

**Skagit County Planning Commission
Workshop: Fire Code Updates (C-6)
Workshop: Proposed Changes to the AEO (C-8)
June 18, 2019**

Planning

Commissioners: Tim Raschko, Chair (absent)
Kathy Mitchell, Vice Chair/Acting Chair
Mark Lundsten
Annie Lohman (absent)
Amy Hughes
Josh Axthelm (absent)
Tammy Candler
Hollie Del Vecchio (absent)
Martha Rose (absent)

Staff: Hal Hart, Planning Director
Mike Cerbone, Senior Planner

Acting Chair Kathy Mitchell: I'll call the meeting for January 18th for the Planning Commission to order (gavel). January – June; excuse me, June 18th. I said "January." Call to order with – everybody take a look at the agenda. Are there any changes or notations to it?

(silence)

Chair Mitchell: All right, good. Okay, so we'll move on for Public Remarks, and I do not see anybody in the audience so I believe we can pass on Public Remarks. So we'll go right to the workshop, Item number 3, Fire Code Updates (C-6). And, Mike, will you please go ahead and start with the Workshop for us?

Mike Cerbone: Sure. I'm going to have our AV guy pop up the screen for me. Thank you, sir. So I didn't do a PowerPoint presentation for you this evening. What I was going to do is just work off the materials you have in front of you. Does anybody need a hard copy or want a hard copy? So the first item that we have here is Docket Item C-6 and this is amendments to the County's fire code. The County adopts the International Fire Code. Pretty routine – a lot of your stations across the US do that – across the world. And what we do is we adopt it and then we except out the portions of it that we don't want to apply to our community or we modify it. And so that's essentially what you see before you this evening, is proposed changes to those modifications. And so what I'm going to do is kind of walk you through them. We'll start off first by looking at some of the Comprehensive Plan policies. Because what we're proposing to do is change the zoning code, I always like to look and see what Comprehensive Plan policies are there that provide guidance. My recollection on this one: There weren't a lot, which is probably pretty good because, you know, fire safety's an important thing that probably doesn't need to be monkeyed around too much with policy. It's more of a science.

So what we're looking for this evening – I put an action in there. I don't know if you customarily have done that in the past. What I was looking for this evening was to go over these proposed amendments. If you guys are comfortable with them and there's a consensus on that I literally will

take them and put them on the bookshelf as we go through the rest of them, and the concept would be to bring back one ordinance that would compile all of these amendments, including the citizen-initiated amendments, that then you would review and you'd make a formal recommendation to the Board to adopt that as you see fit to change, et cetera. Does that sound fair?

Commissioner Mark Lundsten: Yes.

Mr. Cerbone: All right. So we have a little bit of background here. It just talks about the Washington State law. It talks a little bit about what our procedures are. In essence, any zoning map/development regulation requires this body to review it, so even if the Board wanted to change it without having you guys review it, technically the code says that you guys are going to review it. So the next step's, as you're aware, we would go ahead and do any research. So if we start reviewing and looking at these individual items and you're not comfortable with the way that they're proposed and you want some additional information, I certainly will go back and find that. As we discussed at the last meeting, I think I've brought the low-hanging fruit. So I'm trying to bring the ones that are relatively straightforward so as we work through some of these procedural issues that are new to *me*, we're working through those on nonconsequential items. That's at least my thoughts.

So you will ultimately, once we've worked through the County-initiated amendments and the citizen-initiated amendments, will hold a public hearing and/or a series of public hearings depending on how much time we need to accommodate the community. And then, like I said, you'll make a recommendation to the Board of County Commissioners.

Yeah?

Commissioner Lundsten: So the action requested of the Planning Commission will be taken at a later date and you just explained the mechanism by which we will do that.

Mr. Cerbone: Mm-hmm.

Commissioner Lundsten: Okay.

Mr. Cerbone: If we had a quorum tonight you could make a formal motion to, you know, accept it or modify it as you saw fit. And it's really just a – it's a procedural step. It doesn't necessarily need to occur. The most important thing is that we make sure we're following the procedures prior to the public hearing and prior to your formal action on a recommendation for the entire docket. Just trying to put a little structure in.

So here are the policies that we were able to find that dealt with fire: Policy 1.7.1, "For Cities and their adjacent Urban Growth Areas, an ISO rating of 5 or better shall be maintained." It doesn't directly, you know, apply to all the areas that, you know, we're looking applying this International Fire Code, but this does apply to those properties that ring around existing urban areas as well as their unincorporated urban growth area. An ISO rating of 5 or better, it's an insurance rating based on how quickly they can respond to a fire – you know, what kind of facilities they have, what kind of equipment they have. It's basically a scorecard for the fire department.

Commissioner Lundsten: What does "ISO" stand for?

Mr. Cerbone: Ooh, that's a good question.

Commissioner Lundsten: Uh-oh, I shouldn't have asked that!

Mr. Cerbone: I will figure it out in a sec.

Commissioner Lundsten: Don't worry about it.

Mr. Cerbone: I'm guessing it's the Insurance – something – Organization.

Chair Mitchell: Yeah, and just for the ratings' sake, 5 or better usually means 5, 4, 3, 2, or 1. ___ higher, then your insurance goes up. And if you get to a 10, I think that's about where you don't have insurance.

Mr. Cerbone: It's good when we have volunteers on the Planning Commission that also do other things like the school board and the fire department. All right, so Policy 1.7.2, "Within 5 minutes of being dispatched, the Fire Department shall arrive and be able to deliver up to 200 gallons per minute fire flow in an offensive (interior) attack, with a minimum of 4 firefighters, for response to: structural fires, vehicle fires," and "other outside fires... The Fire Department shall also be capable of delivering a minimum of Basic Life Support including defibrillation, with a minimum of one First Responder or Emergency Medical Technician, for medical responses." And then there is a corresponding piece that deals with commercial: "All commercial and industrial facilities shall be inspected for compliance with the Uniform Fire Code at least" once "annually. Water systems shall be installed in accordance with the Skagit County Coordinated Water System Supply Plan, with a fire flow meeting the requirements of the Uniform Fire Code." That needs to be changed – International Fire Code.

All right. These are directly from the Comprehensive Plan Goal 4B-2: "Support the Forestry Advisory Board and establish other support programs for the purpose of promoting a viable forest land base and healthy forest products industry." It seems a little strange, but what we are dealing with a lot is we have forestlands and they're subject to wildfire. And so that's why these policies are underneath those. So 4B-2.7, Fire Prevention and Protection: "Residential development allowed on Industrial Forest Resource Lands shall be limited to those areas located within an existing fire protection district and within 200 feet of a county road or state highway. Skagit County shall require owners of all structures built in designated forest lands to address forest fire prevention, reduction, and control. The Forest Advisory Board shall review the implementation of this policy annually to ensure its performance." Policy 10A-1: "Establish the baseline for the types of capital facilities to be addressed, levels of service..." So that deals with making sure that they're adequately staffed to be able to fight, especially out in the Industrial Forestlands, which are probably some of the more rural areas of the county furthest away from our primary access routes.

Policy 4B-2.11 deals with Wildfire Planning Program: "Continue the National Fire Protection Association's Firewise Community Program." Several of the communities that we have that are outside of the cities participate in the Firewise Communities Program and it is a pretty interesting program. If folks are not familiar with it and you're looking for something to do at night, Google it. For those of you who have access to Netflix, they have a really good documentation called "Fire Chasers," which is really good if you're not familiar with wildland fire and how it works and how they combat it. It's a very good thing to watch. If you're scared of fire, it's not a good thing to watch.

Commissioner Lundsten: What's the name of the movie?

Mr. Cerbone: "Fire Chasers."

Commissioner Lundsten: “Fire Chasers.”

Mr. Cerbone: Yeah. It’s actually a series of – I think there’s like eight different episodes and they’re about an hour-and-a-half, two hours long, and it goes through California. Anybody who deals with setting policy for wildland fire, it’s a good thing to watch to understand what happens, how quickly it happens, and what the consequences of not maintaining protected space around your structure are. And if you live out there, it’s really important to understand that.

So fire districts and state agencies: “Skagit County supports further” involvement “of a countywide wildfire planning program to increase public safety and awareness regarding forest fire dangers, and establish the means” for “managing, reducing and suppressing catastrophic wildfires.”

So that was the list of what I could find in terms of policies in our Countywide Policies and the Comprehensive Plan. I didn’t do an exhaustive search. I did keyword searches – wildfire, fire, things like that. But that’s a little bit of policy guidance. You know, you’ll take from that what you may. I think we’re concerned about making sure that people are protected. We’re concerned about making sure the resources are there to deal with these fires when they pop up. And I think some of that plays into some of the amendments we’re going to talk about tonight.

So if you’re following along, Attachment A – I apologize. Your printed-out copy, if you grabbed one today, is in black and white. I’m still trying to figure out where *my* color printer is. *But* it’s all coded so it’s easy to follow. But essentially I think this is consistent with amendments you guys have seen before because I stole it from one of Stacie’s. So, you know, the beginning of this Attachment A just describes how the text in the amendments is track-changed so you can understand. If something was deleted, so that’s a single strikethrough in red. If it’s underlined, that’s something that’s been added. If it’s a double strikethrough, that’s something that’s been moved to a different location in the code. And if it’s a double underline, that is that language that has been moved from somewhere else to where it has gone to live. And italics essentially just provide you instructions to better understand what you’re reading.

So, like I said, this is chapter 15.04. It deals with specific amendments to codes. And if we get down to (f), that’s the IFC Appendix D. There are several appendices that go with the International Fire Code and this one deals specifically with Appendix D. So the changes that we have in here are kind of twofold. There’s some general housekeeping changes in here that are really meant to take the language that we use to determine these changes from the IFC code and make it more consistent with the actual code itself. So using the same terminology that’s in the actual appendix when we describe how we’re amending it. And then some of these are substantive changes where we’re actually changing a numerical standard. And so we’ll just – we’ll go through them.

Access and Loading: Required Access is the terminology. So I would categorize that more as a housekeeping.

So section D103, Driveways: Again, it’s more classified properly as Minimum Specifications. And then we do go through in sub-part (a) – it was confusing when we had it say “driveways” and then it said “Roads serving one or two” when in reality what we’re talking about are actual driveways that are serving one or two residential lots, and so I think that’s more of a housecleaning than substantive.

These are just, again, housecleaning. So these are reworded – not reworded; renumbered, rather – to be consistent. Again, instead of sub (a), sub (b) they use sub (1), sub (2). Same thing for the following section: sub (a), (b), and (c), (d), (e). So these are all the same – more formatting. So

this is where we start to see some of the more substantive issues. So this section was relocated and it was relocated just to come straight up and be a little closer. What we have here is some housekeeping, renumbering, but then sub-item (E), where we had turnarounds, a 70-foot cul-de-sac or as approved by the fire marshal. The fire marshal was not sure where the 70 feet came from. They do not believe that 70 feet is adequate to be able to turn their apparatus around. That's a fancy word for "truck." And so they actually would require 96 feet, which is what's required inside the IFC Appendix D. And so we're proposing to remove this exception because that's what they need for the apparatus. Now I think it's important to note: With most of the fire code, unless it's very specifically worded in the IFC or any of the appendices, they can – it does provide a fair amount of flexibility to the fire marshal to respond to unique circumstances. And so that flexibility's not being removed here. What is proposed to be removed is a minimum standard of 70 feet, which they would find a hard time being able **to improve**.

So that's probably the most substantive change, I think.

Chair Mitchell: Mike, do you know if there's been any other feedback yet from any of the fire departments, or is it just too early?

Mr. Cerbone: No, it's just been – Bonnie, I guess, coordinated these. Bonnie LaPointe (*sic*; should be LaCount) coordinated these with – I think she meets monthly with the fire chiefs. We have a lot of fire districts here, if you weren't aware. Eighteen seems to be the number that's sticking in my head. It's quite a large number of fire districts for a single county, and so they do meet quite regularly. She said they move them around. So she has coordinated those with them. But again, the primary change here is something we decided to do that was a little different. And if Bonnie is reviewing a specific situation where, you know, topography prevents 96 and something like 90 – you know, she has that latitude to be able to make that decision. You know, typically what they do if you can't meet some of the standards is they'll require a greater construction standard for the homes. Sometimes they'll require the homes to be sprinkled – things like that. So sometimes they'll require, you know, a loop on the driveway so that they can pull up and loop around on private property, but that's not preferred. But they do have that flexibility.

Chair Mitchell: Okay. Thank you.

Mr. Cerbone: So I think the primary change that you see before you this evening really has to do with that 70 to 96, because most of this is literally moving things around and housekeeping. Is there any concerns about that? Do you want me to get you some more research on it?

Chair Mitchell: Bonnie's really good at what she does and so are the other fire marshals. You know how it is – when different people put input in then they can give you some more examples of – that's great. Maybe this needs to be added. And it goes back to going to the guys and gals that are dealing with that fulltime.

Mr. Cerbone: Yeah, yeah.

Chair Mitchell: That – so I'd like to ___.

Mr. Cerbone: Yeah, Bonnie seems very matter-of-fact.

Chair Mitchell: Yeah. Tammy, go ahead.

Commissioner Tammy Candler: I could be wrong, but – and it might still be a work in progress – but you’ve got double Roman numerals in there, so it seems like there might be still something funky about the –

Mr. Cerbone: Where? So whereabouts?

Commissioner Candler: So you’ve got – under (b) you’ve got Roman numerals starting again and it started out with Roman numerals. So I doubt that was –

Mr. Cerbone: Under “Fire Department Vehicle Access Roads”?

Commissioner Candler: No – if you go all the way back up to the beginning. You’ve got those – right there. No wait. Sorry, go back up. Here.

Chair Mitchell: Oh, little i’s.

Commissioner Candler: Yeah, Roman numerals. It starts with Roman numerals and then you have them again later and I don’t know if that’s intentional.

Mr. Cerbone: Oh, I see. You’re pointing out a formatting.

Commissioner Candler: Yes. So it may still be a work in progress. I just wanted to point that out.

Mr. Cerbone: Yeah, I’ll double-check the formatting. Yeah, we’ll certainly make sure that’s right before we type it into an ordinance.

Commissioner Lundsten: Except that one is under (a) and one is under (b).

Mr. Cerbone: Yeah. That’s a housekeeping –

Commissioner Candler: Well, one replaces (a). I’m not sure. I can’t tell from just what I see here. But I’ll leave that to you.

Mr. Cerbone: Okay. Yeah. No, I can clean that up. I’m just – I’m going to pull up the next one.

Commissioner Lundsten: I have a question –

Mr. Cerbone: Yeah?

Commissioner Lundsten: – on the fire. So the reason that we’re doing this exercise at all is because of the first paragraph statement 15.04.030. First went to et cetera, et cetera, “...the following amendments to the International Codes are hereby adopted...” So the International Codes have been amended recently. That’s the reason we’re doing this. Is that right?

Mr. Cerbone: I don’t know that they have been amended recently. I think what happened is they found this inconsistency with the 70-foot turn radius where the radius in the IFC is 96 and –

Commissioner Lundsten: Okay.

Mr. Cerbone: And they went through and I believe that was the impetus for the project. And while they were going back and looking at how this was formatted they made those housecleaning

changes as well. It is a project I inherited when I got here, but that's my understanding – is that was the specific concern that was identified and it popped up when they were reviewing a plat. And then they had a staff member look at the actual Appendix D and then look at the wording that we had and they made these recommendations. And when Bonnie and I reviewed them the other day she was very helpful. She thought it was more straightforward. And then Allison reviewed them with Jack, who's the building official, and Jack is the one that suggested the amendment to pull out the word "road" and put in "driveway," because he oftentimes sees people being confused by that.

Commissioner Lundsten: That makes it more clear.

Mr. Cerbone: Yeah, yeah.

Commissioner Lundsten: I kept wondering, Why are we doing – why has this come up? So that explains it.

Mr. Cerbone: Yeah, yeah, and, you know, some other jurisdictions what they do with some of these things is they compile them all into an annual ordinance that they adopt and that may be something we look to do in the years ahead – housecleaning, housekeeping items. This one's – it's right on the edge between – I draw a distinction between housecleaning items and substantive issues as to whether it's a policy change, and this is kind of on the fence on that because nobody understands where that 70-foot came from or why it was in there. Probably because whoever proposed it no longer works here. And apparently 70 feet is not big enough to turn around some of the trucks they take out in the rural area. Well, they probably can get it turned around but it probably takes a lot of time – like an 18-point turn.

Chair Mitchell: Yes. Try doing it in the fog!

Mr. Cerbone: So are you guys generally comfortable with what's proposed, as long as I make sure the formatting's right?

Commissioner Candler: Yeah, it looks like – I was missing that (b) – so it looks like it's right. Mine was – for some reason my printed copy's missing that. So it looks right.

Mr. Cerbone: Okay.

Chair Mitchell: Yeah, so far so good.

Commissioner Lundsten: I have another – just, excuse me but I –

Mr. Cerbone: No, we're here!

Commissioner Lundsten: There was a statement here – this is really semantics, I suppose, but it is important to just understand, again, the origins of some of these things – where you say that this is going to be – this isn't really an amendment to the Comprehensive Plan but it's part of the Comprehensive Plan __ –

Mr. Cerbone: Oh, yeah, yeah, yeah.

Commissioner Lundsten: – changed. You know that paragraph, that first paragraph, Background and Discussion –

Mr. Cerbone: Is a little confusing?

Commissioner Lundsten: It kind of lost me. Can you say that differently, please?

Mr. Cerbone: Yes. Yeah, I can make sure in the future that it's a little more clear. Yeah, so essentially the Comp Plan – anytime we amend the Comprehensive Plan or the Comprehensive Plan Map – right? The map that goes with it. That can only occur once annually in the state of Washington. So that's kind of the impetus for the concept of the docket. Code amendments, we can change them whenever. We could run code amendments, you know, as they came in or as staff identified them and, you know, make recommendations and adopt ordinances all year long. I think most jurisdictions in the state probably find it cumbersome to do that and they like to package it all into one process. And all I was doing there was making the distinction that it wasn't technically a Comprehensive Plan amendment but it was rolled into and part of the docket.

Commissioner Lundsten: Okay, understood. Thank you.

Mr. Cerbone: Yeah. Clear as mud!

Chair Mitchell: Till we walk out, yeah!

Mr. Cerbone: So let's see...so the next one we had was – this deals with the Airport Environs Overlay. Is everybody kind of familiar with the background of what a(n) airport environs overlay is? You want kind of a broad overview?

Chair Mitchell: Yes.

Mr. Cerbone: Okay. So there're certain types of facilities in America that seem to not mesh well with their neighbors. You know, we have landfills – right? – where what'll happen is you'll have this large landfill. Houses start popping up around it and then people start complaining about the noises. Airports are very similar, right? So you have a facility that has the potential to generate noise and then you have encroachment of things that go around it. So the way that they deal with actually both of those is they – one thing is they require covenants to be recorded on the deeds so when you buy a property you realize you're buying a property in a flight path or near a landfill. The other way they deal with it on airports is they develop what are called airport environs overlays or airport layout plan overlays. And so what they do is they develop these different what they refer to as "imaginary surfaces," and really what they're trying to do is protect the approaches. So the most concerning part of the airport environs overlay is those approach areas. So that's where the plane is going to be taking off or landing from the runway, and, as you can imagine, it's really important not only to have things, you know, x and y but also z – height – because if you have something that encroaches or goes into that imaginary surface that's part of where the airport approaches, you may limit the ability for certain size aircraft to take off and land from that airport.

You know, our airport, it's not Sea-Tac, but it's an important economic engine for the county. It's recently been upgraded, is my understanding, to allow for small jets to land there. You know, airports like that are not just your daily thing. If we do have an earthquake that is a potential, you know, port for them to be able to bring goods and materials to us as well. So it's – in my mind – and I used to do airport layout plans when I was a junior planner – it's an important thing. You want to be careful about what happens around your airport, especially if you have any hopes of that airport expanding or doing grander things than it's currently doing. It's very common. What I just described would be you would have a similar overlay, you know, even for the most rural airports in probably eastern Washington. So what we're dealing with here deals with things directly

within that airport environs overlay, so that overlay that goes around the airport. And the impetus for this was a letter which was in the packet that we got from the Port of Skagit, who operates that airport.

So I'll walk through a little bit of it. Similar to how we discussed previously, this is going to amend the code, so it'd be SCC 14.16.210, which is the Airport Environs Overlay. There were two specific things that they asked – the Port asked. They asked to be notified about boundary line adjustments. So a boundary line adjustment is a minor amendment between two properties, moving that property line. They're referred to in other jurisdictions as property line adjustments or lot line adjustments. So they want to be notified of those.

And then they're also requesting – the words they used were “consult on any deviations from the height limit.” So, again, that affects those approach areas that I talked to you about. And I have an amendment from the staff report, because I had a nice chat with our attorney this afternoon. So I have a little amendment for you which I'll go over when we get to it. In general, this is very similar to the last one. You know, this really came out of the Port, and what we're talking about again is amending the code and not the Comp Plan. But they ask for two specific amendments, and the next steps are the same as what we just discussed. And I was able to find a fair amount of policies that dealt with the airport, which is good. So we've got one Countywide Planning Policy, which is 12.3. It says “A process shall be developed for identifying and siting essential public facilities. The Comp(rehensive) Plan may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correction facilities” – that's another one that I forgot, yep – “solid waste handling facilities, and in-patient facilities including substance abuse (facilities), mental health facilities and group homes.”

So the specific policies in the Comp Plan I think that deal with this was Goal 8A-7: “Support economic development goals by providing adequate air, rail and surface handling routes and facilities throughout the County transportation system.” Specifically, 7.4A, “Encourage improvements to air transportation facilities consistent with the Port of Skagit County and the State Aviation System Plan. Improve road and transit linkages to airport facilities.”

Goal 8A-13 was: “Incorporate transportation goals, policies, and strategies into all County land use decisions.” And so 8A-134 deals with airport expansions and it says “In the vicinity of the Skagit Regional Airport, review development proposals to avoid future conflicts and (the) foreclosure of opportunities for future airport expansion.” So I think that very eloquently describes what I described to you in a more broken fashion earlier.

“Support (the) economic and job-creating activities of the port districts to ensure their long-term viability.” And so that would be Policy 11F-3.2, “Support the Port of Skagit in (its) economic development activities across the county, particularly at the Skagit Regional Airport and North Cascades Gateway Center (the former Northern State Hospital campus) areas, and the Port of Anacortes in efforts to more fully utilize its deep (draft) marine terminal for trade, commerce and related economic development.”

So and then there was also – it's not necessarily a goal or a policy, but there was just a, you know, description of the airport, so I thought that was important for those of you that don't go and visit the airport very often. Because it doesn't have passenger service, probably that's most of us. Skagit Regional Airport is operated by the Port of Skagit County. It is adjacent to Bayview Business Industrial Park west of Burlington. The airport is used for general aviation. It has runways

of 5,475 feet and 3,000 feet in length, which can accommodate all aircraft with 30-passenger capacity or less. It also provides a charter service primarily for – oh, I stand corrected – primarily for passengers in route to the San Juan Islands. In 2012 there were approximately 60,000 takeoffs and landings. With Comprehensive Plan 2016-2036 ___, implementation and monitoring, exhibit list _____ - oh, ___ formatting _____. But that lists off a fair amount from the actual airport layout plan.

So, similar to what we talked about, we've got the plain text, strikethrough. What you have in front of you is the way I changed the language after I had a full conversation with our attorney. So the initial staff report that I gave you used the language that was proposed by the Port and that's in the letter. Our attorney was concerned about the terminology "consult," and she was concerned that we may be in a position where, you know, we send an email or leave a phone call and we say, Hey, you know, we're going to review this application. If you guys have any concerns with it, you know, give us a call back. And we never get a call back and then five years later it winds up being an issue. So she suggested we use the similar language that you'll see when we look at the second amendment, which is exactly what I did. So the proposed language was "the Administrative Official shall provide an opportunity for the Port of Skagit to review and comment prior to making such a determination. This subsection gives no authority to the Port of Skagit to require changes to the application."

So I'll offer my opinion in this situation. Take it for what it's worth. I think it's important to make sure that the Port is consulted if there's going to be a deviation. And that's what we're talking about. We're really talking about the potential for something to be built in the pathway of one of the two runways that could interfere with the ability to operate that runway or expand that runway in the future. And so all the Port is asking for is a heads-up, essentially, and to be able to comment on the proposal and provide input. I asked our current planning manager today – Brandon Black – how often we get these types of applications and it was, you know, maybe one a year. So it wasn't a very common occurrence that we get them. And, you know, he was supportive of folding them into the mix.

So do you see the distinction between the way the attorney had me recraft it and the way I had originally constructed it? The way I had originally constructed it was maybe a little more open, especially since we don't define the term "consult."

Commissioner Lundsten: They do have the language used by our attorney in their suggestion regarding amendment C-10, and then they use "consult" in C-5. So you just took one and – I mean, it seems like a very clean way to solve the problem.

Mr. Cerbone: Yes, and I don't think anybody was trying to, like, put language in there, you know, to plant things. I think they were literally, like, just trying to get involved in the process and make sure they were notified. And I did reach out to the Port. I did not hear back. I did explain to them what I was doing. So potentially I consulted with them. But I certainly provided them notice and the opportunity to comment.

Commissioner Lundsten: Good example!

Mr. Cerbone: Yeah. Yeah. Yeah. So is there any questions about that? And I added the second sentence because I saw – the County saw the need to add that to the next piece we're going to take a look at. I think it just makes it clearer. It makes sure expectations are clear for anybody reading it. It would still be valid if it wasn't there but, again, it makes it clearer.

So the next amendment dealt with adding the ability to review boundary line adjustments. And I could have added it at the end of the list but I thought it'd be easier just to add it in the center and add less additional punctuation and delete things. But essentially I believe you had done this last year. Does this sound familiar from the 2018 docket? You had made an amendment to add some of these projects in. Boundary line adjustment was not included in that. Again, I chatted with Brandon. He didn't see any issues or concerns. And what we're talking about again is just relocating a common property line. In some instances you could have a property line where it's relocated and then a portion of the new property is within side one of these airport environs overlays. And so maybe they want to have that for their list. They can have a better idea of who's within and who's without for notice purposes. But I think it's also important for the folks that are performing the boundary line adjustment to understand that they may also be including a new overlay on their property.

Commissioner Candler: Can I ask a question?

Mr. Cerbone: Yeah.

Commissioner Candler: Is there a link somewhere in this area or nearby – I know this would only apply to the electronic and not the printed version – that would quickly get a person to a map that would show which properties this applies to?

Mr. Cerbone: In here?

Commissioner Candler: Anywhere in this sort of –

Mr. Cerbone: I can pull it up and show you. Is that – do you want to see it?

Commissioner Candler: Can I – could we do that?

Mr. Cerbone: I'll show you on an aerial first. So are you guys ___ along with me?

Several Commissioners: Yes.

Mr. Cerbone: So these are the two runways, right? They usually have two different runways because of wind speed and direction. So these airport approach – the airport environs overlay would be essentially around – it's a pretty big area and they have several different components to it. The primary area of the approach – and so the approach would be right here and right here and then right here and right here. And the further out you get from the edge of the runway the higher the threshold is. So the closer you are to the runway, the shorter things need to be to be within that airport approach zone. But if you're out here and you're still in the airport approach zone then that imaginary surface, you know, could be 100 feet off the ground at that point because the planes are coming in and landing.

Commissioner Candler: So where you have the cursor right now, if that property were to subdivide or have some kind of a boundary line adjustment, that section we're talking about would apply to that. But how –

Mr. Cerbone: Well, let me pull up the actual zoning so you can see the zoning. Because I don't want you thinking there's a property where it would or it wouldn't.

Chair Mitchell: The iMaps do have the overlay on it too, don't they?

Mr. Cerbone: Yeah, they should. We're going to learn how to use it together because I have a different program that I use when I'm at my desk. All right. So this should be the same area. Yeah. So that is your airport environs overlay. And see, you can see these imaginary surfaces. Right? These are those approaches. And then I'm not sure what all of these are but I assume...so let's see. We have a Heavy Industrial, Light Industrial, Residential...Light Industrial. And so that's just zoning on the ground and that's going to dictate how and what can be in those areas. The Port – well, most airport operators are concerned about what can and can't get close to the airport. It sounded a little surprised with Residential because it's not very common you see Residential. Some of the – you know, in some of the really rural airports you'll see Residential next to those and that's for folks to fly in and fly out, and they'll have taxiways that go to their houses and they can store their planes at their houses. More often than not you see them trying to get that type of permission at an airport like this where it's kind of harder to shoehorn that in. But, yeah, that's what it would look like. So if it was in any of these imaginary surfaces and it was a height restriction, then they would coordinate directly with the Port. And if it was a boundary line adjustment in any of these areas, they would send them notice. And if it was out here, they would just do whatever they want. Nope, they'd still have to follow the code. But (it's) important to note that what we're talking about here is for the boundary line adjustments they just want to be notified of them. For the other one, when we deviate from the standards in the code – so even if they could divide – say, in this Residential area, further subdivide that, they can still develop that consistent with what the code allows. So if it's got a 40-foot height restriction, you know, they can still, you know, develop those 2½-story homes and still meet that 40-foot height restriction. It's when they want to go *above* that 40 feet that then they would be requesting to notify and provide comment opportunity to the Port.

Chair Mitchell: Any other questions?

Commissioner Lundsten: I stumbled on the language here. After. 14.16.210(3)(d)(ii)(A): the "Development"... "...not impede the imaginary plane..." And I thought that there was an imaginary plane that was flying into the airport which you were working with, and I thought that this has really gone beyond what I was used to.

Mr. Cerbone: Yes, yeah.

Commissioner Lundsten: Just a small aside.

Mr. Cerbone: Yeah. No, it's always fun when words have two meanings, especially when you have attorneys and you're talking about code! Yeah. So are you guys comfortable with this? Are there any concerns? Certainly, if I hear anything back from the Port I will bring it to you.

Chair Mitchell: Thank you.

Mr. Cerbone: Yep.

Chair Mitchell: They're pretty vocal when something is important.

Mr. Cerbone: Tammy, you're looking like maybe you might want to – do you want me to email you guys a copy of the actual code site for the whole thing so you can take a look at it? I want to make sure you guys get what you need.

Ms. Candler: I'm sorry. My mind wandered to what happens if the County doesn't do that and then someone ___, but it's too speculative to worry about today.

Mr. Cerbone: Oh, you mean if the County doesn't coordinate with the Port and then somebody builds and then the Port comes back after. That I could not answer. I don't even know that our attorney could answer that. That would actually take a court to answer that. You know, potentially they could be ordered to remove it. They could consider to have vested rights because they did try and follow the right process. But that certainly – that would be – the court would definitely have to – sometimes they have to answer the questions. But it's a good question because mistakes are made.

Ms. Candler: But I'm assuming – you know, this puts a burden on the Department to keep track of that notice requirement somewhere, somehow, and always remember to do it, but I'm sure there's a process for that.

Mr. Cerbone: Yeah, it's not that difficult once you've got it ingrained and on the right list – the right mailing list. A lot of times this is done via email these days. The previous jurisdiction I came here from, we had a very long list of interested parties that we would just add them to the mailing list. And it was easy to send an email to 120 people – a lot cheaper than sending 120 letters. But, yeah, Brandon didn't express concern about it. And like I said, on average there's about one per year for the height adjustment, and then the boundary line, I don't think there would be a lot of concerns about that. But those boundary line adjustments probably would be most likely to occur in that Residential zone.

Chair Mitchell: Is there much in the way of new building going up around there still?

Mr. Cerbone: I would look to the director.

Mr. Hart: Yeah, there has been and we have, I think, in the next couple days – Paccar is in that area and that'll be a very large new facility – the biggest new one in the county.

Mr. Cerbone: And that's Industrial.

Mr. Hart: It's Industrial – that's correct – and research-oriented. So that's coming. But there are also – people are always doing things with their land so there's just the ongoing issue around somebody wanting to do a lot line adjustment of some kind or another. And those usually foretell future investment or a future opportunity as well, so that's why we always – I always tell people, Watch the subdivision stuff if you want to see what happens next year and the next five years because that's – it takes a few – it takes a while for that to play out, but if the farmers are going to be selling land in the future or they're dividing it up to their heirs or something like that, then you tend to just watch for those patterns.

Chair Mitchell: That's a fabulous facility, isn't it? Paccar.

Mr. Cerbone: And so this is where the additional investments going _____?

Mr. Hart: That is correct.

Mr. Cerbone: I thought it was a speedway when I first saw it in the aerial!

Chair Mitchell: Years ago – I want to say – I've forgotten; maybe something like 15 years ago they had an open house and let people go in and tour the whole thing.

Mr. Hart: Yes, each April you can go in. And then I took our entire permit staff – anybody that touched the permit – and we toured the facility so that they understood the magnitude, understood what the business is about, and understand that we need scientists now in order to do the work that they're doing. So they need physicists. They need top-flight engineers. And there's only two places in the world that are producing the kind of folks that they want in great numbers. One's in Europe and one's in the Midwest here, around the auto centers. And so that's kind of their pool of talent, like the aircraft industry has their pool of talent. But they also now need physicists and they need lots of other groups working. They're building the trucks of tomorrow and they're talking electric trucks. They're talking, you know, without drivers. They're talking you-name-it, and that's the kind of research that goes on here and in the Netherlands. So it's really top-flight stuff. You should be proud.

Chair Mitchell: Fantastic. So the next step for this is it gets folded into everything else later?

Mr. Cerbone: Yeah, yeah. What I would – based on the speed at which we moved through these, I will probably bring more than two before you next time. Oh, actually, there's six left of the County-initiated. I'm going to endeavor to bring them all, and if we get through them we get through them, and if we don't then we'll pick up at the next meeting.

Chair Mitchell: That should work out well. Okay, so that's everything you have for the Workshop then?

Mr. Cerbone: That was it.

Chair Mitchell: Okay.

Mr. Cerbone: I didn't know how much you wanted to talk about Airport Overlay.

Chair Mitchell: Okay. Anybody else, anymore comments before we move on?

Commissioner Lundsten: I had questions about the context of these.

Mr. Cerbone: Okay.

Commissioner Lundsten: And I had questions about the process and you answered both very sensibly, so thank you.

Mr. Cerbone: Okay. Cool.

Chair Mitchell: Thank you. Okay, so the next item on the agenda, number 5, Department Update, and, Hal, you'll be handling that for us?

Mr. Hart: I'm handing out – which was really my seventh update, but I have seven updates for you and the one that's coming around is a draft from the Office of Financial Management. And each year around April they do an estimate for Cities and Counties of how much our population's grown. You may know that Washington's been rated the top economy in the United States. We're right up there. And so we've seen a lot of growth. And those numbers that come out are really not – technically they're not supposed to be, you know, given out too much but I think it's okay. They're going to be updated on the 28th of June. So I want you to see the before and the after and how much – from my analysis of building permits, which I – remember, I'm the guy that likes to count stuff, and it's like, Well, how many permits and where did they go? So it's tracking with – the

increases that we're seeing in the unincorporated county are tracking with the building permits that we're seeing in the unincorporated county over time. So I don't see a disparity that way. I think it's really important for you to look back at the Comprehensive Plan, though, and when the next set comes out on the 28th – the final set for, you know, 2019 – we should probably take a look at what our goals and objectives in the 2016 Comprehensive Plan were. What were the allocation objectives between the Cities and the County, the unincorporated County, and how are we doing? It's just a question right now. It's really difficult to figure out how to build housing in some of the areas that we have available for housing. There's a lot of factors that make housing opportunities available in Cities, but it's something we should all keep our eye on in terms of the long-term, the big picture. So there are some interesting numbers in here. And I think it's also important to take a moment right now and ponder how fast the counties adjacent to us are – on both sides – are growing. And they're actually growing fast, very quickly. And if we're the place that people drive *through* that puts immense pressure on us as well. And if there's a lot of employment growth in Snohomish County and they're not – if Snohomish County's not doing their job of providing adequate housing, then one of the concerns I have here is that people will drive to qualify, right? Or they may come here simply because it's a beautiful location and they want to get out of the rat race, where maybe Snohomish County hasn't made investments in transportation or something, and so they just jump on I-5 and they use I-5 like a local road and get down to their job in 20 minutes, right? And so we have a lot of people right now doing that because of income changes between the two areas. The incomes in Snohomish County are quite a lot above what you find here. And if that's the case, then people from here will go there and vice-versa. If my income there can buy me more house here, it just makes sense, and people have always done things like that and they'll continue to do that. But if the disparity is great, pay attention to those trends. And it's interesting. I don't think the incomes in Whatcom County are that much different than what we have here, but to the south they are. And it's a college town to the north and you have that going on. But let's just keep our eye on that and figure out what that means in terms of population growth, in terms of housing, and, you know, who's going to do that.

