

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, September 9, 1986

Flag Salute

9:00 a.m. Discussion - Skagit County Fair Contract.

MISCELLANEOUS ITEMS

10:00 a.m. Planning Commission Referred Item - Bow Hill Land Company
Rezone Request #R-86-011.

11:00 a.m. 1. Call for Public Hearing - Budget Amendment of the Weed
Control Board.

2. Call for Public Hearing - Budget Amendment of the Solid
Waste Operating Fund.

2:00 p.m. Submission of the 1987 Preliminary Budget by the County Auditor
to the Board of County Commissioners.

7:30 p.m. Public Hearing - Lazy Acres Mobile Home Park Expansion Request
- Hearing Room "C."

The Skagit County Board of Commissioners met in regular session on Tuesday,
September 9, 1986, with Commissioners Rohrer, Vaux and Walberg present.

DISCUSSION - SKAGIT COUNTY FAIR CONTRACT.

Vern Egbers, Manager of the Skagit County Fair, Casey Johnson, Fair Board
member, and Evette Jorgensen, bookkeeper, were present for this discussion.

Mike Woodmansee, Budget and Finance Director, explained that over the past
four years, the State Auditor's Office and others have made the County aware
that the 1978 agreement between the County and the fair is currently
inadequate. Of major importance is the need to clarify the issue of fair
revenues versus non-fair revenues. Mr. Woodmansee proposed to meet with
representatives of the Fair Board to clarify these matters.

Dave Hough, Senior Planner, was also present and is compiling necessary
agreements and information from other fair organizations.

Chairman Rohrer stated that he felt the County should work to satisfy the
State Auditor's concerns.

Commissioner Vaux stated that a new agreement needs to be drafted to establish
the relationship between the Fair Manager, the Fair Board and Skagit County,
prior to any relocation of the fairgrounds.

Discussion followed regarding the anticipated amount of County subsidy needed for 1986.

Mr. Egbers and Ms. Jorgensen expected to have an estimate of the amount needed within one month.

Commissioner Walberg felt a new operating agreement was necessary for the new facility, as well as to satisfy the State Auditor's Office.

The Board instructed Mr. Woodmansee and Mr. Hough to compile necessary information prior to beginning meetings to draft the new agreement.

MISCELLANEOUS ITEMS

1. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, September 9, 1986, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #41544 through #41642 (Warrants #41544 through #41642) in the total amount of \$523,190.29. (R-22)

2. The Board approved for signature a Quit Claim Deed from Wynn L. and Herman Wayne Anderson, for a portion of right-of-way in Hernway Heights.

PLANNING COMMISSION REFERRED ITEM - BOW HILL LAND COMPANY REZONE REQUEST #R-86-011.

Gary Gidley, Associate Planner, stated that this request of Bow Hill Land Company was to rezone and change the Comprehensive Plan on the following property located at the intersection of I-5 and Bow Hill Road:

1. 56 acres from Residential to Residential Reserve,
2. 6 acres from Residential to Commercial/Limited Industrial, and
3. 10 acres from Residential to Rural.

Mr. Gidley read the Planning Commission's findings and recommendation of the following rezone modification:

1. Approximately 6 acres from Residential to Commercial/Limited Industrial, and

2. 66 acres from Residential to Rural.

Mr. Gidley noted that the Northwest District Comprehensive Plan Map designates the subject property as Rural. Since 1980, three efforts by the County to change the zoning on the property to a more restrictive designation have been overturned by the courts. Planning Commission Finding #14 stated that the two rezones approved are nonseverable. If either is determined to be invalid, the entire rezone shall be invalid.

Charles Twede, 816 Fairhaven Avenue (P.O. Box 526), Burlington, stated that he was the attorney for Bow Hill Land Company. He stated that in 1983, the Planning Department and Planning Commission recommended that all of the subject property be zoned Residential Reserve. However, the Bow Hill Neighborhood Association convinced the Commissioners to hold their own public hearing, at which time they zoned the property Rural, contrary to the Planning Department's and Planning Commission's recommendations. Following this decision, the matter went to court and the Commissioners' decision was overturned, and the property was rezoned by the court to Residential. He explained that the Bow Hill Land Association subsequently attempted to negotiate with the Neighborhood Association for a portion of the property to be rezoned Commercial/Limited Industrial and the remaining Rural. However, the Neighborhood Association's condition of limited access to Bow Hill Road was not acceptable. Mr. Twede stated that the Planning Commission's recommendation of a modified rezone was also not acceptable to the Bow Hill Land Company. He stated that if the Board was going to accept the Planning Commission's recommendation, he wished to withdraw the application and let the zoning remain Residential. He asked the Board to hold their own public hearing on this matter to consider an additional proposal for a 12-acre parcel to be zoned Commercial/Limited Industrial and the remainder zoned Rural.

