

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Wednesday, March 7, 1990

2:00 p.m. Planning Department Items.

MISCELLANEOUS ITEMS.

PLANNING DEPARTMENT ITEMS.

- A. The Board discussed the Planning Department's response time for submission of final resolutions regarding Board decisions on appeals and Planning Commission approvals for the Board's signature.

It was noted that a legal opinion from the Prosecuting Attorney's Office has revealed that the Superior Court appeal period does not begin until a written final order is signed by the Board. Delays in this process can cause undue dships to both appellants and proponents.

The Board directed Scott Kirkpatrick, Planning Department Director, to make it the informal policy of his department to submit the final resolutions on these matters to the Board within one week of the verbal decision.

John Moffat, Chief Civil Deputy, also suggested that all participants be informed at the time of the verbal decision that the decision is not final until the appropriate paperwork is signed by the Board.

- B. In accordance with action previously taken, the Board approved for signature the resolution amending SCC 14.04.110 (5) and 14.04.115 (5) to provide interim zoning controls addressing siting of residential development in Agricultural and Agricultural Reserve zoned lands. (Resolution #12403)
- C. In accordance with action previously taken, the Board approved for signature the resolution upholding the decision of the Hearing Examiner regarding the variance request #V-89-050 of Fred Aiken to subdivide a 3.13 acre parcel of agriculturally zoned land with an existing residence into two parcels. (Resolution #12404)
- D. Commissioner Rohrer motioned to adopt the resolution reappointing John Tennyson, whose term expired on June 12, 1989, to another term on the Boundary Review Board, expiring June 12, 1993. Commissioner Vaux seconded the motion, which carried and was so ordered. (Resolution #12405)
- E. Mr. Kirkpatrick discussed the permit request increases for the year 1989 through 1990. A 59% increase was seen in both septic permit requests and sales of maps and publications. Land use and environmental permits

increased by 48%. Building permits showed an 18% increase, and miscellaneous permits remained even.

The Board indicated that comparisons to the preceding year would be helpful.

- F. Mr. Kirkpatrick reported that the Planning Department has been asked to complete a new, unique review, perhaps the first of its kind under a new section of Title 59 RCW. The RCW states that a tenant can request a review by the Planning Department to determine if hazardous conditions the tenant has identified are present. The landlord is notified of the visit, and the Planning Department must provide a certified copy of their findings to the tenant stating whether or not the tenant's complaints were justified. It is possible for the tenant to then escrow a portion of his rent toward the improvement of the identified conditions. This investigation may also result in the eviction of the tenant, if conditions are deemed to be serious enough to make the residence uninhabitable.

Mr. Kirkpatrick stated that the law mandates that the Planning Department conduct this investigation or hire an independent contractor to do so, and the Department is not reimbursed for the service.

Mr. Kirkpatrick stated that the complainant in this case lives on the Cape Horn Road in Concrete, and learned of the law through Evergreen Legal Services, a legal referral service in Everett.

- G. Mr. Kirkpatrick referenced letters received by himself and copied to the Board from the attorney representing the Kaaland Mill in Hamilton and from the neighbors' attorney. Mr. Kirkpatrick stated that he has inspected the road to the Mill, following a claim to the County for damages suffered to the complainant's vehicle because of allegedly poorly maintained roadway.

A second complaint alleges that the Kaaland Mill is operating on Sundays, in violation of the written order establishing the special use for the Mill. Mr. Kirkpatrick verified that the order, indeed, does prohibit work on Sundays.

The Board indicated to Mr. Kirkpatrick that they wished this condition to be enforced. Mr. Kirkpatrick argued that his department does not have the time to properly investigate and enforce permit compliance. He suggested that the neighbor's remedy be through a civil action initiated by the complainant. Commissioner Vaux strongly disagreed. The Board indicated to Mr. Kirkpatrick that he will respond to complaints regarding enforcement of permit conditions.

H. The Board briefly discussed Planning Department staffing with Mr. Kirkpatrick.

ADJOURNMENT

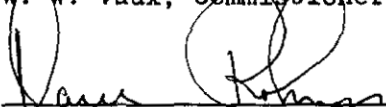
Commissioner Vaux motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

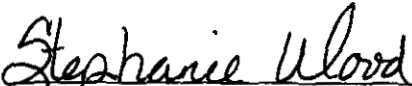


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Ruth Wylie, Chairman

  
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W. W. Vaux, Commissioner

  
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Dave Rohrer, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners