.

But I do see – like when you talked about the Avon project and you consolidated it to the Bicycle Route 10, it was a fairly large change. You went from opening a – your proposal was to open an unutilized County right-of-way that they have that went through a lot of farmland, and then now it's basically a road widening and shoulder widening project. That is like a totally different project. So I thought that maybe getting people excited during this process it made you go back and actually look at it and to really what is the proposal. And maybe this is the warty year because it's the first time to kind of get this out in the public, kind of like when we first looked at the capital improvement plan. It was ugly the first time we saw it because we didn't know what we were looking at, we didn't understand the process, and there was things that we didn't like on there. And I think it made all of us better at it because we went through that pain.

Mr. Pernula: I think I would add that remember your recommendation that you made at the last meeting is to have some sort of a public review body of some sort – a citizen advisory group. I don't know if that'll come to fruition, but having some sort of a group or agency or whatever

coordinating Public Works, Planning, SCOG and Parks and even the Cities altogether for this transportation system makes some sense.

Chair Axthelm: Kathy?

Ms. Mitchell: I think you just hit the nail on the head, and I think my main hesitation is still – and sorry to be a stick in the mud for everybody else, but the public process is so very important. It's something that everybody's fought for one way or another, and to get this right as we move forward, I think, is very, very important. And people need to feel like they've got the input for whatever their ideas are from the get-go and very, very early. The GMA stuff states that out the wazoo that it's often and early, and I feel like we missed the boat here. And that's one of the things – I realize you guys are trying really hard; it's not that. But I think we're missing the boat for most people on something like this. These things are important. They can be good things. But everybody needs to be involved in the right manner, and to be able to do – skip a process because we're on an off year, I don't know what to say. I still think that we should have more public process with it early and often, and that way if there's any bugaboos anywhere we can get that straightened out and figured out early on. And then if that's the case, then move on to another project that may be more worthy, for whatever that is. I mean, you guys' time and money and getting the grants is really very difficult, and the same for anybody going for the project. That's very, very difficult and to be able to get it and to do it right. So for what it's worth, I hope people see things a lot earlier, and if there's – if it's possible, if the rest of the crew will think about it, is to add in the idea of conceptual for anything that might be on for study status. I think it's a very important thing to point out that it's an idea and so that's the early time to look at stuff. And, yes, stuff'll get vetted later but when we've got x amount of money and x amount of resources, it's pretty important to pick and get them in the right places. So thank you.

Chair Axthelm: The adjustments to me seem pretty logical. I like what you guys have done and I appreciate that. The only one I would have concern over – just process-wise, not the project itself – would be like the Guemes Ferry Trail because you said it wasn't on any other plans. But given that it's right on the right-of-way and for safety's sake in that situation, I wouldn't have an issue with that. But I just want to make sure that if there are objections to it when it goes forward that those objections are considered, because we didn't really have a – because that one, my understanding (was) we didn't really have a hearing on so – or a – not a hearing, an open house public process there. But it did have the hearing so it was taken care of. So I'm okay with it.

Any other comments?

Amy Hughes: I'd like to just ask a question to Brian regarding the Bicycle Route 13, and I know it's – you put equestrian on there as well. Have you found any discussion regarding multiple user groups in a paved area? Is that whole trail projected to be paved? Will there be paved and non-paved? How is that trail going to work with multi-use groups?

Mr. Adams: Okay, remember the Parks & Recreation Plan is looked upon from a recreational component. But, yes, there is a standard that we've always looked at: If there's going to be pavement that there is an area adjacent to that trail where there could be maybe an equestrian corridor that's less hardened.

Ms. Hughes: Okay. Is there planned – are there plans to do public education about multi-user groups using the same trail?

Mr. Adams: Mm-hmm. Yeah, we use – I mean, education plans? I don't know. We try to educate through various processes, but, you know, signage, information maybe in comp plans, information that we place out there. But, you know, we don't have any kind of formal education process. We think that, I think, the longer you work on getting that message across the more it begins to work, and I think that we've been quite successful with user groups kind of getting along and sharing the sandbox.

Mr. Jones: So I can comment to that a little bit too. Have any of you ever been on the Centennial Trail in Snohomish County?

(sounds of assent from the room)

Mr. Jones: They have a paved path and right next to it they have a horse where they go side by side. There's signing. It tells you even where they happen to cross. They put cement in it or they put horse hooves through the cement to kind of show you this is where a horse is crossing. So it does work and it does – it works. I've used it.

Ms. Hughes: Okay, the caution that I have regarding that is that all sounds good, but when you're riding a horse that doesn't understand rules –

Unidentified male voice: They can't read signs.

Ms. Hughes: Yeah. Thank you. And so I just think there needs to be a little bit of thought about putting user groups together. And then the other concern I have is regarding the one down in Snohomish, as they have increased growth it will push possibly the user group of the horse off because of common sense. Horse people really don't want to conflict with other user groups and so they get pushed off. So I think in our forward thinking we need to kind of project where there could be user conflicts and so we don't exclude a user group due to that.

Chair Axthelm: All right. So we had the motion?

Ms. Rose: Call the question.

Chair Axthelm: Do you have that?

Mr. Walters: If we could switch to the staff table video and put it up there on your screen.

Chair Axthelm: Actually I had – may I make one more statement? We had the other items on the plan that were taken off – were recommended by the County to be taken off – and I look forward in the future to see some of those come forward and go through the process. You know, I think that – and there's other projects out there that are good projects and we look forward to that. And we thank you for your commitment to this, you know, and to show us how important it is to you.

Okay, so the motion is to replace the unnumbered non-motorized transportation projects on page 58 through 60 and 91 through 92 of the proposed Transportation Technical Appendix with the information from the attached table – in Supplemental Staff Report #2. Could you add that to it or would that be necessary? Or you're going to attach it on here?

Mr. Walters: (unintelligible)

Ms. Lohman: 4.

Chair Axthelm: Oh, I'm sorry. #4 – yes, you're correct. Thank you. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "no."

Ms. Mitchell: No.

Chair Axthelm: The ayes have it.

Mr. Walters: Do you want to remove number 9 there? Because it now conflicts with number 10.

Ms. Mitchell: Well, they're different projects now.

Mr. Walters: No, they're the same – the same 11.

Ms. Lohman: But some of them were repackaged and clarified.

Mr. Walters: Yes. I'm saying that number 9 – it doesn't make sense to have both 9 and 10 because 10 would replace the 11 with –

Ms. Lohman: I think that we need to strike number 9 because we have updated what that original – what the text was on those pages originally.

Ms. Mitchell: Second.

Chair Axthelm: So we have a motion to strike number 9. Any discussion? Pretty easy! No? Okay, all those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: Opposed?

(silence)

Chair Axthelm: Okay.

Ms. Lohman: But I would like to be really clear that, you know, this list is a very preliminary step, so that everybody understands it's a very preliminary entry level.

Chair Axthelm: Okay.

Mr. Walters: Your next topic on your issue list, if you're ready to proceed, is Countywide Planning Policies, and then open space, and water avail – well, you can see them there.

Ms. Hughes: Let's take a small break.

Ms. Lohman: Mr. Chair, can I ask for a – like, a three-minute break?

Chair Axthelm: Is that all right with the Commission? Okay, we'll take a three-minute break. Thank you.

Ms. Hughes: And along with that, can we kind of regroup where we're going? I need to dig through piles.

Chair Axthelm: Yeah, we can do that as soon as we – right now? Yeah.

Ms. Hughes: However you want.

Chair Axthelm: Is that what you're asking \_\_\_\_\_?

Ms. Hughes: Yeah. I just need to catch up with where we're going and get my information.

Chair Axthelm: Okay.

(break)

Chair Axthelm: We're back.

Mr. Walters: As you budget your time, we would like if at all possible to complete the recommendation on the Comp Plan within this meeting and the next meeting, which would allow plenty of time for the Board to hold another comment period before the end of June. Obviously if that's not possible it's not possible, but I believe it *is* possible if you keep that in mind as you structure your discussion.

Chair Axthelm: Okay, Countywide Planning Policies. Any general comments or questions before we get going?

(silence)

Chair Axthelm: Okay. Or motions?

(silence)

Chair Axthelm: So do we have just a motion to accept it as it is?

Ms. Mitchell: I move that we accept it as is.

Ms. Jett: Second.

Chair Axthelm: Okay.

Mr. Walters: Usually we haven't recommended you simply make motions to accept things as is because the recommendation is to move forward. So if you want to do that, that assumedly would not result in an addition to the recorded motion. It would –

Chair Axthelm: Okay, so we don't need to make the motion. Just – there's no issues.

Ms. Mitchell: And we could just move on.



Chair Axthelm: Yep.

Mr. Walters: Yeah.

Chair Axthelm: Okay. Any objection to moving on?

Several Commissioners: No.

Chair Axthelm: Okay. So next item on the list is open space. Actually, Kathy, you had the first one – was food security.

Ms. Mitchell: Mm-hmm. Food security is a big issue, just like with the trail markers where people have markers for safety and those kinds of things. When we do have uses for open space it is a big deal with a lot of the farmers and the foresters and other people out there that they have the security, especially for the food. There's \_\_\_ Security Act was done in 2002. It comes down from the feds. There's a lot of work that has to be done, and the co-ops across the country teach farmers and food growers all the things that they have to do to maintain to be safe, and it's pretty extensive. And so I'd just like to remind people to keep those things in mind because it is a big deal. It's not a small, insignificant thing. It's a big deal.

And we are under "open space," right?

Female Commissioner: Yep.

Ms. Mitchell: Okay. And as a side note, the Board of County Commissioners, when they asked us to do the Comprehensive Plan Update, they had a memo that they directed to – with staff – and I think it was Mr. Pernula put it out on October 8<sup>th</sup>, 2014. And the BOCC directed staff to update the Skagit County UGA Open Space Concept – update the Comprehensive Plan to say that the Skagit County Countywide UGA Open Space Concept Plan was adopted in 2009. The following resolution, R20140374, said – and that followed two weeks later – to update policies 2A-1.1, 2A-1.5, and 2B-1.3 related to open growth areas, and that's all they instructed, and they asked us time and again to keep it simple this year. So in the spirit of that, I recommend or I move that we simply use the language to say "The Skagit Countywide UGA Open Space Concept Plan was adopted in 2009," and just leave it at that. Do you want me to repeat it?

Ms. Rose: Kathy?

Ms. Mitchell: Yeah?

Ms. Rose: Josh, may I? It was hard for me to hear a lot of what you said. So what is the current wording?

Ms. Mitchell: The current – the curr – jeez, hang on a second. The current wording on the track changes, page 55 of the draft, says: "Implement the adopted Skagit County UGA Open Space Concept Plan to conserve open space areas...(a) Plan implementation should seek to protect lands useful for recreation, wildlife habitat, trails"...connection" to "critical areas, and working farm and forest lands." And "Land acquisition under the plan should be achieved through voluntary donation, CaRD subdivision, or mutually agreeable sale, not condemnation."

And so here I would just like to point out again the instructions from the BOCC to staff and to us was to keep it simple and to simply reflect in the Comp Plan that the Open Space Plan was adopted in 2009 and that's why I'm recommending that we take that language.

Mr. Johnson: What's up on the screen is the existing policy which said "By December 2007, Skagit County shall develop" or will develop a program. I wasn't aware of the – what's in the ordinance. Our thinking in the proposal here was that a policy that says, you know, by December 2007, the County will do something that's already been done didn't make sense, and so consistent with the Open Space Plan itself, which has a chapter on implementation, we were proposing (to) implement the plan with language very similar to what it says in the plan. So that was where that proposed policy came from.

Ryan has pointed out to me that policies usually provide some direction – should, shall, will – so if you're contemplating simply saying that the plan was adopted on a certain date, it seems like maybe it belongs more in narrative than in a policy.

Ms. Mitchell: That's possible. That is exactly what the BOCC instructions said.

Chair Axthelm: I guess I probably should have got a second on it so we could have the discussion. So I'll just second it for the sake of discussion because I'd like to have this discussion, not necessarily at this point \_\_\_ a motion.

Mr. Walters: Would you like to restate the motion?

Ms. Mitchell: Yeah. I move that we change the proposed language to simply say, "The Skagit Countywide UGA Open Space Concept Plan was adopted in 2009." And do you want the reason to go with that?

Mr. Walters: No, I want the number.

Ms. Mitchell: Which – oh, okay.

Mr. Walters: 2B-1.3?

Ms. Mitchell: Yep. And that was on page 155 (sic) of the track changes. And the thing is is that there was nowhere in the instruction there or in the resolution that said "implement." I know you guys said that the policies need to be updated. That's a good thing. But implementation is huge. And if you go to the Open Space Concept Plan page – webpage – and look at what implementation is, it's committees. It's working with a bunch of different organizations. It's talking about finding levies and everything else. That's huge, absolutely huge. And the thing is is that the reason that the Board of County Commissioners asked us to make it simple this year is because – and to use only things that we really had to do – is because its budgets are tight. And this is something that would be discretionary.

Chair Axthelm: Anybody else?

Mr. Walters: Looking at the scoping resolution, it does say to update that policy. I think all the rest of that, you know, is valid considerations on level of effort and that kind of thing. But –

Ms. Mitchell: Well, I took the words directly from what Dale's memo said and from what the resolution said. And the resolution said specifically R20140374 as, quote, "Update policies 2A-1.1, 2A-1.5, and 2B-1.3 related to" open (sic) "growth areas."

Ms. Lohman: "...related to urban growth areas."

Mr. Johnson: Kathy, I'm looking at ordinance O20090009, and in the portion of the ordinance that directs what's to be done, which is where it says "Now therefore be it ordained" –

Mr. Walters: I think we're talking about the scoping resolution.

Ms. Mitchell: We're talking about the scoping resolution.

Mr. Johnson: Oh, okay, okay. I thought you were going back –

Ms. Mitchell: Yeah, they did the ordinance in 2009. That was \_\_\_.

Mr. Johnson: Yeah.

Mr. Walters: So if the Planning Commission wanted to go in this direction, I would not want a policy that simply stated something in the past tense because there's not really a point to a policy that says something in the past tense. Maybe it's more appropriate to simply delete the policy and move the content to narrative in the past tense, as Kirk pointed out.

Ms. Mitchell: Would that satisfy what the BOCC instructed?

Mr. Walters: Well, you are going beyond what the BOCC instructed in pretty much all of your recommendations. I don't think you're limited to that for your recommendations. Their scoping was for the scope of the proposal, not for what ultimately gets adopted.

Ms. Mitchell: I didn't understand that at all, Ryan.

Mr. Walters: The purpose of the Board resolution on scoping was to define how big a bite we were biting off when we started doing this Update.

Ms. Mitchell: Right, and they asked small.

Mr. Walters: But pretty much all ten of your recommendations that have preceded this are – they're not necessarily within the scope of the Update. But also I would say that the scoping resolution says to update that policy, so if that means changing the policy from policy to narrative, I mean, I think that definitely encompasses the possibility of changing a policy from policy to narrative. Because the policy says to do something that's already been done, so it needs to say something other than that.

Ms. Mitchell: Well, what they said to do was just to reflect that it had been adopted so I thought that was the instruction.

Mr. Walters: They did not say that. They said to update the policy.

Ms. Mitchell: It said to reflect. Go back and look at the language.

Mr. Walters: Well, I just did. But we can bring it up on the screen here.

Ms. Mitchell: Well, what I'm looking – maybe we're looking at two different documents. I was looking at –

Mr. Walters: Possibly.

Ms. Mitchell: – October 8<sup>th</sup>, 2014. It was put out by Dale Pernula.

Mr. Walters: Well, I'm looking at the "Resolution Establishing the Scope" of the update.

Ms. Mitchell: Right, and later on in that page –

Mr. Walters: Attachment 1 includes this instruction: "Update policies related to urban growth areas."

Ms. Mitchell: Right.

Mr. Walters: And 2B-1.3 is the one we're talking about.

Ms. Mitchell: Right, but the instructions two weeks beforehand said reflect that the Skagit County UGA Openwide Space Concept Plan was adopted in 2009. That's specifically what was in Dale's memo.

Mr. Walters: Oh. Well, I don't know what was in Dale's memo or what transpired between then and adoption of the resolution, but that's what's in the resolution.

Ms. Mitchell: Mm-hmm. Right.

Chair Axthelm: I'd like to make a statement. The Urban Growth Area Open Space Plan – Open Space *Concept* Plan – I don't think should be incorporated into the Comprehensive Plan. I could see referencing that and using it, and part of the reason is there's a lot of things in there that may or may not conflict with the Comp Plan – a lot of ideas and stuff that don't – that aren't necessarily approved processes. So and then also the extreme expense that it would be to implement the plan. And part of that is in the Urban Growth Area Open Space Plan Appendix F. It talks about property tax and – let's see. It says "an ordinance of Skagit County related to policies for the implementation of Skagit County" – this is Appendix F of the Urban Growth Area Open Space Concept Plan – "An ordinance of Skagit County related to the policies for the implementation of" ..."Skagit" – "...of the Skagit County UGA Open Space Plan" – they left "Concept" out of there, should be – "and program, including the submission of property tax levy as allowed by RCW 80.55" So there's tax levies that have to go into place, and then also farther down it talks about the use of the UGA Space funds, and then section 3, Open Space Advisory Committee. And it says the Skagit County Board of County Commissioners shall establish a UGA Open Space Advisory Committee that shall provide citizen advice regarding the use of the UGA Open Space Plan levy funds to acquire through purchase of the easement, restore, enhance, develop, and maintain UGA open spaces, regional chair linkages, and interpretive facilities within the adjacent Skagit County UGA. So there's significant items with funds and acquisition and levies that have to take place before that plan is implemented or as part of that implementation. And what I'm suggesting is let – the plan is adopted as a concept plan. That's great. Let's take it and use items out of that to develop and change the Comprehensive Plan,

but don't use the Comp Plan directly. I think it would just be too cost-prohibitive and have too many issues. Ryan, Kirk, could you both speak to that?

Mr. Johnson: Yeah. The proposed policy, I had thought it said Skagit County should and that's what the staff report says. It says "implement." So to me that's still a discretionary item. The policy itself is quite general, which policies should be. And if you look at the implementation section, I mean, those are all recommendations in the Open Space Plan. But I certainly never thought that if the Board adopts policy 2B-1.3 that suddenly all of these tax levies would be in place. The question then is, What are the steps for implementing the plan? And one of the public comments was, Well, you need to map all of the existing protected open spaces. Well, that could be a step in implementing. That could be the first step in implementing the plan. A key step discussed in the plan itself is creating a UGA Open Space Advisory Committee. Interesting that, you know, you recommended creating a non-motorized advisory committee as well. But I guess from my perspective and the perspective of a policy writer, having a plan that says "implement" or "Skagit County *should* implement" – it doesn't say "shall," it doesn't say "must," and it doesn't give a date and it doesn't say, you know, following recommendations x, y, and z of the plan. It leaves it pretty wide open in deciding what to propose to replace this policy that said, you know, by 2007 Skagit County *will* implement the plan. Kind of the options that came up were Skagit County *shall* implement the plan; Skagit County *should* implement the plan; Skagit County should *consider* implementing the plan; Skagit County should *not* implement the plan; Skagit County should put the plan on a shelf and forget about it. I mean, those are all essentially options. This was picked as kind of one that says there was a lot of thought put into it. It was recommended unanimously by the Planning Commission after you went through a lot of work revising it, refining it. It was adopted by the Board of County Commissioners. And so a policy that says "implement" or "Skagit County *should* implement" the plan keeps that plan alive to some extent but it doesn't say move forward and it doesn't say exactly how the plan would be implemented. So, yeah, I think there are real questions about whether the County Commissioners at any time in the near future want to look at public funding options for land conservation. I don't think the proposed policy would require them to do that. It's not written in that way.

Chair Axthelm: Annie?

Ms. Lohman: I guess I'm struggling with presto! It's a shift from being conceptual to there-it-is. Because there was an awful lot of angst on behalf of the Planning Commission when we did finally get to the end of it and make our recommendation to the Commissioners. And one of the things that we were trying to be very clear back then, and the Commissioners got that message, was that it was a conceptual plan, including the maps – well, they're really not even maps. They're artist's renderings with sweeping arrows and a lot of indistinct – it's not detailed. They're not topographical maps showing things. So it really is high level conceptual. And so I do have a lot of problem taking something at that level and just in a Comp Plan update just all of a sudden making it it's-a-done-deal. However it's interpreted, as you're suggesting the implementation is up to interpretation of how you're going to take this concept plan then and interpret it. For people like me who are real measurers-type personalities – Type A! – to me it means it's bald-faced words that you're going to take the entirety of the concept plan and run with it, while somebody else might, like you suggest, take it at its very infant steps of basically doing a survey. And those are completely different animals.

Mr. Johnson: And so I think what we would recommend is – I mean, I think everybody would agree that the current policy doesn't work anymore – by December of 2007. So what do we do?

We got appealed for not having an open space plan and that's what led us down the path of developing the Open Space Plan.

Ms. Lohman: What if we just recommend that we identify – take a step back. The Open Space Concept Plan actually did encompass a lot more than the task when it was first assigned. Because we were tasked to identify the open space corridors and greenbelts between the UGAs and a couple of other things with that. Maybe what we all need to do is take a step back and get that finished, that part of it, and get it completely finished – not conceptually finished but actually mapped and identified.

Mr. Johnson: And that's where I was leading, was I think we all agree something needs to happen with the current policy. Commissioner Mitchell has proposed just having a policy that says the plan was adopted at such-and-such a date. It's your job to figure out, you know, what that policy should read and if you think the policy should read Skagit County should take step one, which is to map open space and greenbelt corridors within and between urban growth areas, then that would be great. That would provide some direction. That's what you need to do. I'm trying to say –

Ms. Lohman: I almost feel that the motion on the table is just perpetuating the same language that we have. It's really not improving anything.

Mr. Johnson: It was trying to be noncontroversial by taking the language in the policy above and putting it into the policy below, but if you think there's better language or a baby step that does a better job of finishing out the prior process, that's what we're looking for. Or if you want to vote on Commissioner Mitchell's policy to simply acknowledge that the plan was adopted, that's your prerogative.

Ms. Lohman: And we're still on discussion for the motion on the table.

Chair Axthelm: Are there any other comments?

Ms. Mitchell: I do.

Chair Axthelm: Okay. Kathy?

Ms. Mitchell: One final thing. I see what you're saying. That's not it at all. I'm just going back to specifically the language that the Board of the County Commissioners instructed to be done when this was updated between the specific language that was in that staff memo and then what they said under the resolution. And the Board of County Commissioners made it crystal clear to us that this was supposed to be a simple update this year, and if we were to take it a step further than what they said, it's huge. I imagine that they don't even know that it's like this. If they did they'd probably balk.

Mr. Walters: I think part of the problem with the proposed policy is that the plan is not really written such that you could pull a trigger to implement it anyway. There's a whole slew of things in the implementation chapter and I don't imagine that it was conceived as we would do all of them.

Ms. Mitchell: We're only going by the language we have though.

Mr. Walters: Right. No, I'm suggesting that that is a problem with that proposed – the proposed policy. Maybe the intermediate step that Commissioner Lohman was maybe referring to was there needs to be more work on identifying what is actually acceptable in terms of implementation of the plan before it can be implemented.

Ms. Lohman: But we're using the plan as a stand-in for identifying what we were tasked to identify, which is those open space and greenbelts.

Chair Axthelm: So here's my thing, is that it was a policy that was put in there so that we implemented the Open Space Concept Plan originally. If it said implement the Shoreline Master Plan and you've implemented the Shoreline Master Plan, would you not then take that out of the goals because it's already been met? So in this case you could take the – in this case you could take – since we've already adopted the Open Space Concept Plan, then it's already been done.

Mr. Walters: Yes. That is definitely one possible outcome here. So deleting the policy is a potential, and I think that's within – that is – despite what the resolution says, you could totally recommend that we simply delete this policy. Now the resolution says "update," not "delete," but I don't see any problem with you recommending deletion of the policy if that's what you want to do.

Chair Axthelm: And it doesn't mean that the plan isn't still there. It's still there. It's still adopted. It still went through that process. But it's not part of the goals because that goal's been met.

Mr. Walters: No. I think – in reading the Board of County Commissioners' resolution, where it says update the policy we didn't think that we should just delete it because if they wanted to say delete they could have said delete. And so this is what we came up with as how it ought to be updated. It could be updated in other ways though, too. It could say use the adopted Urban Growth Area Concept Plan – Open Space – whatever the hell the name of the plan is.

(laughter)

Mr. Walters: But use the plan to identify implementation measures for some future Comp Plan, update or something like that. You know, it could – this policy could be updated in any number of ways.

Mr. Johnson: I'm looking at the October 8<sup>th</sup> memo, which I had a big hand in drafting, and it says CPP "Policy 2B-1.3 needs to be updated to reflect Skagit County's adoption of the Skagit Countywide UGA Open Space Concept Plan in 2009." So to me that doesn't say the Board said simply state that it was adopted. I would agree with Ryan. You know, you could decide that that's all you want to recommend, but it could also be – I mean, like Commissioner Lohman suggested: Take the first step, which was really what's suggested by the plan, which is to identify and perhaps map greenbelts and open space areas within and between urban growth areas, and then see where that gets you. Or you could take Commissioner Mitchell's recommendation to get rid of the policy and put it into the narrative. Again, it's your choice. I'm just trying – and I can't speak for what the Board *thought* they were adopting when they were adopting the resolution, but I can say as the author of that sentence it was not written to mean simply state that the plan was adopted. It was to replace the policy that says the County *will* adopt a plan by 2007 with something saying what it's going to do with the plan, which again could be nothing. Or it could be moving forward at some, you know, incremental level.

Mr. Walters: The plan also talks about creation of an advisory committee for implementation, so that could be part of it as well.

Ms. Lohman: Kirk, where would this narrative be?

Mr. Johnson: Well, there's section – there's narrative, I think, above that particular policy, talking about open space, so I think that would be the logical place for it.

Mr. Walters: Or potentially the profile, which is where most of the narrative \_\_\_ is.

Ms. Lohman: So if we moved it to that narrative section, what does that do? Ryan, what's –

Mr. Walters: We like things that are directives or binding things to be labelled as a goal or a policy, and things that are not are narrative. There's lots of narrative in the plan. Try to largely keep the narrative in the profile rather than in the chapter so that you can quickly get to the goals and policies, but there is a lot of narrative that keeps sneaking into the goals and policies. But we think of narrative as just description rather than a policy directive.

Mr. Johnson: And I would add if you feel that adopting the plan to check off the GMA compliance matter completes the work of the plan, then you would put it in narrative. If you think that that really put forward, you know, a number of options for moving forward to conserve open space corridors within and between urban growth areas, then you might want a policy that says at some point in time or, you know, do something with that plan. I think there're a lot of people – I *know* there're a lot of people who worked on the plan who felt it was the stepping off point, not the ending point. But again, that's your job to make your recommendation as you see fit.

Chair Axthelm: Kathy, you had the motion. Would you like to make an amendment or \_\_\_\_\_?

Ms. Mitchell: I don't quite know what to make the amendment to. I think – I'm still falling back on what the words said and so I would keep it the way it is.

Chair Axthelm: Any other comment? Martha.

Ms. Rose: What's been just discussed, I was not involved in that early phase that you guys are talking about so I'm a little bit in the dark about some of it. But the recommendation or the suggestion that maybe we recommend some mapping be done, that seems to have some rationale to it.

Ms. Mitchell: It certainly does. And I still fall back to what our charge was and the Board of County Commissioners said to keep this Comp Plan simple. For instance, I can illustrate the thing with the junk versus the art. We know that that code is written incorrectly and we've already had a short discussion on that and more later. You guys have acknowledged that. Yet we've been told we can't update that in a logical fashion because we weren't charged to do that. This is huge comparatively. And so, you know, from that simple logic going by what the – and maybe I should change this instead of say – to simply state to what they said was to reflect that the plan was adopted because that's exactly what they instructed. And the Board of County Commissioners, if they wanted to implement and move it on, they certainly will. They will.

Ms. Lohman: But I almost think, though, that it fits better with the narrative, because it is a task that we did accomplish. And somebody in the future can move it back in or it could, you know, depending on the will of the Commissioners or somebody else that wants to broaden the scope.



But I'm not sure what just saying – just making a declarative statement in a policy, I'm not sure what that means.

Ms. Mitchell: Do you want to amend it to –

Chair Axthelm: I would like to – I guess it's a split.

Ms. Lohman: Well, we haven't voted.

Chair Axthelm: No, I understand, but to amend the motion to split it and put – simply state that the Urban Growth Area Open Space Concept Plan – you don't have to put this down yet, but the Urban Growth Area Open Space Concept Plan, put that in the narrative that it was adopted.

Mr. Walters: That's one option to say change policy 2B-1.3 to narrative and make it reflect that the plan was adopted in 2009.

Chair Axthelm: So that would put it in that paragraph that's up above in the section.

Mr. Walters: Well, yeah, wherever is appropriate.

Chair Axthelm: Yeah, there's a paragraph up there and this would be an appropriate place to put it, and then go ahead and put the mapping requirements in there, which are also in the goals – in the goal. The main goal says –The main goal, Goal B Open Space, says “Recognize the important functions served by private and public open space, designate and map public open space of regional importance, and designate open space corridors within and around urban growth areas.” So you were talking about mapping that and that's where I would put that suggestion or that – change that motion is to get the mapping moving forward.

Ms. Mitchell: But wasn't that already done?

Ms. Lohman: No.

Ms. Mitchell: No?

Mr. Walters: So the current policy could become narrative and – the current text could become narrative and the policy could be revised to simply say “Map the existing, already protected open space.”

Chair Axthelm: Correct.

Ms. Lohman: Is that what we want?

Ms. Hughes: May I ask – the mapping and where that takes this, what that does to the proposal and then the will of the plan?

Chair Axthelm: The mapping is in the goal and unless we show it we don't know exactly where it is. So that gives that opportunity then at that point to look at it, and if people have objections then that mapping can be changed or talked about. Right now we don't have anything that shows it. Dale?

Mr. Pernula: The mapping's just information. It's something we could do right now. But if we have a direction from the Planning Commission that goes to the Board, it would be – we could put it in our work program eventually. That's all I see it as.

Ms. Mitchell: If you want to make that amendment, that's fine. I'm fine with this going into the narrative but I'm not so sure that asking them to map – that goes beyond what they asked for us to do.

Chair Axthelm: So should we hold that out as a separate motion and then I would basically change this to move this to the narrative?

Ms. Lohman: Or it may not even make it to a motion if nobody wants to support doing that.

Mr. Walters: Do I have unanimous consent to rewrite this as narrative? Change it to narrative?

(several sounds of assent)

Chair Axthelm: So, yeah, it's been moved and seconded.

Ms. Lohman: And nobody objects, right? I'm trying to look for nodding and nobody's nodding.

Chair Axthelm: We aren't voting – not yet.

Mr. Walters: Okay, so that's how the motion reads now.

Ms. Mitchell: Commissioner Lohman, can you repeat what you said, please?

Ms. Lohman: I was just making sure that everybody on the Commission was okay with that change.

Mr. Raschko: Are we going to follow it up with another proposal then?

Chair Axthelm: Do we need to go and open the Comp Plan and put that in there – adjust it in there? Or just make this recommendation that it gets added?

Mr. Walters: You just make the recommendation.

Chair Axthelm: So, discussion. I was suggesting that because there's an open space – before the goal, there's an open space paragraph that kind of clarifies open space and land use – just to me as a narrative, that that would be an appropriate place to put it. Any other discussion?

Ms. Mitchell: I'm not so sure I'm – I don't know about moving this to the narrative. What was the problem with leaving it where it was?

Mr. Walters: There's really no point to have policies that say do something in the past.

Ms. Lohman: It's just a statement.

Chair Axthelm: It's been adopted as a concept plan and that's what it states.

Mr. Walters: I want to point out that the existing policy said do this by 2007. We didn't get it done until 2009 and that is the time table we're creeping up on for the 2016 Comp Plan Update.

Chair Axthelm: So the – part of the reasoning, too, was if you go back to your – the recorded motion by the Planning Commission, which was also adopted by the Commissioners. This was back in – well, when it was originally adopted. What's the date on that? Is it 2009? Anyway, the findings – the first finding says the Open Space Plan is conceptual only and not a regulatory program. It says "The requirement to identify open space areas does not mandate that these areas be regulated or protected. The Skagit County UGA Open Space Plan does not create a regulatory land use designation or allow public to access by default." And that is the finding which – the document in general was adopted by the Commission.

Mr. Johnson: Right. That sentiment is very clear throughout the plan.

Ms. Lohman: Can I call the question?

Chair Axthelm: So the question has been called to vote on the motion to change the policy 2B-1.3 in the proposal to narrative and modify to reflect that the plan was adopted in 2009. All those in favor?

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "no."

(silence)

Chair Axthelm: Ayes have it. Okay. All right. Further down, comments for – we went a long way from food security! – trail head markers. Kathy, you had that.

Ms. Mitchell: I think we hit it. Oh, I remember why. When we were working on the Shoreline Master Program plan – we're still in deliberations but there was a section in there and I cannot remember how it was worded, but it was to recommend that the Board of County Commissioners look into trail markers and other kinds of emergency markers for the safety reasons so that emergency responders and anybody else knows where something is if an accident were to happen or to find people. This is being done other places and it's being done pretty well, and if we are truly intent on helping keep people safe and being able to respond places – I can tell you, we've been places where it's hard finding people on the trails. Very, very hard. And so I would just like to make the recommendation, knowing that they would have lots of consideration. It'd probably be further down the road. But we had suggested that language and it went into our recommendations for the Shoreline thing. I'd like to take that same piece and put it in here, if it's the will of the Commission.

Mr. Walters: Are you suggesting that as a new policy or part of your additional recommendations?

Ms. Mitchell: I would think an additional recommendation. I don't – what do you guys think?

Mr. Raschko: I go biking up at Galbraith, and they have at least have a dozen checkpoints with big signs on them so that if there is an accident and you call in that can be the beginning point for where you try to reach people.

Ms. Mitchell: Marvelous.

Mr. Raschko: Yep.

Ms. Lohman: But would that go on the Transportation Appendix? Where does it go?

Ms. Mitchell: I don't know.

Mr. Walters: Well, it may only go in your recorded motion under additional recommendations. I mean, that's one possible place.

Ms. Mitchell: Well, if it's the will of anybody else – if the Commission, if they think that it's a good idea, I'd like for that to go in the recommendations somewhere just so the Board of County Commissioners sees it, and I'd like to support the –

Ms. Lohman: Well, within the last week – Mr. Chair, if I could talk? – within the last week, I know I heard on the – out in District 5 in Alger's district there were some people up by the lookout. They didn't know where they were. And so you had on the Edison side –

Ms. Mitchell: We had 35 people on standby.

Ms. Lohman: And then you had on the Alger side, and then they finally got a ride with somebody because nobody knew where they were and they didn't know where they were. And dispatch kept trying to coordinate off their cell phone and it kept going to the Chuckanut Manor, which was not anywhere where they were. So it – a lot of people are in the woods and they don't know where they are.

Ms. Mitchell: And GPS isn't always the answer either. We'd like to think it was.

Mr. Walters: So I recommend you keep moving here –

(sounds of assent)

Chair Axthelm: Okay, so could you – those comments were for recommendations? Did you write any of those down or should she just make those recommendations?

Mr. Walters: I did not write anything down. I didn't hear a motion.

Ms. Mitchell: I'd like a motion in our recommendations to have the Board of County Commissioner look into emergency markers and addresses to help with emergency situations and for trails, open space – that was shoreline places, as well – any public access place.

Ms. Lohman: I don't think you should put open space. That's too generic.

Ms. Mitchell: I'm sorry. Yeah, back that part out. I want it simple to get across the basic idea. Sorry. I'm getting tired. Is that okay with you? You want to second?

Ms. Jett: Second.

Chair Axthelm: Okay. So it's been moved and seconded to look into emergency markers and address – well, as it's shown on the screen. Any discussion on that?

(silence)

Chair Axthelm: Okay. Is there anybody opposed to that?

Mr. Walters: Done? Well done.

Chair Axthelm: Thank you. Is that quick enough?!

Mr. Walters: I think you've already covered integration of Open Space Plan then?

Ms. Lohman: In the staff memo, you had a recommendation that we change a word. You had "around" urban growth areas and you recommended that we change the word to "between." So can I make a motion that we – so I would like to make a motion that we revise that language in Goal 2B where it says Open Space to say "between" rather than "around" urban growth areas.

Mr. Raschko: And that's RC-1?

Ms. Lohman: It's RC-1 on that – on page 6. The problem is we have multiple RC-1s.

(sounds of agreement)

Mr. Walters: Yes, we have thought about that for the next time we update the Comp Plan. We will use more numbers.

Ms. Lohman: This is in Supplemental Staff Report #1. And I think it's just a technical – just a – housekeeping.

Mr. Walters: Yes, this change aligns the text with the statute a little bit better.

Ms. Hughes: So was there a reason – oh, is there discussion at this point?

Ms. Lohman: Yes.

Chair Axthelm: Did anybody second it? I'll second it. That's fine, so there's discussion.

Ms. Hughes: Okay. Was there a reason that that was put in there? Is it just a, you know –

Mr. Walters: I don't think so. It's just a one-word change.

Mr. Johnson: Well, the reason that what was put in where?

Ms. Hughes: Why was "around" rather than "between" in the first place?

Mr. Johnson: I don't know.

Mr. Walters: I don't think it's proposed as a change, is it?

Ms. Lohman: Yes, and I did.

Mr. Johnson: Well, yeah. Right now the goal says “within and around,” and the statute says “within and between,” and there was a comment saying, You should make the goal consistent with the statute and we said we agree.

Ms. Hughes: Okay.

Mr. Walters: No, I mean hasn't it been an error for quite some time?

Mr. Johnson: Yeah.

Ms. Mitchell: And I'm not so sure that there weren't two places, just as a side note. If you could check to see where else that might be, because I could have sworn there was another place that we missed.

Ms. Lohman: I think it was just to make it virtually identical with the RCW.

Ms. Mitchell: Mm-hmm.

Mr. Walters: Yeah.

Ms. Rose: Call the question.

Chair Axthelm: Okay. So, is there anybody opposed to this – to the proposal – or to the motion?

(silence)

Chair Axthelm: Okay.

Ms. Mitchell: Can I make a quick question?

Chair Axthelm: So the integration of Open Space Plan – is there anywhere else that it integrates the Open Space Plan as part of the Comp Plan? Or uses the Open Space Plan as part of the Comp Plan?

Mr. Johnson: It might be referenced somewhere but there are no other policies that I'm aware of.

Chair Axthelm: To implement it. Okay.

Ms. Mitchell: I've got a quick housekeeping question. You had mentioned once before, Kirk, that there were other typos. Do we need to ask you to do those or not?

Mr. Johnson: Yeah. I mean, that would be good.

Ms. Mitchell: I'd like to make –

Mr. Walters: Not typos.

Ms. Mitchell: Oh, what were we calling them?

Mr. Walters: Like, that was a word change.

Ms. Mitchell: There were some corrections. Kirk has a running list.

Mr. Walters: Good. Good. We're just going to ask the Board for blanket permission to change typos. We're not going to talk about every typo.

Chair Axthelm: Okay. I had public access and property rights on there. I just – I don't think there's anything I really need to talk about. I just want to make sure those are upheld. I think that was related to the Open Space Plan. So is there anything else here that we want to cover with the open space section?

Several Commissioners: No.

Chair Axthelm: All right, so next on the list is water availability.

Mr. Johnson: I can provide just a little – I mean, working from the staff memo, a statewide land use organization made this first comment about conducting a comprehensive evaluation of potable water supplies compared to planned growth densities and uses. This organization has an ongoing appeal going with Whatcom County saying that they're required to do that, and there have been court cases and Hearings Board cases going back and forth and it's going up to the Supreme Court. Our response basically says we feel that our existing policies, with some tweaks recommended in the proposal and also recommended below, protect groundwater supplies and this comprehensive review isn't needed. And so that's basically just kind of the entre into the water issues.

Ms. Lohman: Is that page 7 where you're referencing in your memo?

Mr. Johnson: Well, their comment – page 6, yeah, is the comprehensive evaluation with the implication being that there would be large-scale downzoning of the rural area where there are water restrictions. And basically our revised policies are proposed to say we're following the guidance provided by the Department of Ecology where basically the landowner needs to go to Ecology if they're or they need to have piped water. Anyway, they need to show demonstrated legal available water, and if they can do that then we feel we're protecting groundwater supplies and we don't need to do this comprehensive evaluation likely leading to downzoning.

But there are some proposed changes in the proposal that would basically say, This is what we're doing, consistent with Department of Ecology, and then some more in this memo here that we think get us to be pretty safe and secure against any kind of appeal that we're not doing an adequate job of protecting groundwater supplies.

Ms. Lohman: There's two proposed staff –

Chair Axthelm: If you take one at a time. That way we don't have any issues.

Ms. Lohman: Right.

Ms. Rose: I have one question. So, Kirk, so somebody had raised during public testimony a question about rainwater harvesting and the amount of gallons mandated by the state. Is it by the state per person per day? And they were suggesting that the gallons that were being mandated were more than double what was practical or what was reasonable. And where – is

the Comprehensive Plan a place where that is addressed, or is that addressed in another venue?

Mr. Johnson: That's addressed in the development regulations –

Ms. Rose: Okay.

Mr. Johnson: – that specific threshold from 350 to 150, or something like that. But there – I think there's a – there is a proposed change here. I believe you had made a suggestion in reviewing the Rural Element before it went out to acknowledge rainwater catchment, and there was a suggestion that we do that – one of these recommendations – that we do that in all of the policies where it makes sense. I guess it makes sense for building permits but I believe not for land divisions. I don't think that's allowed currently. So –

Ms. Rose: Right. Okay.

Mr. Johnson: If we go through these sequentially, I think we'll get to the recommendation to add that language about rainwater catchment systems where that's – we can do that.

Ms. Rose: I see that it's up there in that.

Ms. Lohman: Is that a state – is that at the state level that they won't let \_\_\_\_?

Mr. Johnson: I believe so.

Ms. Lohman: Because I flagged that. It's kind of like why?

Mr. Walters: You're referring to why not land divisions using rainwater catchment?

Ms. Lohman: Right.

Mr. Walters: I would say one of the reasons for that is that we don't really have a standard for rainwater catchment systems at all at the moment. So it is an area that's been explored by some other jurisdictions – San Juan County, King County, or maybe City of Seattle – but we haven't really gotten there. I don't *know* that it is a state law prohibiting land divisions on rainwater catchment, but I think – I know that it's been a longstanding rule in our code – not necessarily our policies in the Comp Plan, but in our code – to consider any alternative system as undesirable compared to wells or public water.

Ms. Lohman: But maybe that's old thinking and that the new thinking is these alternative sources of water.

Mr. Walters: And that's possible. We weren't scoped to do a lot with this, but we will be requesting permission to do more water work this year or next year sometime because there are changes that need to be made to the water code, which is in Title 12 in the health code. But rainwater catchment is an area where we don't have a standard at the moment and you can screw it up when you're collecting your own water off a roof.

Ms. Lohman: I agree, but if we put it in it'll be the goad to get you to go – to get going, because you have property owners that are waiting.



Mr. Walters: And I think that's why we proposed that it be included, because it is possible and we have done it for individuals. But for land divisions that was a step that we thought we maybe shouldn't take at this time.

Mr. Johnson: Yeah, our water staff said that for the one set of issues and I think it was individual building permits, that was fine, but for land divisions it would not work out. And I frankly can't recall whether they were saying because the state doesn't allow it or because, you know, it's more of a local concern. But the rainwater catchments for building permits is fine as far as our water review people are concerned.

Mr. Pernula: We have been accepting them, I think. We've done, like, 12 of those in the recent past.

Ms. Lohman: Land divisions?

Mr. Walters: No.

Mr. Pernula: No land divisions, just individual rainwater catchment systems.

Ms. Lohman: I guess for me just having a blanket prohibition for land divisions – it depends on the total context, because if it's a super large parcel and you're just, you know, 100 acres and dividing it in half, or 300 acres and you're dividing it in half, that is way different than a – creating a dense situation, like a one-acre and you're dividing it. So I have a problem with just saying no to land divisions in general without a little more context to it – is where I'm coming from and why I'm asking the question.

Mr. Walters: And I would say that that does sound like something that could be more narrowly tailored. It's just we didn't develop a set of criteria on which to judge that, and that would probably require some additional thinking.

Chair Axthelm: So if we make this statement right now, it is an adjustment but it can be changed in a year.

Mr. Walters: It's an adjustment in the direction of allowing more rainwater catchment. It just may not go as far as you might want it to.

Chair Axthelm: Okay. Martha?

Ms. Rose: So I was thinking along the same lines about small divisions, and in Skagit County is a short plat four units or is it six or is it eight? Where does it cross the threshold between a short plat and a long subdivision?

Mr. Walters: It's four units.

Ms. Rose: So perhaps that could be the threshold that where you could consider it – allowing the rainwater right.

Mr. Pernula: You know, if we really want to explore it I think we need to get the people involved in it and, you know, get the facts rather than just kind of speculating at this point.

Ms. Rose: No, I'm with you on that. Yeah.

Ms. Lohman: Yeah, I agree too.

Ms. Rose: So that could be an adjustment to the Comp Plan in a year or whatever. Right. That could be looked at.

Mr. Pernula: Perhaps this fall.

Ms. Rose: Yeah. So just to put it on the record that I think that we should look at that, yeah.

Mr. Walters: Well –

Chair Axthelm: So that should be a recommendation.

Mr. Walters: Yeah, that could be one of your additional recommendations for, you know, future study of that issue.

Ms. Rose: Okay.

Mr. Walters: Or code revisions, or code revisions and policy revisions.

Chair Axthelm: Do you want to go ahead and make that recommendation?

Ms. Rose: Sure. I move that we make a recommendation to look at allowing rainwater harvesting for land divisions that are four units or less.

Ms. Hughes: Second.

Chair Axthelm: Discussion?

(silence)

Chair Axthelm: No discussion? Are there any opposed to adding that statement?

(silence)

Chair Axthelm: Okay.

Ms. Lohman: Are you asking for discussion?

Chair Axthelm: Yeah, I did ask for discussion. Oh, sorry, you were in the middle of something. Hold on a second – let's back up a second. Annie \_\_\_\_.

Ms. Lohman: But your definition of "lots" is all dependent upon where, correct? How big is the lot?

Mr. Walters: Well, I think as has been discussed, we would just be talking about short subdivisions.

Mr. Pernula: I think the size of the lot is something that we have to explore as well.

Ms. Lohman: See, and that's where I'm hiccupping.

Chair Axthelm: Would it be better just to remove that last little part of the statement and just have "as water source for land divisions" and then let the professionals take care of that threshold?

Ms. Mitchell: What do you think?

Ms. Rose: Sure. I would go for that amendment, yes. We can change the wording and drop the – yeah, get rid of that last thing.

Ms. Lohman: We don't know where the line is \_\_\_.

Ms. Rose: What's that?

Ms. Lohman: We don't even know if we want to.

Ms. Mitchell: I'm fine with that, too.

Ms. Rose: Yeah, I'm okay with that.

Mr. Walters: It sounds like everybody's okay with that.

Chair Axthelm: Are we all okay with that?

Multiple Commissioners: Yes.

Chair Axthelm: Okay. Good.

Ms. Rose: So that pretty much means that recommendation 3 in –

Chair Axthelm: Yeah, back to the recommendations.

Ms. Rose: – Staff Report #1.

Ms. Lohman: So we said yes?

Mr. Walters: Are we accepting this one?

Chair Axthelm: Let's go up and someone needs to make the motion on that if that –

Ms. Lohman: Wait, wait. She did.

Chair Axthelm: Oh, this one? Yes, this one is accepted.

Mr. Walters: Okay.

Chair Axthelm: Just by default. Nobody objected. Okay, so there now.

Ms. Lohman: Got to be quick!

(several Commissioners speaking unintelligibly)

Chair Axthelm: I asked the question but –

Ms. Lohman: I know you did. I was kidding!

Chair Axthelm: Okay, so RC –

Ms. Lohman: RC-2.

Ms. Rose: Well, 2 first. Yeah.

Chair Axthelm: Okay. Do we have a motion?

Ms. Lohman: I'll make the motion to accept RC-2, "Revise policy 3A-2.1(a) to refer to 'a building requiring potable water' rather than a 'residential building,' and add language at the end of the policy stating that the water source meets drinking water" quality – "standards."

Mr. Raschko: Second.

Ms. Mitchell: Second.

Chair Axthelm: It's been moved and seconded as shown on the screen for policy 3A-2.1(a). Any discussion?

Ms. Lohman: This is a change from limiting it to just residential buildings to any building that is going to be requiring water.

Ms. Rose: Yep.

Chair Axthelm: Let's move forward. Okay, is there any discussion?

(several negative sounds)

Chair Axthelm: All right. Are there any opposed to the statement, or the motion, I should say?

(several negative sounds)

Chair Axthelm: Motion stands. So RC-3. Motion?

Ms. Lohman: Well, we made a motion to allow rainwater harvesting for land divisions.

Chair Axthelm: Okay. Well, to look at it. The previous – the recommendation. But this one doesn't conflict it so we can just approve this one as it is, right? Do we have a motion on that? I don't know if anybody wants to make the call.

Mr. Raschko: So moved.

Chair Axthelm: Okay, so it's been moved. I'll second it –

Ms. Rose: Second.

Chair Axthelm: Yep, okay. So it's been moved and seconded to add a policy to compare – comparable to policy 3A-2.1 that applies to subdivisions and land divisions; however, excludes “proposed language regarding rainwater catchment systems which currently cannot be used for land divisions.” So we're allowing a little more flex – oh, discussion.

Mr. Raschko: Then you said what?

Chair Axthelm: Discussion.

Mr. Raschko: That if the last thing we passed to look at rainwater catchment, if something positive comes out of that and it's allowed in subdivisions or land divisions, then this one goes away, I presume. That would override this?

Mr. Walters: Not automatically. We would need to come back and amend the Comp Plan.

Mr. Raschko: You have to amend the Comp Plan.

Chair Axthelm: Yeah. But that would just be in a year's time.

Mr. Walters: Right.

Chair Axthelm: Or less than.

Ms. Mitchell: So you still recommend putting this in?

Mr. Walters: It's consistent with what we do now and it was in the code now.

Ms. Lohman: What if we had no policy at all, what would happen? Because this is a new policy.

Mr. Walters: It could just be silent on rainwater harvesting.

Ms. Lohman: Could we be silent? I think we should be silent.

Chair Axthelm: Because this allows it, though.

Ms. Lohman: No, it doesn't.

Ms. Rose: It doesn't allow it.

Ms. Lohman: It does some places but not others.

Mr. Walters: The code already prohibits it. So if you want, this one could say add the new policy to apply to subdivisions. That's important, although I'm not sure why it says subdivisions *and land divisions*. I think land divisions covers subdivisions. But it could say “but be silent on rainwater harvesting.”

Ms. Lohman: I think we should be silent on rainwater harvesting, because I don't think we should prohibit new ideas and technology. There might be something else besides rainwater harvesting.

Mr. Walters: Is that the direction you want to go? I would make some changes here on the screen.

Chair Axthelm: Annie, you proposed it.

Ms. Lohman: I would strike everything after the semicolon.

Mr. Walters: Well, I think we need to say “be silent” affirmatively, because 3A-2.1 mentions rainwater – yeah, mentions rainwater. It specifically allows rainwater.

Mr. Raschko: Well, then I’ll withdraw my motion.

Chair Axthelm: Okay.

Ms. Lohman: I see. I was misunderstanding what you meant by “silent.” You mean ignore the recommendation, right?

Mr. Walters: How about that?

Mr. Raschko: So wait a minute now.

Chair Axthelm: So it’s allowing it to.

Mr. Raschko: Yeah.

Ms. Rose: Yeah.

Ms. Mitchell: \_\_\_\_\_. Is that what you were looking for?

Ms. Lohman: Strike “however.” That’s a weird word there.

Chair Axthelm: Because now you weren’t allowed to do rainwater catchment systems and this allows it to happen.

Mr. Walters: This would just be silent on it. The code would still prohibit it. We would look into that, per your recommendation, if the Board decides to move that forward, which we think it should.

Chair Axthelm: Okay, okay.

Mr. Walters: And then we would not have to amend the Comp Plan to allow for rainwater catchment for land divisions.

Ms. Lohman: Okay, that’s what we want.

Chair Axthelm: Okay. Because we’re just basic – we’re directing –

Mr. Walters: Right. We also wouldn’t have to amend the code to allow for rainwater catchment for land divisions. It would just be we would figure it out later.

Chair Axthelm: Which you weren’t already, right?

Mr. Walters: Currently land divisions cannot happen on a rainwater catchment.

Chair Axthelm: So did we have a motion or a second on that one?

Ms. Rose: Is it this new one? Second.

Chair Axthelm: Okay. So is everybody – any discussion on it other than that?

(silence)

Chair Axthelm: Okay. So does everybody approve of it?

Several Commissioners: Yes.

Chair Axthelm: Okay, good. You caught that, Ryan – that we're fine with this?

Ms. Lohman: There's a staff recommendation on page 8 that would change from "residential building" to "a building requiring potable water." So isn't that –

Mr. Walters: We probably could have condensed all these into one recommendation just to change –

Ms. Lohman: Could I make a motion that we change that everywhere applicable?

Mr. Walters: Yeah.

Mr. Raschko: Okay.

Chair Axthelm: Okay.

Ms. Mitchell: That'd be great.

Chair Axthelm: Any discussion?

(silence)

Chair Axthelm: We're okay with that? Good.

Ms. Lohman: And then the fifth staff recommendation on water is to add some narrative about rainwater catchment systems. I would like to make a motion that we –

Mr. Johnson: It's actually narrative or to policies where that's an available and legal option.

Ms. Mitchell: Second.

Mr. Johnson: It's basically to review the Comprehensive Plan and identify if there're other policies like 3A-2.1(a) where that makes sense.

Chair Axthelm: Mm-hmm. Okay. Any discussion on that one?

Several Commissioners: No.

Chair Axthelm: Okay.

Mr. Walters: I think we agreed with 15 there?

Chair Axthelm: Yeah.

Ms. Mitchell: Yes.

Mr. Walters: And we're going to add this?

Ms. Mitchell: Yes.

Ms. Lohman: Well, reword it a little bit.

Mr. Walters: Kirk, this is not phrased like a recommendation.

Chair Axthelm: You want to reword that one?

Ms. Lohman: Well, because we don't need it.

Chair Axthelm: Let's look at that and then we have a proper motion.

Ms. Lohman: We don't want it to say the Department agrees!

Mr. Walters: How's that?

Chair Axthelm: Oh, yeah.

Ms. Lohman: I make a motion that we approve number 16 the way it's written.

Ms. Mitchell: Second.

Chair Axthelm: Okay. Any discussion on that?

Ms. Lohman: No.

Ms. Mitchell: No.

Chair Axthelm: Number 16, List approved rainwater catchment systems in Comp Plan policies and narrative where there is an available and legal option. Any opposed to that?

(negative sounds from several Commissioners)

Chair Axthelm: Okay. Good. Takes care of that one. Next – water availability, anyway – and next item is rural development. There was a recommendation, RC-6, on page 8: "Revise policy 3A-3.6 by adding the following two additional conditions in GMA: services must be financially supported "at rural densities and will not permit urban development."

Ms. Rose: I'll make a motion that we adopt RC-6 from Staff Report Number 1.



Chair Axthelm: And I'll second that. Discussion? Annie?

Ms. Lohman: I guess I'm wondering what's included in the word "services" because – I wrote "no" beside it when I reviewed it earlier because I thought, Oh, my gosh, that has so many connotations the way it's proposed.

Mr. Walters: Well, it's not "services." It's urban services. Generally this has to do with the extension of sewer into rural areas, and GMA allows that to happen in a very narrow circumstance. The policy currently says where necessary to protect basic health and safety and the environment, but that is not what GMA says. GMA says that plus these two things – it has to be financially supportable and will not permit urban development.

Ms. Mitchell: Do we need to insert "urban" in there?

Ms. Hughes: Or what about utilities?

Chair Axthelm: (unintelligible)

Mr. Walters: Well, GMA says "urban services."

Female Commissioner: Oh, okay.

Ms. Lohman: Does that include a water line extension?

Mr. Walters: No. Water is allowed as a rural service; sewer is not.

Ms. Lohman: So it's specifically to sewer.

Mr. Walters: And anything else that's not included in rural services. But it's almost always talking about sewer. That's the biggie that you really don't get in the rural area – that you can't, except by exercising this exception.

Chair Axthelm: But that's still limited in circumstances anyway.

Mr. Walters: Yeah, this policy has been like this at least since the last Comp Plan update. It just – it should be more consistent with GMA than it is.

Ms. Jett: I have a question. Did somebody suggest putting the word "urban" between – on the first line between "GMA" and "services" so it reads "urban services"?

Ms. Mitchell: I did. I didn't know if that was appropriate or not.

Mr. Walters: Yes, that's exactly what GMA says.

Ms. Mitchell: So can we do that? Is that okay with – who made the motion?

Chair Axthelm: I think that was Tim.

Mr. Raschko: No.

Chair Axthelm: That wasn't you?

Mr. Raschko: It was Martha.

(several Commissioners speaking at the same time)

Chair Axthelm: I seconded it but you made the motion. She just added \_\_\_\_\_.

Mr. Walters: It doesn't matter who made the motion. There are no friendly amendments.

Chair Axthelm: "...urban services must be financially supportable..."

Ms. Rose: I'm fine. Yeah, that's fine.

Chair Axthelm: Okay. I'm fine with that, too. Okay, any discussion?

(silence)

Chair Axthelm: So are there any opposed to that – that revision as shown onscreen?

(silence)

Chair Axthelm: Okay, we're good with it. And then the next one, RC-7, on page 9.

Ms. Lohman: Wait – still in industrial \_\_\_\_\_.

Chair Axthelm: \_\_\_ still in the rural development?

Ms. Hughes: I would like us to discuss Retain Natural Resource Industrial policy 3C-5.5 regarding establishment of ag industrial park on Ag-NRL land. Was there an issue of deleting that?

Mr. Walters: The proposal would delete it. Some commenters said don't delete it.

Ms. Lohman: The Advisory Board said to keep it.

Mr. Walters: Right. But our thought was that we have Bayview Ridge as a large industrial area, and if you have industrial development on ag land you're taking ag land out of production.

Ms. Hughes: Can we have a little discussion on this?

Chair Axthelm: Do you want to make a motion on it first? Is there any motion you want to make towards it?

Ms. Lohman: I make a motion that we retain Natural Resource Industrial (NRI) policy 3C-5.5 regarding establishment of an ag industrial park on Ag-NRL land.

Chair Axthelm: Do we have a second?

Ms. Hughes: I'll second it.

Chair Axthelm: Okay, it's been moved and seconded. Discussion.

Ms. Hughes: I can understand the effort and I think that uncertainty in the ag community is what motivated this – to retain it. My thoughts – and in discussing individuals who were involved in that – is could we make a middle ground where we redevelop areas would be allowed? So if they wanted to redevelop noncompliance properties possibly or old dairy barns that are no longer being in use, that would make those properties valuable, but they're already using ag ground. Just throwing it out there.

Mr. Pernula: Let me just point out that ag accessory uses are permitted right now. This is an industrial park we're talking about – establishment of a large-scale ag industrial park on Ag-NRL property.

Mr. Walters: And it doesn't currently exist.

Ms. Hughes: Pardon me?

Mr. Walters: And it doesn't currently exist.

Ms. Hughes: Yeah, and I think that they were wondering if some growers had to go together to do this. You know, I think the intention of it's-already-an-accessory-use would be for individual growers. But we've seen where economics in the last 25 years has forced agriculture to start becoming processors as well, you know, and sharing resources economically, and this could leave the door open for that. And that's how I read that issue, is that they wanted to have availability down closer to the farms in case groups wanted to go together.

Mr. Walters: Well, there are two parts to the policy. The first part is designate an area or areas in which to concentrate agricultural-related industrial uses in an ag industrial park. Then the next part of the policy says and you can put that on Ag-NRL. So you might consider those two parts of the policy separately. We anticipate if we ever did try to designate Ag-NRL land as an ag industrial park that there would be tremendous pushback.

Ms. Hughes: Yeah.

Chair Axthelm: I'm thinking I'd try – put it out there.

Ms. Lohman: I just don't want to slam the door.

Chair Axthelm: Mm-hmm.

Ms. Mitchell: I don't either.

Ms. Lohman: I mean, I understand, too. I kind of agree with what Amy was suggesting about repurposing some already – basically you've already taken it out of production anyway, so repurposing opportunities. And some of those are fairly large footprints and they've already kind of in a way have infrastructure – a lot of utility – water and electrical and a whole bunch of other stuff already there.

Mr. Walters: We could rewrite the policy in that way.

Ms. Lohman: I think I'm not sure that we want to be designating any spot at this time. We don't know where that spot is.

Chair Axthelm: And it currently states that – it currently allows an ag industrial park. It's just there's none.

Ms. Lohman: But it could be very – it could be very small – a coalition of growers that get together and do something like a couple of feed bins or grain bins.

Mr. Walters: And as currently written, it doesn't allow anyone just to apply for a permit for that. It requires us to designate that first, which we have not done. And it says to do it. It doesn't say wait for someone to ask for it either.

Mr. Johnson: It says "should."

Mr. Walters: Right.

Mr. Johnson: And as we discussed in the last discussion about open space, "should" just means it's an option to you in the future. So it doesn't say you *shall* do it.

Mr. Walters: It's not mandatory.

Mr. Johnson: Right.

Ms. Rose: So is there an opportunity for a conditional use type permit if something falls outside the box?

Mr. Walters: Well, people can do an ag accessory processing use now. They don't need a conditional use permit in Ag-NRL, I don't think. So this would not be for that. To repurpose ag buildings for a new purpose that is still ag processing I think should still be allowed under our zoning code.

Mr. Pernula: It would be allowed now or in the future. It's an ag industrial park, is what we're talking about.

Mr. Walters: This is a new special conglomeration.

Chair Axthelm: I think leaving it probably the same. Right now there's no issues one way or the other. There's no applications.

Mr. Walters: Not until someone asks for one.

Chair Axthelm: And that's one of my concerns, is what about marijuana? We don't allow it. You can do it out in the ag in existing buildings, but – and because – but we couldn't do it in new buildings because it's industrial in nature. But in this situation, if we leave it as ag – if it's ag industrial, is that going to open a can of worms?

Mr. Walters: We did add a line to our code that specifically says that marijuana is not to be considered agricultural, so I think we would \_\_\_\_ consistent with that.

Chair Axthelm: It would still exclude it. Even if it says – well, if we had agricultural because it's industrial in nature but this is ag industrial.

Mr. Walters: Yes. It would all be legislative, as well, because any designation of this industrial park would require a Comp Plan map amendment.

Ms. Rose: Josh? So you know the legislature just passed industrial hemp, right? They legalized it so that opens up a whole other arena, which I'm not sure where everybody stands on that. But that's a huge economically viable industry. They're even building buildings out of it. You know what I'm saying?

Chair Axthelm: Mm-hmm.

Ms. Rose: So I don't know where that falls into this but –

Chair Axthelm: That's future, I guess.

Ms. Rose: Yeah. Probably not too far in the future, but that might be a better example of how these properties might want to get used because it is industry but it's also ag.

Chair Axthelm: Is that going to have the same requirements or restrictions as what marijuana would?

Ms. Rose: I don't think so.

Chair Axthelm: I don't think it does.

Ms. Rose: I don't know why it would. It would be an industrial crop.

Chair Axthelm: But it's on an ag – yeah.

Mr. Walters: So we'll add that to the work program – the hemp ordinance. But we just thought that this policy had been overtaken by events, given that we redesignated so much land at Bayview Ridge to industrial. But if that's not the case – I mean if Bayview Ridge land wouldn't work as industrial land for ag processing, if there needs to be an ag industrial park on ag land itself, then maybe we leave the policy.

Chair Axthelm: So we have a motion. Is there any other discussion on the motion?

Ms. Lohman: I think I have a lot of respect for what the Ag Advisory Board says. And they're asking that it be retained. I don't think there's any threat that somebody's going to come in with a giant ag industrial complex at this point, but they want to leave the door open.

Chair Axthelm: And that won't happen overnight anyway.

Mr. Walters: And it would be a legislative proposal. It would come to the Planning Commission for approval. We would have legal review done on it because at first blush I don't know that we could convert ag land for this purpose. Maybe we could. I don't know. But, you know, it would be a significant process to actually make it happen if someone wanted it.

Chair Axthelm: Okay, call for the question.

Ms. Mitchell: Yeah.

Chair Axthelm: All those in favor of retain Natural Resources Industrial policy 3C-5.5 regarding establishment of an ag industrial park on Ag-NRL land. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: Opposed?

(silence)

Chair Axthelm: \_\_\_\_\_, just in case. So now RC-7.

Ms. Lohman: So the next point is moot in the staff memo. I just wanted to make sure that we didn't –

Ms. Mitchell: Right.

Mr. Walters: What next point?

Mr. Johnson: If we're allowing that policy 3C-5.5 is deleted.

Mr. Walters: Ah.

Chair Axthelm: So we don't need to worry about that.

Ms. Lohman: Okay, wait. Then we have RC-7.

Chair Axthelm: Yeah. That's what I was just looking at.

Ms. Hughes: Well, and if I could bring discussion up on opposition to Rural Element policy 3C-10.7 regarding Home-Based Businesses in Ag-NRL lands. Again, the opposition had to do with parking, traffic changes, and changes the rural character in that. So it says "HBB3 in Ag-NRL should be accessory to ag use and should have limits on...number of employees." So could you clarify that again for me? Could you help me work through this?

Mr. Johnson: Dale, do you want to or should I?

Mr. Pernula: You go ahead.

Mr. Johnson: Home-Based Business 3 is a – there's Home-Based Business 1, 2, and 3, and as you move up the ladder you get – I think 1 is only inside the residence and can have no visitors, and Ryan probably knows the details of 2 and 3 better than I do. But Home-Based 3 is the most intensive of the Home-Based Businesses, which isn't very intensive. Currently you can't have a Home-Based Business 3 on ag land unless it is clearly secondary and incidental to an actively managed agricultural operation, which is effectively the same thing as a farm-based business, which is allowed outright. So I think that would be like selling your products or selling cider or a cheese retail thing. What this is saying is that should be slightly loosened so that you could have a Home-Based Business 3 on Ag-Natural Resource Land provided that there is no conversion of the resource land. So on an area that's, you know, graveled or paved or whatever, there

would be the limits on the number of additional employees. And, I guess, the two kind of hypothetical scenarios where this could make sense are if you're a farming operation and one member of the family drives the tractor and the other does some bookkeeping services on the side and would like to have people be able to come to the site or would like to be large enough to qualify for the Home-Based Business 3. Right now you couldn't do that because that's not directly related to the actively managed agricultural operation, so that landowner would be precluded from having that business opportunity that could help supplement farm income.

The other issue is you might have an Ag-NRL parcel in Blanchard that's a third of an acre in size. It's not farmable. And if you're in that situation, under the policies in the code as they currently read you can't have a Home-Based Business 3 because you're designated Ag-NRL, even though there's no farming going on there. So it's a slight liberalization to achieve those two goals. Brandon, who processes these permits, just – I mean, I think he's had instances in both cases where landowners have wanted to do a Home-Based Business 3 in Ag-NRL and we've said, No, you can't under the policies in code as they currently are.

Ms. Hughes: So in the process is there a review of the parking available on the site so there's not traffic parking out on the roads or blind spots, since our rural roads are more narrow? Is that part of the process to make sure if that happens that there has to be –

Mr. Walters: Yes, it's a Hearing Examiner special use so all of those issues are considered.

Ms. Hughes: Okay.

Ms. Lohman: What's the tipping point between 2 and 3? What makes it a 3 and not a 2?

Mr. Walters: I believe it is the number of employees.

Mr. Johnson: 3 may be the only one where you can have employees outside of the family or the people living in the residence.

Mr. Pernula: They can have up to three.

Mr. Walters: I can tell you for sure in just a second.

Ms. Lohman: So you could still be a piano teacher or somebody that does massage.

Ms. Mitchell: Or a seamstress.

Ms. Lohman: A seamstress, yeah.

Mr. Johnson: Yeah, with a 2 you can have clients or customers visit the site but you can't have – you can't employ employees. With a 3, you can employ employees – you can have employees.

Mr. Walters: So Home-Based Business 1 is allowed outright. Home-Based Business 2 is allowed in Ag-NRL as an admin special use, but doesn't allow conversion of ag land. Home-Based Business 3 is allowed as a Hearing Examiner special use but doesn't allow conversion of ag land and has to be an accessory to the farm. But we already have a thing called farm-based business that has to be accessory to the farm so there's not a lot of point in keeping Home-Based Business 3 on there because you can do farm-based business outright. And a Home-

Based Business that has to be accessory to the farm is a farm-based business. So this would delete the requirement to make it accessory to the farm, so you could do something not related to the farm, like bookkeeping – which I was reading as bee keeping but is bookkeeping – or anything else that's not related to the farm. It would allow you to do that and have your three employees, and I think that's basically the snapshot of the distinction here. So it doesn't make sense to leave the code as it is, which is why this bubbled up to us originally, because Brandon pointed out that Home-Based Business 3 no one would ever apply for because farm-based business is outright allowed.

Mr. Johnson: Yeah. So if you're not comfortable with making this change that would allow Home-Based Business 3 that would be allowed in any other zone in Ag-NRL, then simply strike Home-Based Business 3 from Ag-NRL because you can already do a farm-based business without any permitting. So it's superfluous.

Mr. Raschko: Why was the Ag Advisory Board against this? Does anybody know?

Chair Axthelm: It seems to me it's opened a can of worms because if you can do different businesses on Ag-NRL then that would open it up. Right now it's currently you can do incidental, right?

Mr. Walters: Well, you can do Home-Based Business 1 and 2 not related to ag operations. This was only addressing Home-Based Business 3, which we propose you also be allowed to do but not convert any ag land.

Mr. Johnson: I think it's just a concern that a use like that could have negative impacts on that farm operation or other farm operations. It's a stricter standard than exists for any of the other natural resource lands because in forestland or Rural Resource-Natural Resource Land, you can do a Home-Based Business 3 on that natural resource land. Ag-NRL is the only one where it has to be accessory to the actively managed resource activity. So it's a higher standard of protection and it's kind of –

Ms. Lohman: Arguably a lot less acreage, too, in the Ag-NRL.

Mr. Pernula: Conversion of ag land wouldn't be permitted. Remember part of the reason, I believe, is that we have so many areas of the county that are zoned Ag-NRL that are used for different purposes. For example, all of Blanchard – not all of Blanchard but most of Blanchard, much of the area along McLean Road and several other areas of the county are really not large farmlands where people have less ability to do home-based businesses than other places.

Ms. Hughes: And further, it goes to a Hearing Examiner, so if there was an issue with the neighboring farms then they would go to that hearing and point that out. So that's kind of the safety factor.

Ms. Lohman: But there has been some issues with, like, wedding venue people. You could argue it's maybe a Home-Based Business 3 or 2 and they've gotten into a bit of a match with the farmer out there working ground or spreading manure or something because it happens to fall on the wrong weekend. So – and I know that there's been areas where that has been, to say politely, it's been a big brouhaha.

Mr. Walters: It is maybe sort of odd that under our existing code and without any proposed changes the threshold for moving from 2 to 3 is whether you have three people show up to work



at the business, when the real impact maybe is do you have lots of customers coming. It's the three – the three employees are not creating the impact. It's the customers. But that's not the way our code is written right now.

Ms. Mitchell: I suppose we could make a recommendation?

Chair Axthelm: Amy, did you want to make a recommendation on that one?

Mr. Walters: Because if you could run your wedding – I don't know that we have interpreted wedding venues as Home-Based Business 2, because if they take land out of production you can't do that. I'm not sure how we've interpreted –

Ms. Lohman: But they're using the buildings. They repurpose the buildings.

Mr. Walters: Right, but I'm just – I don't want to say what we have done because I don't know what we have done there, but if you could run a home-based business with just your family members, there wouldn't be a constraint on the number of cars you could have show up. And we're not proposing to change that one. That's Home-Based Business 2. But all of these would have and do have restrictions that say you can't take any land out of production. This specifically says "No conversion of ag land is required to accommodate the business activity." So to boil it down, I think the question is: Do you want to allow some kind of business that is not related to ag, that doesn't take up any ag land, is run out of some existing building, and has three employees? Because a business that is related to ag is already allowed under farm-based business. So if you answer that question no, then what we would want to do is delete Home-Based Business 3 out of the code entirely for ag land. If the answer to the question is yes, then we would want to amend Home-Based Business 3 so it doesn't have this related-to-agricultural-operations because that's redundant with farm-based business.

Ms. Lohman: Do you have the Ag Advisory's letter handy? Did they go into any explanation?

Mr. Johnson: He's going to pull it up on the website, I think.

Mr. Walters: These aren't listed by –

Ms. Lohman: It might be under – is it under Nels' name?

Ms. Mitchell: There it is.

Mr. Walters: Hmm. Well, it says allowing small businesses without a defined number of employees, but the number of employees is limited to three.

Ms. Hughes: Okay, and it sounds like the issue is will have a negative effect on neighboring, ongoing ag operations is the concern.

Mr. Walters: Yeah, so hopefully that would be mitigated by the Hearing Examiner review of it. And the last statement is just not quite right because the number of employees *is* limited.

Chair Axthelm: So we need a recommendation so we can move on, or a motion.

Ms. Jett: I have a comment. I just want to express my – I am agreeing with the Ag Advisory Board \_\_\_\_\_.

Chair Axthelm: You've got to speak up.

Ms. Jett: I personally would agree with the Ag Advisory Board.

Ms. Mitchell: I'm leaning that way, too.

Chair Axthelm: Because there's still an option to do it through the special use.

Mr. Walters: No.

Mr. Pernula: No, not at all.

Chair Axthelm: The current code allows for HBB3 under a Hearing Examiner special use.

Ms. Lohman: It has to be accessory to ag.

Chair Axthelm: Yeah.

Mr. Pernula: Basically what it comes down to is that if there's an agricultural business there and it's related to it, they can do it. But all those other properties that aren't ag can't have a Home-Based Business 3.

Mr. Walters: Oh, yeah. That's a wholly different and important point that there are a lot of ag properties that really aren't practicing agriculture.

Ms. Lohman: But it's – also when we've brought that up, though, there doesn't seem to be a will to rectify that scenario of fixing the map.

Mr. Walters: Well, one possible solution is to rezone them, but I recently read something – maybe a Hearings Board decision – that indicated that we did that on purpose. I don't know why but – because I didn't spend a lot of time researching that – but I'm not sure that we would rezone all those properties if we decided to look into that.

Ms. Lohman: I guess what I'm saying is short of revisiting that in that way, it's part of the peril of being in ag. I don't know how to fix it without harming the NRL you're trying to protect.

Mr. Pernula: Don't want to do that.

Ms. Mitchell: Hope.

Ms. Lohman: So personally I think we should go with the Ad Advisory Board's recommendation.

Ms. Mitchell: I second that.

Chair Axthelm: Okay.

Ms. Rose: Well, the only question I have is just because I've had to read this about ten times and it's starting to sink in. I think the proposed change is to allow a little more flexibility but only with the Hearing Examiner. And so I'm leaning towards the more flexibility because we don't know what that might be. Whatever that proposed use might be, it might be a good idea and if

we go with the recommendation of the Ag Board they're shutting the door on that potential idea that's not related to ag. Do I understand it right? So I don't know what it is either but because there's that whole layer of administrative review through the Hearing Examiner, I don't think there's – I don't think it's throwing caution to the wind to allow the change, you know, for a non-ag-related business, because it might be something that makes a lot of sense. Bicycle repair shop. I don't know what it would be, but I don't want to shut the door on the possibility when knowing that there's hurdles that they have to overcome. It's not just a blanket okay, you can do it.

Ms. Jett: I'd like to respond.

Chair Axthelm: Go ahead.

Ms. Jett: I still agree with the Ag Advisory Board because if somebody wants to have a non-agricultural-related business they should go into a zone that allows that. And I just think we have to be very protective of the agricultural community. For one thing, there might be three or four farmers in the area and some large corporation wants to come in and put some kind of a business in there that is non-agriculture-related, and I personally don't have a lot of confidence that the Hearing Examiner would side with the three or four farmers as opposed to a large corporation with more tax revenue coming into the community.

Mr. Walters: It wouldn't be able to be a large corporation because the code limits it to three employees.

Ms. Jett: Oh, in the –

Mr. Walters: HBB3 is always limited to three employees.

Ms. Jett: Well, I mean, a lot of times –

Mr. Walters: And one of them has to live onsite.

Ms. Jett: A lot of times large businesses are run with robots and do those count as employees? Such as a water bottling process plant? It might not have more than three employees.

Mr. Walters: Yes, I think there's that possibility, but three employees and you can't take ag land out of production. Those are the constraints. Well, actually there are other constraints. It has to be carried out by at least one member of the family residing in the dwelling. It has to be clearly incidental and secondary to the use of that dwelling. It can't have any outside storage. It cannot create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odor, heat, glare, traffic, and other environmental impacts beyond that which is common to residential area; does not create a level of parking demand beyond that which is normal to a residential area. But it may have clients come to the site. But Home-Based Business 2 can also have clients come to the site and Home-Based Business 2 is already allowed as an admin special use, and we're not talking about changing that one.

Chair Axthelm: Okay. So we have a motion to support the Ad Advisory comment in opposition of the change.

Mr. Walters: So if you wanted to make that motion, what I'd recommend is just moving to recommend deleting HBB3 from Ag-NRL.

Chair Axthelm: Does the maker of the motion want to make that? Who made the motion? No, somebody made the motion. What he was saying was delete –

Ms. Hughes: I'm not sure – did we make a motion? I think we just opened discussion.

Mr. Walters: I don't think anybody did, because I'm *diligent* about typing those in.

Ms. Hughes: Yeah, and I'm diligent about not making a motion until I know more information!

Ms. Jett: Okay, I make a motion as Ryan just stated it. RC-7 but delete the HBB3.

Chair Axthelm: I'll second that. Discussion? Further discussion?

Ms. Lohman: Are there very many of those now?

Mr. Walters: I couldn't tell you. Probably not because they could – as the code is currently constructed, you would never apply for a Home-Based Business 3 because the requirements are the same as farm-based business, which you can just do without any permits. So I doubt that there are any, unless we've changed this code more recently.

Chair Axthelm: So if you can justify farmers need massages, then that would associate with the farm-based business, wouldn't it?

Ms. Lohman: Well, I mean, I know somebody that does it out in the neighborhood and it doesn't take up any ag land and it's pretty small. She doesn't have any employees. It's a one-woman shop.

Mr. Walters: Well, without employees you would still be able to do that.

Ms. Lohman: I agree and I don't think anybody in the neighborhood has any issue with it happening.

Mr. Walters: If you needed to have an employee who was not a family member, you wouldn't be able to do that under this unless we decided it was ag related.

Ms. Mitchell: Can I call the question, please?

Chair Axthelm: Okay. So the question's been called: Delete the Home-Based Business 3 from Ag-NRL. And that's as recommended by the Ag Advisory Board, correct?

Mr. Walters: No.

Ms. Lohman: No, they didn't.

Mr. Walters: I don't think that they fully understood the issue, so they didn't recommend deleting it. I'm saying that that's the logical extension of what it is you apparently want to do.

Mr. Pernula: It would be consistent with what the recommendation was.

Chair Axthelm: Okay. All those in favor of deleting the Home-Based 3 from Ag-NRL, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say “no.”

Multiple Commissioners: No.

Chair Axthelm: Who did we have a “no” on? Martha and Tim. Okay. So in that case, the ayes have it. All right, so the next one, RC-8. That’s under – still under the rural. RC-8 is “Amend policy 3C-1.7 to indicate that landowners and residents of an area being considered as a new Rural Village should be involved in that planning.”

Ms. Rose: I move we adopt RC-8.

Ms. Hughes: Second.

Chair Axthelm: It’s been moved and seconded to adopt RC-8 as shown in the Staff Report #1. Discussion.

(silence)

Chair Axthelm: Is there any discussion? No discussion?

Ms. Hughes: I have discussion. My concern is the same as was expressed before. At the same time there is some risk that such an area once provided a zoning foothold other than Ag-NRL could generate pressure over time to expand outward. I am concerned about easily making urban villages, if I’ve read that properly – that it could be taken advantage of through growth and all of a sudden we have urban villages. Is that correct?

Mr. Johnson: If I could clarify: There was a suggestion at the bottom of page 9 which was currently as proposed and we ran this by you before the proposal was put out. There’s a policy that says Skagit County may consider or should consider the designation of new Rural Villages for areas that look, act, and feel like existing Rural Villages. And we put that out for public comment as a part of the proposal and there was one comment that said – that recommended against adopting that policy that would allow those new Rural Villages. And so the staff report just says, Well, on the one hand when you’ve got a place like Blanchard that kind of looks and feels like a Rural Village – or someone else has suggested Rural Intermediate – and maybe truth-in-zoning it should be changed. Maybe it should be considered as a Rural Village. Then on the other hand is, I think, the concern – I think Gary Christensen worked with the Ag Advisory Board in the 2005 Update and asked the question, you know, Should we look at Blanchard? Should we look at McLean Road and Beaver Marsh Road, \_\_\_\_\_ quarter-acre lots or whatever, with the idea of rezoning those? And I think the sense he got back was, you know, That could just cause a whole lot of headaches. So the comment above, you know, if you’re going to allow new Rural Villages, people who live there should be part of the process – is do you propose to change the proposed policy that says the County should consider or could consider new Rural Villages for places like Blanchard that look and feel more like a Rural Village than Ag-NRL. Or are you comfortable with that, you know, going forward to the Board?

Ms. Lohman: It bites both ways.

Ms. Rose: It doesn't say anything. It doesn't say black and white. It says that landowners and residents should be able to be involved when an area's being considered.

Ms. Lohman: I mean, it may not happen. They may say \_\_\_ leave it \_\_\_.

Ms. Rose: Right. That's what I'm saying. So it's not – all it is doing is acknowledging that the people that live around there ought to have a voice, which is kind of what we've been talking about all night. So that's why I don't think this is too big of a concern. It doesn't mean that if – I also don't read into this that if the majority want it it doesn't mean necessarily that they would get it either. It just means that their voice would be heard.

Mr. Johnson: If I could interject: There's this proposed policy about consider creating new Rural Villages. If that policy stays in there, then RC-8 is relevant. So the question – the first question is, Does the Planning Commission have any objection to this policy moving forward to the Board? One person commented that they had concerns. I think Commissioner Hughes said she wanted to talk about it. So before you get to the issue of whether people who live there should be involved, you have to resolve the issue of whether you think that policy should move forward that would allow the consideration of new Rural Villages, because currently that's not a policy.

Ms. Hughes: And then if I could follow up on my comment of the risk to the area: I guess I go back to in the *Herald* we read weekly all the urban villages that used to be around and that they have died away. And so I'm – you know, there're some pretty obvious ones that you just mentioned but then there're some real invisible ones. If a community were to decide they wanted to bring that forth, I think that's where we could end up with it being a risky area to trod.

Ms. Lohman: Is it really what you're after?

Ms. Hughes: In Skagit County?

Ms. Lohman: Yeah. I don't know what to do on whether it's right or wrong. I don't have a crystal ball to see how people are going to behave. But I know it's frustrating when everybody talks about the ag inventory and I know there's large areas that are not ag, and so it makes us look like we have more than we do. But then again, there's places where there's ag that they're not called ag in Rural Reserve and it works the same way. And I know there's folks that are handcuffed by being Ag-NRL and clearly all around them is Rural Intermediate – what you'd have to call Rural Intermediate or more like a Rural Village. So they're handcuffed.

Chair Axthelm: Well, Sedro-Woolley's a prime – I'm sorry. Go ahead.

Ms. Lohman: So I'm almost thinking that maybe we should just leave it alone and unless there's an upwelling of people that want to come and fix those things – but we have to acknowledge that they're there.

Mr. Raschko: Are you saying go with what it says here? Consider designating –

Ms. Lohman: I'm saying don't do it at this point. Just –

Ms. Mitchell: Leave it the black line \_\_\_? Is that correct?

Mr. Walters: Well, we kept hearing exactly what you just said from *you* –

Ms. Lohman: From *me* because –

Mr. Walters: – which is why we drafted this.

Ms. Lohman: But in order to have it, you have to have the will of the people and we didn't get any comments from anybody else.

Mr. Walters: The other thing about this provision is that you wouldn't be able to designate just any Rural Village. It would have to be consistent with the designation criteria that are in the plan.

Ms. Hughes: And what is the designation criteria?

Mr. Walters: Kirk?

Mr. Johnson: It had to be an area of more intensive rural development – a hamlet, a village.

Mr. Walters: As of 1990?

Mr. Johnson: Yeah, by 1990.

Ms. Hughes: Okay.

Mr. Johnson: So it couldn't – you couldn't have a totally new Rural Village but you could have a place like Blanchard that's clearly been that way more or less since 1990 and draw logical outer boundaries around it and call it a Rural Village. So it would have to be a historical community with higher density than is normally considered rural, like Edison or –

Ms. Hughes: Do you have an inventory of how many communities are out there that could?

Mr. Johnson: No. It's a pretty extensive review and –

Ms. Lohman: So who would initiate it happening?

Mr. Johnson: Well, the County Commissioners would initiate it happening probably after hearing from members of the community that they were sick and tired of being zoned Ag, for instance, but they're not Ag. But then there's – you know, they can't do things that you would normally be allowed to do in a residentially zoned area because you're zoned Ag.

Mr. Pernula: Could they apply for a rezone at their own volition – the property owners?

Mr. Johnson: Probably. I mean, I don't think there's any – I don't think there's anything in the Comp Plan that says you can't create new Rural Villages. I think you just have to do it – the area that you want to designate has to meet the LAMIRD requirements, which are pretty strict. So I'm not sure.

Mr. Walters: And this wouldn't change that.

Mr. Johnson: No. This is just a little bit more of a putting it out there that the County could consider them.

Chair Axthelm: So the new policy would allow basically an existing community to not necessarily expand but revitalize.

Mr. Walters: Allow it to redesignate from Ag to Rural Village.

Ms. Lohman: But I think that a lot of these things – like Blanchard, for example. It's constrained by its septic, similarly to – I mean, I think the likelihood of someplace like that exponentially expanding is pretty slim because of their inherent limitations already. And I – speaking of just that area. And the surrounding Ag-NRL is so prohibitive to its expansion.

Mr. Walters: Well, and even if it were designated a Rural Village, it wouldn't be allowed to expand geographically. It would have to have a logical outer boundary under the statute that corresponds to the pattern of development as of 1990.

Mr. Johnson: Yeah, but we've seen – I mean, we've seen Rural Intermediate areas, we've seen people come in and say, Well, my lot looks just like the lot that's in the Rural Intermediate but I'm in the Rural Reserve. So, I mean, there is some inherent pressure but there're also lots of limitations, too, that make that a very hard test. When the Alger Subarea Plan went through, two or three properties were added to Alger Rural Village, but, you know, it's not like it's grown in leaps and bounds.

Ms. Hughes: Would an area like McLean be considered, or an area just in west Mount Vernon that's really not – you know, that we've gotten a lot of growth but it doesn't really have that historical. Could that be – would that be considered?

Mr. Johnson: I suppose it could. I mean, McLean and Beaver Marsh, I mean that kind of feels – you know, it's got the fire station. It's got the little grocery store. I mean, that, I guess, potentially could be. I'm not sure about the kind of the sprawl that comes out from Mount Vernon.

Mr. Pernula: A lot of that's in the Mount Vernon UGA.

Mr. Johnson: Yeah, and if there's no kind of center point to it, I'm not sure it works as a Rural Village. I'm not even sure if there's Rural Intermediate there. I think all of these areas – if we had Gary here, he could inform us – but I think all of these areas were considered as Rural Villages with the '97 Comp Plan, and for some reason the ones that got designated that way got designated that way and the ones that didn't didn't.

Chair Axthelm: Well, we aren't going to get everything done tonight. Do we want to have somebody come in and say something to us on this, or can we make a decision?

Ms. Hughes: I'm looking at you for your wisdom.

Ms. Lohman: I have gray hair. Well, I think that we're all seeing the pros and the cons, like you mentioned in your staff memo, to doing this. But I really do think it's wrong the way some of those things are mapped and designated, and if we're not going to fix them, I don't know. It's like – so I guess I'm going to say I support the staff change in the Comp Plan – the blue language on the screen.

Ms. Hughes: So my addition to that: Is this a stopping point that we could have Gary come in and finish us up next time when we're fresh?



Mr. Pernula: No.

Ms. Hughes: No?

Mr. Walters: He's no longer with the company.

Ms. Hughes: Oh.

Mr. Pernula: He works down in Bainbridge Island.

Ms. Hughes: Oh! Okay, sorry.

Ms. Lohman: We don't get to make the decision, too. It's just a recommendation and the Commissioners may not like it either.

Chair Axthelm: Well, we either uphold what they have in there \_\_\_\_\_.

Ms. Hughes: Okay.

Ms. Lohman: But I do think, though, if we do agree with this added language, that you need RC-8 to go with it.

(several Commissioners speaking inaudibly and/or unintelligibly)

Chair Axthelm: Kathi? Kathi Jett? You had a comment?

Ms. Jett: I was just – this is the motion we're voting on? Is that correct?

Chair Axthelm: Is that what you're – well, is that what you're proposing, is uphold RC-8 as the – let's see. "If retained, policy 3C-1.7 could be amended as follows," and you said RC-8 \_\_\_\_\_. It's the same. It just looks different. Okay, so the motion has been made. \_\_\_\_ a second?

Mr. Raschko: Second.

Chair Axthelm: Okay, so it's been made and seconded to change – or to incorporate RC-8 as in the Staff Report #1. Item number 20 here is "Amend policy 3C-1.7 to indicate that landowners and residents of an area being considered as a new Rural Village should be involved in the planning." Discussion.

Ms. Lohman: Can we change – instead of calling it a "new Rural Village," can we call it "newly designated Rural Village" or something like that? Because it sounds like presto, it's from bare earth the way that you have it worded.

Chair Axthelm: Any opposition to that? The amendment?

(negative sounds from Commissioners)

Ms. Rose: Yeah, that's fine.

Chair Axthelm: Okay. So that's all right? Any other further discussion?

(silence)

Chair Axthelm: So all those in favor of – or is there any opposed to the statement as shown onscreen?

(silence)

Chair Axthelm: Okay. Good. And it is 9:15.

(several Commissioners speaking inaudibly and/or unintelligibly)

Chair Axthelm: The last one on the page? That's Wildfire Planning.

Mr. Raschko: That's an easy one.

Ms. Mitchell: It's an easy one.

Mr. Raschko: RC-9.

Chair Axthelm: RC-9: "Policy 4B-2.11 should be corrected to note NFPA not DNR."

Ms. Mitchell: I move that we accept that.

Mr. Raschko: Second.

Chair Axthelm: Is there any opposition to that statement?

Ms. Rose: No, I think we should.

Chair Axthelm: Okay. Affordable Housing – do we have – Affordable Housing – Affordable Housing – was that just a statement there? There's no \_\_\_\_\_.

Mr. Johnson: That was from the Health Department and they asked, Please add language to policy 7B-1.8 emphasizing "an intentional focus on expanding the supply of housing affordable at or below 50 percent... of area median income." Because that's just the hardest area to serve, and so they're saying that deserves some special attention within that policy. Not Health – well, yeah, Public Health. Yeah.

Chair Axthelm: Okay. Well, I guess we should have a motion still on it.

Mr. Raschko: On what?

Chair Axthelm: A motion on RC-13.

Ms. Lohman: Are we jumping to Affordable Housing and skipping the Reference to Other Plans?

Chair Axthelm: \_\_\_\_\_. Oh, sorry. You were just talking about Affordable Housing. No, actually we have References to Other Plans that we should cover first.

Mr. Raschko: I think this is a complex issue.

Ms. Lohman: Can we table that to the next meeting?

Mr. Raschko: I think we should. I don't think it's a quick and dirty.

Chair Axthelm: Okay. Do that one next, okay? Do we want to cover Affordable Housing tonight? \_\_\_\_\_ talked about?

Ms. Lohman: I'd like to make a motion that we adopt the recommended language in RC-13 and add the suggested language to policy 7B-1.8 to expand the supply of housing affordable at or below 50% of the area median income.

Ms. Hughes: I'll second it.

Chair Axthelm: Any discussion?

Mr. Raschko: Yeah. How do you do that? I mean, who's going to pay for it or subsidize it?

Mr. Pernula: I think I might be able to respond to it a little bit. They have a definition of low and moderate income housing. Low income is below 50% of the median family income, and moderate income is at or below 80% of the median family income. I think they just want to direct specific attention to those who are low income as opposed to moderate. They already do it all the time when they're providing housing for low and moderate income people.

Mr. Raschko: Oh, so this is government housing.

Mr. Pernula: I would assume that's what they're talking about.

Ms. Lohman: Can we flip back to the Comp Plan?

Mr. Johnson: Yeah, probably should look at the policy.

Mr. Pernula: That came from where?

Mr. Johnson: It came from Department of Health – has been tasked by the County Commissioners to really step up the County's focus on affordable housing with the Cities and various housing providers. You may recall a housing summit back in January that had 300 attendees. So the new proposed policy says "develop growth strategies in housing and human service programs to plan for affordable housing within the regional context." And then this suggestion is just saying and pay particular attention on housing at or below 50% of the area median income, because that's where the greatest unaffordability is and those are the people who need the most help.

Mr. Raschko: And I'm absolutely supportive of that, but from a practical standpoint the Growth Management Act limits the amount of available land, which drives the prices up, and then the impact fees that are on it and everything else – I don't see how anything ever becomes affordable to somebody in that thing unless there's major shifts on how we conduct that kind of business. And so either it's going to be subsidized or it's just economically a feel-good idea. Am I wrong?

Ms. Rose: No.

Chair Axthelm: Martha.

Ms. Rose: So my comment on this: I, too, support affordable housing and I know that there are many avenues to get there. But the avenue that is a bad idea is – or let's look at the good idea first, is when it's funded broadly. Like instead of placing a tariff or tax or impact fees on, say, new buildings to finance low income housing, it should be a broad tax on the whole population. Does that make sense? I'll use Seattle as my example. They decided to basically – it's either going to be implemented or it already has been; I left so I don't know. But where builders of new houses would have to pay a square footage fee for their new construction that would go into this fund. So basically two segments of the population were paying for this housing – the builders and the buyers of those new homes, but yet the whole population benefits from this thing. So it's – I would want to make sure that this got implemented in a fair way where it was a broad base support, either through a levy that people vote for or through public/private partnerships. You know, there's many ways but to go after a small segment to pay for it is not a good idea. So I don't know what kind of safeguards are built into this proposal, but...

Mr. Walters: Well, this proposal is just to come up with a proposal – develop growth strategies and programs.

Ms. Rose: Yeah, so it's a wish, in other words.

Mr. Johnson: And basically the – I mean, within the County the Public Health Department is tasked with doing that. They have – they've hired two new staff people who are very knowledgeable about housing programs. But, yeah, probably that strategy as it moves forward will go through the Board of County Commissioners dealing with the Health Department and not through the Planning Commission. So this is just a goal in the Housing Element saying this is an issue and there should be efforts to address it, and there should be efforts \_\_. Basically what the policy is saying is that our housing stock should – we should have the same amount of housing stock available that people at different economic segments as we have people at those different economic segments. It is an aspirational goal and it really doesn't get at the question of how you achieve that. It's a goal, and the achievement happens through other forums than this planning process.

Chair Axthelm: Annie?

Ms. Lohman: So, Kirk, the 40% would be shared – Cities and the County?

Mr. Johnson: Well, it's the countywide housing stock so it would be County overall, but –

Ms. Lohman: So 40% of our 20% allotment?

Mr. Johnson: You know, I don't think it gets into those specifics. It's just saying that they –

Ms. Lohman: How did you come up with 40%? Where did that –

Mr. Johnson: Because I think 40% of the population – Dale, correct me if I'm wrong – is at or below 80% of the area median income. So basically the idea was that ideally your housing stock, you'd have an amount of housing stock to meet the needs of different segments of the population of their economic means, and right now we don't have that and the lower you get in

terms of economic means the fewer house – you know, the less housing is available. Now the policy – well, no. There is an effort going on through – Skagit Council of Government’s board has directed SCOG staff to work with all of the jurisdictions – the County, the Cities, the Towns – to develop an affordable housing strategy that looks at ways to move toward this goal and other goals on affordable housing. So it’s possible that a year from now when SCOG has come up with recommendations there could be a briefing here to you, particularly if it has some – if some of the recommendations deal with urban growth area sizing or densities or whatever. This isn’t getting into the hows so much as – Dale, isn’t it right that the basic idea is that we should aim to have housing available to the people at the incomes – at the – I’m sorry. It’s getting late – based on their – people’s ability to afford that housing? So if you have – yeah, I’ll just leave it there and become incoherent.

Chair Axthelm: Kathy?

Ms. Mitchell: I’m reading this probably a little bit differently – and just so you guys know how I operate and how I think, when I see something like this and I don’t know what it means when it opens up – because to me this reads like the County *will* expand the supply of housing affordable above 50% of the median income, that means they will do it and that makes me a little nervous because I don’t know what that means, I don’t know what it can entail, and I’m certainly not educated or comfortable enough to make that recommendation. So I’m inclined to pull back and wait and see how things develop with how they’re going to do that. So that’s my hesitation. I’m –

Mr. Walters: Where does it say that?

Ms. Mitchell: In the RC-13. Aren’t we looking at that?

Mr. Pernula: Well, look at item –

Ms. Mitchell: Wasn’t that what we had put on the table, or not?

Mr. Walters: 13, I think.

Ms. Mitchell: Yeah.

Ms. Lohman: But it would add language to that.

Ms. Mitchell: Yeah, it would add the language, and I’m uncomfortable until we know what direction we’re taking and how it’s going to be done, because this sounds like if we say that then we just do it and there’s an awful lot of unknowns with that.

Mr. Walters: Well, particularly Health suggested modifying the policy that’s on the screen to say “work towards a common goal of having 40% of the countywide housing stock affordable at or below 80% of the area median income, with an intentional focus on expanding the supply of housing affordable at or below 50% of the area median income.” That is what the recommendation is – to add that language. So we would be trying to achieve at or below 80% but we would particularly be really trying at or below 50% area median income. But there aren’t any new verbs. The idea is still just “work towards a common goal.”

Mr. Pernula: “Developing growth strategies and certain human service programs.”

Chair Axthelm: I like that. I was just thinking we've got percentages and amounts in here, and then you were talking about the SCOG coming up with their direction on it. I'm wondering if those percentages really should be pulled – not necessarily to eliminate the percentages – so that we're coordinating, so you have develop growth strategies and housing and human services programs. Plan for affordable housing within the regional context in collaboration with the Cities and housing providers – or and SCOG. We could even put SCOG in there.

Mr. Johnson: Right. So this language was developed in collaboration with planners from the other jurisdictions when we were starting to work on the Housing Element. And basically, as I recall it, BERK developed profiles for each jurisdiction that showed the availability of housing, the number of surplus units or deficit units at each income level. So you had, you know, above 110 or 120% of area median income and there was a deficit or surplus of housing available for people with that income. And then you had 100 to 110 and there was a number, and then you had 80 to 100. And basically the lower you get on that economic spectrum, the larger the deficit of available housing units there is. So if you happen to be at 80% of area median income there might be five of you – or there might be 20 of you and five houses available. So what this is saying is we should strive together as jurisdictions to have housing available – the amount of housing available for the percentage of the population that falls within various income levels. That's really all this is saying.

Chair Axthelm: And that's what I'm saying, is to break it down. If you took the – I didn't want to restrict it by having the percentages there, that if you broke it down in your statement you said it without the percentages – is to say at appropriate income levels. So that way when SCOG develops their plan, our plan isn't in conflict with that. That's all. Or do we want to have – I mean, here it's percentage.

(unintelligible comments)

Ms. Mitchell: I think it'd be better if it just worked toward a common goal.

Chair Axthelm: That's more or less what I'm getting at is to make sure –

Mr. Johnson: Okay. I mean, I'm not disagreeing. The issue that came up with the planners group was we have no – we have no goal – we have no – you know, a lot of people like to say they like benchmarks, they like measurable goals. We have none and so this was an effort to say that our housing supply should be roughly equal to what people can afford in those different segments. That's what this is trying to do, and if you're not comfortable with that then you can recommend doing something different.

Ms. Lohman: Isn't that a moving target?

Chair Axthelm: Well, that's what I'm talking about. It's a moving target so if somebody comes in and builds a big apartment complex that has low income housing, then our Comp Plan is not in line with it and kind of throws it off. So I'm just saying as – not as a matter of comfort. It's a matter of convenience so that it allows that to be flexible based on the need.

Mr. Walters: Well, if someone did build a big housing complex then you would maybe achieve the goal. Or it would drive down the costs of housing and you'd be closer to reaching the goal.

Mr. Johnson: Right. We might now be at 20% of countywide housing stock affordable at 80% or below. So, yeah, you might be at 25% then.

Ms. Mitchell: I think what we're coming down to is our comfort level is making it very general without specific numbers because – I can't bite that one off.

Chair Axthelm: So I guess motion-wise that would be – to make a motion that we take out the per – you take out the percentages and –

Mr. Walters: If you deleted that sentence, you would be left with right after it “develop objectives for housing affordable to different income ranges and special needs populations.”

Chair Axthelm: Mm-hmm, but that allows that flexibility in otherwise, and when those change you don't have to change it here. So if we delete that sentence in general.

Mr. Walters: It also means we have no adopted numeric goal.

Ms. Mitchell: Yeah.

Chair Axthelm: Well –

Mr. Johnson: When this was fresh on everybody's mind and we had the housing workshop, we came back with this proposed policy language and the Planning Commission at that point blessed it and said, We're comfortable with that.

Chair Axthelm: Okay.

Mr. Johnson: Now at this point you're not, so you can –

Chair Axthelm: Well, not a matter of comfort. I was more – I wanted some – just to allow for flexibility. But if that's what we had back then, either way it's –

Ms. Mitchell: Well, for me it's comfort and for you, it's flexibility, but...

Chair Axthelm: Okay. I'd go either way.

Ms. Rose: I'm okay with the wording.

Ms. Lohman: I think I'm okay with the wording. I think I kind of like having targets. And, you know, it's not like it's cast in stone and we can't ever look at it again.

Chair Axthelm: Okay. So are we okay with this as it's stated here or shown on the screen? Any objection to it?

Mr. Raschko: No.

Chair Axthelm: Okay. Well, after all that, there we go.

Ms. Lohman: But what got all of the discussion started, too, was the addition of adding the language that's suggested in RC-13.

Chair Axthelm: To the 50%?

Ms. Mitchell: I don't like that.

Chair Axthelm: Okay, so if you want to make a motion on that then?

Ms. Hughes: Well, we have a motion. We need to amend it maybe?

Chair Axthelm: I can't recall what the motion was.

Ms. Lohman: The motion was RC-13.

Chair Axthelm: Was to adopt it?

Ms. Lohman: Mm-hmm.

Chair Axthelm: Okay. Is there any other discussion on that?

Ms. Lohman: I think it's a subset of the population that is particularly needing targeting. And so I don't think it's – I think it's just an emphasis. Correct?

Mr. Walters: That's specifically what they asked for – an intentional focus on that 50% or lower market segment.

Chair Axthelm: Okay. That helps it. Any other discussion on it?

(silence)

Chair Axthelm: All those in favor of changing – which one is it? RC –

Ms. Mitchell: It's RC-13.

Chair Axthelm: So adding RC – RC-13: Add Health-suggested language to policy 7B-1.8 to expand the supply of housing affordable at or below 50% of the area median income. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Axthelm: All those opposed, say "no."

Ms. Mitchell: No.

Chair Axthelm: Ayes have it. Any other – it's now 9:35.

Ms. Lohman: Can you word that a little bit smoother for us? You didn't really.

Mr. Walters: That is basically what they said in their letter.

Ms. Lohman: Does everybody concur with that?

(sounds of assent)



Ms. Lohman: Some of those RCs are – they're standalone policies and then some of them are like a – you're completing a thought that you started above.

Mr. Walters: We will work on that.

Chair Axthelm: Okay, the next thing is the Capital Facilities.

Ms. Hughes: How much further are we going to try to push this?

Chair Axthelm: Are we done for tonight, or do you want – trying to get through the rest of it, if we – we actually have a little bit more after that.

Ms. Hughes: We have References to Other Plans still. Capital Facilities.

Ms. Lohman: Development Rights.

Chair Axthelm: Okay. Well, we still had a couple things here at the end.

Ms. Lohman: But we're asking if you want to keep going or do you want to put them on the next meeting?

Ms. Hughes: Because we will be coming back.

Chair Axthelm: Yes. We want to get enough time to finish what we have there, so \_\_\_\_\_ tonight then we can call \_\_\_\_\_. Or we can do a few more.

Ms. Mitchell: I think all the blank stares is saying people are done in.

Chair Axthelm: Do we have a motion?

Ms. Mitchell: I have a motion we adjourn.

Chair Axthelm: Okay.

Several Commissioners: Second.

Chair Axthelm: Okay.

Mr. Walters: So before you adjourn, we would like you to read through these sections. I think these ones here are the ones we haven't done in Supplemental Staff Report 1. And then Supplemental Staff Report 2 is going to be the development regulations. But if you could read through those, identify the things you actually want to talk about – because if nobody wants to implement one of the RCs, you don't need to talk about it. And then maybe we could breeze through those at the beginning of the next meeting.

Ms. Hughes: Could you e-mail all of us that information so the two that aren't here also –

Mr. Walters: Yes. That's a good idea. And I guess the same idea with the development regulations. You don't necessarily have very many to cover there but of the ones that you've identified – if you are ready to talk about exactly what it is you want to talk about in each one, I

think that would help move it along. Because if we go beyond the next meeting, we have to start all over reserving time on the Board's calendar and it gets very messy.

Mr. Pernula: Could Kathy – both Kathy/is, you wanted a printout of the action tonight? Is that what you wanted?

Ms. Mitchell: Yes. I think the reason is we're going to be looking at findings of fact and it's so easy to forget what we've already done now it's three meetings in. So I'd like to know where we are – just keep it fresh in the mind as we move forward. Is that okay with others?

Ms. Hughes: Send it to all.

Ms. Mitchell: Yep, everybody.

Ms. Lohman: Did you just type something new?

Mr. Walters: No.

Ms. Lohman: Okay. I saw a blink.

Chair Axthelm: Okay, now the next meeting –

Mr. Pernula: Next week.

Chair Axthelm: Just next Tuesday. So that is the day after – is that Memorial Day?

Ms. Mitchell: Yep. What's the date?

Mr. Walters: It's right after Memorial Day, I think. You'll all be fresh.

Mr. Pernula: The 31<sup>st</sup>.

Chair Axthelm: And that's still no public comment at that one and just keep on our deliberations like we are right now. Okay. Anything else?

(silence)

Chair Axthelm: Okay. So then are you sure? I can close? Okay (gavel), meeting's adjourned.