Bob Anderson, 203 West Holly Street, #19, Bellingham, stated that he was the land use planning consultant representing 280 residents of the Bow Hill Neighborhood Association. Mr. Anderson noted that this property has never been designated Commercial/Limited Industrial. He stated that the Association is willing to accept the amount of Commercial/Limited Industrial land recommended by the Planning Commission (8.4 acres according to his computation), if that zoning is properly conditioned to mitigate against adverse impacts to the abutting properties. He asked the Board to apply conditions to protect neighboring property owners and accept the Planning Commission's recommendation for the modified rezone.

John Zylstra, owner of Skagit Soils, stated that he purchased his property south of the subject property in 1972. He expressed concern regarding potential additional drainage onto his property as a result of the proposed development.

John Sandell stated that he lives 150 feet below Mr. Zylstra's property and is also concerned about runoff drainage.

Mr. Twede stated that any development would comply with drainage requirements. He noted that Mr. Anderson was incorrect in his computation of 8 acres Commercial/Limited Industrial property. He urged the Commissioners to hold their own public hearing for consideration of his additional proposal.

Commissioner Walberg noted that most of the discussion had been about issues not considered by the Planning Commission. He felt the matter should be remanded back to the Planning Commission for further consideration.

Commissioner Vaux felt that there might still be the possibility for compromises to satisfy both sides of the issue. He favored holding a public hearing on the matter to consider the new proposals being presented.

Commissioner Walberg motioned to schedule a public hearing at 7:30 p.m., Monday, September 29, 1986, in Hearing Rooms B and C of the Skagit County Administration Building, to consider the Bow Hill Land Company Rezone Request #R-86-011. Commissioner Vaux seconded the motion. The motion was carried unanimously.

CALL FOR PUBLIC HEARING - BUDGET AMENDMENT OF THE WEED CONTROL BOARD.

Commissioner Vaux motioned to adopt the resolution calling for a public hearing to determine whether a resolution shall be adopted authorizing a supplemental budget in the amount of \$4,200 for the Current Expense Fund to account for additional funds received to pay for costs in connection with the Noxious Weed Control Program. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10971)

The public hearing will be scheduled at a later date.

CALL FOR PUBLIC HEARING - BUDGET AMENDMENT OF THE SOLID WASTE OPERATING FUND.

Commissioner Vaux motioned to adopt the resolution calling for a public hearing to determine whether a resolution shall be adopted authorizing a supplemental budget in the amount of \$150,000 for the Solid Waste Operating Fund to account for additional funds received to pay for costs in connection with the landfill capital improvements. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10972)

The public hearing will be scheduled at a later date.

SUBMISSION OF THE 1987 PRELIMINARY BUDGET BY THE COUNTY AUDITOR TO THE BOARD OF COUNTY COMMISSIONERS.

Jerry McInturff, Skagit County Auditor, presented the Commissioners with copies of the 1987 preliminary budget. He noted that requested expenditures

for 1987 total \$44,207,070, which represents an increase of \$3,107,628 over the 1986 originally adopted budget. Should all of the budget requests be approved, a deficit of \$4,895,874 would result for the 1987 budget year.

Mr. McInturff invited anyone wishing to view the budget to do so at the Auditor's Office.

Commissioners Vaux and Walberg were present for the following item. Chairman Rohrer was absent.

PUBLIC HEARING - LAZY ACRES MOBILE HOME PARK EXPANSION REQUEST - HEARING ROOM "C."

Commissioner Walberg waived the reading of the notice of public hearing, as published in the Skagit Argus on August 26, 1986.

Grace Roeder, Associate Planner, submitted for the record the entire Lazy Acres Mobile Home Park expansion file, photos, map as prepared by the applicant showing the request for six additional sites, Assessor's maps, and the section of the zoning ordinance relating to mobile home parks (Skagit County Code Section 14.04.170). She entered Staff Findings #1 through #13 into the record.

The Planning Department recommended approval of only five additional sites in the Lazy Acres Mobile Home Park, subject to eight conditions of approval.

Commissioner Walberg entered the following items of correspondence for the record:

1. Letter dated August 29, 1986, from William H. Nielsen, requesting that Chairman Rohrer not participate in the public hearing of September 9, 1986, due to a violation of an appearance of fairness.
2. Letter dated July 16, 1986, from Glenda Willison, 936 Claybrook Road, Sedro-Woolley, expressing opposition to the proposed expansion.

William Nielsen, attorney, introduced Loren and Sheila Kollmorgen, owners of the Lazy Acres Mobile Home Park; Lou Ankney, septic system designer; and Jim Scott, real estate broker.