So to follow up on my update on that is we're currently – Planning and Development Services – teaming up with the Health Department – Kayla Schott-Bresler. And Kayla is really the affordable housing guru for the County, and looking at affordable housing is just one component of the housing spectrum. So if our incomes have not increased a lot and the housing costs are increasing a lot then a larger number of people can't afford them. And so what we've seen lately is an increase in the rental rates – very significant increase in rental rates, especially for one- and two-bedroom, and maybe above that – and so that makes it interesting, right? So if you've got a job here which doesn't pay as much but you're paying so much of your income in housing, that creates a problem. And so you may look for housing elsewhere. So you may not capture those young families that actually want to live here and that, you know, they may go somewhere else. So our unintended policy consequences of not watching the housing balance can have really significant effects on your economy.

Chair Mitchell: Are there ongoing discussions then with the main Cities to –

Mr. Hart: That's exactly where I was going to take the conversation. No, no, it's perfect, actually. And I think, yes, the answer is the planners get together on about a monthly basis and the planners are beginning to talk about it. But I think it has to be – it's got to be one of those things where it's collaborative, right? Because it isn't about pointing fingers – Well, you're not doing your job. It's all looking at the data together and going, Huh, what can we do collectively in all the cities in the county to encourage affordable housing, to encourage our urban growth areas to be built out, or maybe to look at alternative types of housing that we haven't seen here. You're not seeing a lot of apartment-style housing. You're not seeing – you're seeing some, though. Sedro-

Woolley's got some going. And I went over and took a picture a couple weeks back of a new one in Sedro-Woolley. There are things going in Anacortes, I believe. And so the question is if you look at what's going on in the rest of the I-5 corridor, why isn't it going on here? And what – is there – there could be a whole host of reasons why that's going on. One of them is access to capital. Who's funding the stuff? Two is experience, right? There's a lot of money to be had just to the south of us and so, you know, if I were to say to – not that I'm doing that, but if I were to say to a developer, Hey, come up here, he goes, Well, why, because the numbers may not work for me to make an investment in your community when I can invest down in Snohomish and the numbers are much better down there. They have a higher growth rate, there's more jobs being created. And there's a lot of risk involved in investing in housing, and so they don't want to take a risk. You know, they're always avoiding risk. And I've met lots of developers who've gone out of business because they were the first one to do a five-story building in Woodinville, right? And the guy just poured his heart and soul into it and he was the pioneer. Today there's literally hundreds of millions of dollars. He just missed it by about three or four years, all right, and the big guys came in and saw the opportunity that he saw and realizing it.

So what I'm saying here is it's a collaborative approach that we're going to take. We have a – and I will see if I can – I'll get you invites to it, and that is in October we are going to have a housing summit and kind of look at the whole spectrum of housing. We will have some of the development community there. We'll have nonprofit providers. So if you thought of a housing spectrum and, you know, part of it is affordable housing. You know, that's where you're trying not to spend more than 30% of your entire income on keeping your family under cover, right? And a lot of people can't do that. It's going to be 50 or 60%, or 50%, let's say. And so how do we build housing for that group? And then how do you just keep the housing costs down just generally? So the strategy is best practices. Who's doing the good stuff out there? And then also what's the role of everybody's planning department? So I would say – and Mike reminded me of this – the best thing we can do for economic development is to make sure our process is clear. You come in, you get your permit, there's not a big delay, and so you're not spending a ton of money. There's good communication. Don't build on a wetland but you can build on this area. Here's your permit, you know. So just being clear with our process is one thing. So it's the same in the cities, too.

So we'll be talking about a whole variety of things as we go – get closer to the October effort. And again, it's collaborative. It's not pointing fingers. It's: How can we do a better job building housing in this region to meet the demand? And following our Comprehensive Plan, too. And I will always remind everybody, Hey, let's keep track of the big picture, the percent of growth that was supposed to go in the cities – the big idea of, you know, an 80/20 concept; And are we keeping that? Is that realistic? Or should it be something else as we go forward? I think we were – I think by 2036 – I don't know if I have this right, but I was looking at a very small phone on this one and my – but I think 2036 we were going to have, like, 156,000 people, or something like that was the estimate in the Comprehensive Plan. So that's something to watch.

We're doing a couple of other things – quickly. Betsy is – and our natural resources team – is continuing to work with the Watershed Company, and we are trying to update our Shoreline Master Program. So we'll get more on that as we start to see some of that work progress, and I'll keep you updated as that happens.

We have Nick and Andrew, two interns, for the summer. They'll be doing more research for us. I want them to do – to get their hands into the current side as well, because now that they're – I went to their graduation this last week, but they hadn't used all their intern hours they were so focused on getting good grades. Now I want them to get good experience here, so having them watch our more experienced counter technicians and things like that. So they're going to get that

customer service experience, but I also need them to get the research for the long range side too. So this summer they'll be spending a little bit of time there.

I think that's mostly it there. I could go on and on. But Mike's onboard now and I think it's really important to feed this guy what you know so he knows where to look. If there are groups that are out there or there are other bigger issues that we're missing or not talking about, we need to be. You're our eyes and ears in this community. We work for you. And we want to know what those issues are. And if you see code issues or if you see Comprehensive Plan things that need to be brought to our attention, let us know.

I took Mike today around Clear Lake and we talked about the history of Clear Lake. We looked at the housing that was available on Clear Lake. We looked at the trends. We looked at recreation opportunities. Just last year around July we met with a couple of combined church groups that were concerned about the future of Clear Lake. They represent 800 families together, and those families were concerned – they had a lot of different kinds of concerns but some concerns had to do with DOT and going through Clear Lake, and truck traffic, and safety. Some of them had to do just simply with the owner of the bar there in town had a problem with the water shedding from DOT right into the bar. You notice there're sandbags there. And so he's kind of dealing with that. And that might just simply be a question, and I think this might have been solved but the sandbags are still there. It might be a question of DOT policies that come through and maintain drainages and stuff like that. So sometimes these are just really simple problems that people tell us about and so we'll probably meet with them again, but as we do, we want to make sure we're listening to the entire community and the concerns that are coming up. There're a lot of new houses out there too. We were able to look on the hillside and see that, and there's active forestry going on on that hillside as well. What else did we see? Just, you know, kind of going through, that's a very –

Mr. Cerbone: We saw some older houses that have been elevated, so they probably flooded. You know, they were elevated above the base flood elevation trailers. We saw some new foundations going in for some new manufactured homes.

Yeah, it was interesting. I drove through there the other day by myself and I had apparently mixed up Mud Lake with Clear Lake. I thought Mud Lake was Clear Lake but, yeah, Clear Lake is clear and really nice off the back side.

Chair Mitchell: Well, ___ had mentioned once before about allowing us to join you on some of these things when they come up and I think the general consensus is that we are interested in that. If it's not in an area that we might not be able to do it all the time but whenever – you know, we'd love to do that.

Mr. Hart: Yeah, we'll do that. I'm still getting to know the area.

Mr. Cerbone: He grabbed me while I was eating lunch!

Mr. Hart: And the other thing that I'm – and we're going to meet – we're also going to meet with DOT. So I've kind of been waiting for a year to meet with DOT and watching how things play out through that little community, and there's – you know, there's this sidewalk and I spent the year in my spare moments researching Clear Lake, going to the – looking through all the photos they put online on the history of Clear Lake, and there's this broken sidewalk that does exist still out there. And, to me, there's the Safest Routes to School program or there's other programs that could invest in a moderate amount of infrastructure there in that community. But kind of the –

there's this other thing going on, too, and that is: What's the role of a rural place going forward? And so I want to let you know that there's a group studying this at the University of Washington and they've – they really are thinking about – this group said also they would like to see more jobs in that area, right? Right there. And we saw a couple businesses that had some jobs – clearly there were people working in there –

Mr. Cerbone: Some industrial. Yep.

Mr. Hart: And so what would that look like? So going forward, what does the future of Clear Lake look like? And I don't want to make this too hard, but I think there's – oh, one other opportunity coming up that I think it's really important that you know about, and that is the Parks Department's working very hard to tie in that area to a bike trail. And so that's going to happen. So we know that that's going to happen over time. What new opportunities for business and tourism does that mean? And so that might mean, as an example, there'd be two or three hundred more people on a weekend going through there per day, and that means more customers. So from the statewide perspective and a Growth Management perspective, they're trying to look at it and say, Well, these rural areas: How can we allow more business opportunities? How can we allow for a little bit of job growth? And if you know the history of the area, at one point – I think it was in the '20s – up to the '20s anyway – there were literally more than 1000 jobs centered there. And so with **shake mills**, the big plant that was there was tied by rail and shipped out, and so – I mean and you can still see in the houses today the history of yesterday. And it's just a really fascinating place for me to kind of start watching what's going on. It's close by. So enough of that.

Chair Mitchell: I do have a quick question for you about the handouts.

Mr. Hart: Yes, yes.

Chair Mitchell: On something like this, will these be going up on the website somewhere?

Mr. Hart: Yeah, they will put them on. OFM will put them on their website on the 28th.

Chair Mitchell: Okay.

Mr. Hart: And I can bring you the updated ones. Usually there's not a big difference between –

Mr. Cerbone: This is our heads-up that they've done it and then if we want to argue with them about the numbers that we see in here I think this provides us enough notice and opportunity if we believe that our population is different than how they're portraying it. And then the final projection they'll put up.

Mr. Hart: Yeah, that's right. So previously in counties that were either losing or if there was a big – if they were seeing hundreds of building permits that year and somehow they didn't pick it up at the Office of Financial Management, I would pick up the phone and send them the information.

Chair Mitchell: Well, sort of like a housekeeping thing: One of the things that we've learned – one more time, you've probably had this where you were before – is that whenever we have these websites like this that are helpful, can that link go somewhere on our pages somewhere?

Mr. Hart: Oh, that's a great idea. I'll ask. Okay.

Chair Mitchell: I don't know what would be appropriate in this instance, but –

Mr. Hart: Okay.

Commissioner Candler: I had a link question.

Chair Mitchell: Tammy, go ahead.

Commissioner Candler: Sometimes I think we've seen the memos that pertain to these workshops linked on our agenda, and that's super helpful, I think, for anybody who's interested. If you're reading through the agenda, you can just link to your memo. It's really helpful.

Mr. Cerbone: Okay.

Commissioner Candler: I don't know how hard that is to do but it's very helpful.

Mr. Cerbone: I can talk with Brian. Yeah, yeah. Did you go on the webpage?

Commissioner Candler: I did. And if it was on there – I think you could tell from this printed copy, but I don't think there's a link.

Mr. Cerbone: Okay. Yeah, I can work with Brian.

Chair Mitchell: Does anybody have anything else?

(silence)

Chair Mitchell: Fabulous job, you guys. Thank you.

Mr. Hart: Yeah, you bet.

Chair Mitchell: Okay. So item number 6 is Planning Commissioner Comments and Announcements. Does anybody have announcements, comments?

(silence)

Chair Mitchell: Okay.

Mr. Cerbone: One of the things I think would be useful for this time at the next meeting: I think I did send you – I started sending you more information and I probably will start sending you more and more information on some of the other topics that we're going to be reviewing. I think I sent you the resolution and then a link to the videos so you could watch the videos. It'd be good if you took a look at that resolution if you haven't yet, and then we could communicate during this point in time about upcoming items. So this could be a good time for you to give me a heads-up, Hey, I'm concerned about this specific item, or, I'm going to want to see a map of where these blue heron sites are. Right? That was something you shared with me last time. So that kind of stuff is super helpful for me. I'm good at searching and muddling my way through things, but if I get a heads-up on stuff I can probably get you better information. And it's a good way for just us to organize our time and make sure we're being as productive as possible.

Chair Mitchell: You bet. And historically when people – because sometimes they're working late at night or whatever, they can send a quick email to you. And when that happens – and here's one of the things that would be helpful – if somebody sends you a general information kind of

questions and those kinds of things – because we don't want to send to each other – would you go ahead and make sure we all get the same information?

Mr. Cerbone: Oh, forward it back? Yeah, definitely.

Mr. Hart: Make sure everybody has the same information.

Mr. Cerbone: Yeah. So if somebody emails me and asks me a specific question, instead of just replying back to them I'll reply to the entire list.

Chair Mitchell: Right. Because I could send you six item points or whatever it is that I bet you half the team would want to know.

Mr. Cerbone: Yeah, yeah. And if they don't, they can not read it!

Chair Mitchell: Super. Thank you. Okay, so seeing that there are no comments or Commissioner announcements, I'll adjourn the meeting (gavel).