Mrs. Kollmorgen spoke about the quality of life mandated by the rules and regulations of the mobile home park which they purchased January 1, 1986. She explained that the mobile home park is available to adults only and no outside pets are permitted. Currently there are 27 spaces, however since the current Conditional Use Permit only allows the use of 25 spaces, two spaces are vacant. In addition to requesting permission to use the two vacant spaces,

they are also requesting four additional spaces, making their total request for six new spaces.

Mr. Kollmorgen stated that he designed the plans for the proposed expansion. He felt they have complied with all areas of the County's rules and regulations.

Mr. Ankney stated that he designed the on-site sewage disposal systems for the expansion. He felt that there would be enough acreage for six sites, if the area of the roads were included. He noted that the soil on this property is excellent for on-site sewage disposal.

Commissioner Walberg stated that the area of roads could only be included for the development of 5-acre tracts.

Mr. Scott stated that he has no interest in the mobile home park or the expansion of the park. He believed the expansion would have little or no negative effect on neighboring property values. Mr. Scott explained that the proposed screening required by the County would improve and enhance the privacy of the homes on Claybrook Road. Paving of the road within the park would also reduce noise and dust.

Glenda Willison, 936 Claybrook Road, Sedro-Woolley, stated that she was not opposed to the addition of the two vacant sites to the Conditional Use Permit. She stated that she met with the previous mobile home park owners prior to the purchase of her home in 1977. At that time she was assured that she would not be able to see the park from her home, due to a wooded area between. The trees have since been cut down, and now she has a view of the park. She expressed concern regarding noise, traffic, property values and setback requirements.

Jackie Cromarty, 932 Claybrook Road, Sedro-Woolley, stated that she expected to have three mobile homes broadside behind her two lots.

Joan Bricka, 928 Claybrook Road, Sedro-Woolley, expressed concern regarding the density of the mobile homes and absentee landlords. She asked if the Commissioners would like the expansion if they lived in her house.

Mr. Nielsen stated that people are anxious about change. He pointed out that the proposed 8-foot site-obstructing fence will actually improve the privacy for neighbors. He noted also that Mr. and Mrs. Kollmorgen cannot be held accountable for promises made by the previous park owners. He asked the Board to approve the requested expansion for six sites.

Ms. Willison clarified several comments and emphasized that she does not wish to live in a mobile home park.

Ms. Bricka expressed additional concern for the proposed density and the effects of on-site sewage disposal systems.

As there were no additional comments, Commissioner Vaux motioned to close the public hearing. Commissioner Walberg seconded the motion. The motion was carried and so ordered.

Discussion followed regarding the proposed 8-foot site-obstructing fence.

Commissioner Walberg read portions of the Skagit County Code which deducted the road area from the total area available for development purposes. Therefore, the area remaining would support only five additional sites.

Discussion again followed regarding what type of fence would be constructed in what location, since there are a variety of fence types currently installed.

Mr. Nielsen stated that the Kollmorgens will need a consensus from the neighbors regarding what type of fence they desire and the desired location of the fence.

The neighbors present for this public hearing agreed to submit to the Department of Planning and Community Development their proposal for a fence.

Mr. and Mrs. Kollmorgen agreed to combine proposed Lots 26 and 27 into one lot.

Commissioner Vaux motioned to grant the expansion of five lots (Lots 23, 24, 26/27, 28 and 29) subject to the eight conditions of approval recommended by the Department of Planning and Community Development. Additionally, the neighbors of the park, represented by Ms. Willison, Ms. Bricka and Ms. Cromarty, will submit a proposed fencing plan to the Department of Community Development by September 23, 1986. Mr. and Mrs. Kollmorgen are to do the same, and a compromise for the proposed fence will be reached. Commissioner Walberg seconded the motion. The motion was carried unanimously.

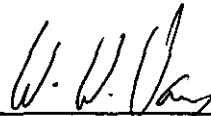
ADJOURNMENT

Commissioner Walberg motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



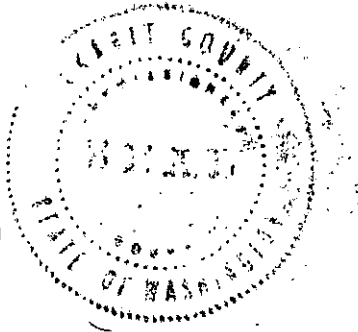
Dave Rohrer, Chairman



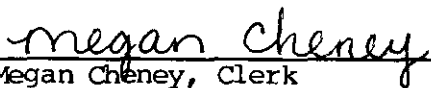
W. W. Vaux, Commissioner



Otto M. Walberg, Jr., Commissioner



ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners