

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Tuesday, October 29, 1991:

- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Scott Kirkpatrick, Director:
- 1) Review - National Marine Sanctuary Program.
 - 2) Enforcement Report Update.
- 10:00 a.m. - 11:00 a.m. Planning Commission Recommendation:
- 1) Approval - Request to Revise Development Schedule for the Planned Unit Development of Wilderness Village by George Theodoratus.
- 11:00 a.m. - 11:30 a.m. Hearing Examiner Recommendation:
- 1) Approval - Agricultural Variance Request #AGV-91-016 of Leslie Lillquist - Property Near LaConner-Whitney Road.
- 1:30 p.m. - 2:00 p.m. 1) Bid Opening - Ferry Passenger Vessel Rental.
2) Miscellaneous Items.
- 2:00 p.m. - 2:30 p.m. Employment Program Review - Chinook Enterprises.
- 2:30 p.m. - 3:00 p.m. Hearing Examiner Recommendation:
- 1) Approval - Agricultural Variance Request #AGV-91-024 of Paul Jay - Property at 2433 Burmaster Road, Sedro Woolley.
- 3:00 p.m. - 6:00 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Tuesday, October 29, 1991, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

- 1) Review - National Marine Sanctuary Program.

Craig Olason, Assistant Director, explained that the National Marine Sanctuary Program was created by Congress in 1972 with the passage of the Marine Protection, Research and Sanctuaries Act. This act authorizes the Secretary of Commerce to designate discreet areas as National Marine Sanctuaries to promote comprehensive management of their special ecological, historical, recreational and aesthetic resources.

Mr. Olason said that eight National Marine Sanctuaries have been designated so far and are administered by the Marine and Estuarine Management Division of the National Oceanic and Atmospheric Administration (NOAA). North Puget Sound is one of eight additional sites currently under review for future designation. Mr. Olason provided a map showing the proposed area. The area encompasses the coastal waters of Whatcom, Skagit, Snohomish, Island, San Juan, Jefferson and Clallam Counties, with the exception of a portion of coastal waters around Everett and the coast of Kitsap County. The proposed site is in the environmental impact stage, Mr. Olason said. Several meetings have occurred since this area was placed in the "active candidate for designation" category in 1988. A report on the designation of the area will be

RECORD OF THE PROCEEDINGS

Tuesday, October 29, 1991

Page #2

available after March of 1992.

Mr. Olason noted that the Governor of Washington will have veto power over any item in the management plan for the area. A coalition made up of approximately 150 agencies including timber, fish and wildlife agencies, will act as an advisory committee on the area's management. It is unknown what major changes this will effect in the coastal waters, but it is rumored that the plan contains "four prohibitions and five restrictions".

2) Enforcement Report Update.

Provided for review.

PLANNING COMMISSION RECOMMENDATION:

1) Approval - Request to Revise Development Schedule for the Planned Unit Development of Wilderness Village by George Theodoratus.

The Board was previously provided with copies of the Staff Report and Planning Commission Recorded Motion regarding this item.

As part of the original approval of Wilderness Village Planned Unit Development, a development schedule was required. Each component of the development was given a completion date, with the final item to be completed by the year 2000. Since the adoption of the original development schedule, the Planning Commission, in 1988, approved a revised development schedule which changed the expected completion dates for various phases of the P.U.D., but not the overall completion date of 2000.

Currently, phases 1 and 2 have been completed and have received final approval. These phases added a total of 79 residential lots. A total of 52 of these lots have been sold, and all roads within the division completed. The owners of Wilderness Village (Valley West Realty) are involved in a lawsuit with a prospective purchaser of their property who failed to exercise his/her option prior to the termination date and for that reason, the project is somewhat behind schedule.

Mr. Theodoratus is asking for an extension of the completion dates for various phases of the project, without changing the overall completion date of 2000. The new schedule would be more aggressive than the previous one, intensifying development over the next 8 years. All of the camping facilities and a majority of the residential lots would be completed by 1995, leaving those divisions planned for "condominium or residential" development for 1996, 1998 and 2000.

Both the Planning Department and Planning Commission concur in recommending that this change be allowed; however, the Planning Department indicates that if any other changes occur which further increase the intensity of development, an EIS will be required. Also, all new divisions will have to comply with the standards in effect at the time of filing of the application for that division, with consideration given to vested rights the applicant has.

Chairman Vaux motioned to approve the recommendation and Recorded Motion of the Planning Commission. Commissioner Wylie seconded the motion, which passed unanimously.

HEARING EXAMINER RECOMMENDATION:

RECORD OF THE PROCEEDINGS

Tuesday, October 29, 1991

Page #3

1) Approval - Agricultural Variance Request #AGV-91-016 of Leslie Lillquist - Property Near LaConner-Whitney Road.

Grace Roeder, Associate Planner, provided an assessor's map and photographs of the subject property. The Board had previously received copies of the staff report and of the Hearing Examiner's Findings of Fact.

Mr. and Mrs. Lillquist own 62 acres of agricultural property which is within a flood zone. They would like to build a home and garage approximately 250 feet from the front property line (a private road) located about 2 miles northeast of Laconner off of LaConner-Whitney Road. The most recently adopted Skagit County Code section requires that new construction occur within 200 feet of the front property line.

The original homesite, established in 1882, was built on the proposed site and torn down due to disrepair in 1986. Construction of a home on any other site would remove agricultural land from farm production.

Both the Planning Department and Hearing Examiner recommended approval of the request, with the stipulation that all appropriate permits be obtained and that the private road be constructed to short plat standards. Mr. and Mrs. Lillquist had declined to attend since they live in Coulee City and a trip to Skagit county would require them to be away from home for three days.

After reviewing the evidence, Commissioner Wylie motioned to approve the Lillquist Agricultural Variance Request #AGV-91-016. Commissioner Robinson seconded the motion, which passed unanimously.

BID OPENING - FERRY PASSENGER VESSEL RENTAL.

Chairman Vaux waived the reading of the notice of call for bids, as published in The Skagit Argus on October 15 and 22, 1991.

The following bids were received and opened:

- 1) Puget Sound Charter Service
2602 174th Avenue N.E.
Redmond, WA 98052

Charter rates for Ferry Passenger Vessel Only:

Bare boat: No bid.
Operated boat: \$70 per hour, no daily bid.

- 2) Arrow Launch
P.O. Box 2376
Port Angeles, WA 98362

Charter rates for Ferry Passenger Vessel Only:

Bare boat: No bid.
Operated boat: \$95 per hour, \$1,000 for 12 hour day, \$1,500 for 18 hour day.

These bids will establish an eligibility list for the emergency chartering of vessels to replace the Guemes Ferry, when necessary.

MISCELLANEOUS ITEMS.

There were no miscellaneous items for discussion at this time.

EMPLOYMENT PROGRAM REVIEW - CHINOOK ENTERPRISES.

Rob Martin, Executive Director of Chinook Enterprises presented information on the Chinook Enterprises employment program. Chinook Enterprises is a private program established to assist developmentally disabled adults. Also present was Nancy Cleave, Chairman of the Board of Chinook Enterprises, Bernadette Roozen-Miller, George Peterson, and Don Gordon, Board members.

Those present asked the Board to commit to hiring a quota of Chinook Enterprises clients.

HEARING EXAMINER RECOMMENDATION:

- 1) Approval - Agricultural Variance Request #AGV-91-024 of Paul Jay - Property at 2433 Burmaster Road, Sedro Woolley.

Grace Roeder, Associate Planner, provided an assessor's map showing the subject property located at 2433 Burmaster Road, east of Sedro Woolley. The Board had previously received copies of the staff report and of the Hearing Examiner's Findings of Fact.

Mr. Jay is requesting a variance to subdivide 25 acres from his 30 acre parcel to convey to the adjacent property owner and current user of the property, Ronald Rex, for dairy farming purposes. He is also asking that the property be conveyed as a boundary adjustment so that he will not have to have a survey performed, as required in the short plat ordinance. The remaining five acres would contained an existing house and accessory buildings. Mr. Jay would continue to live on this parcel.

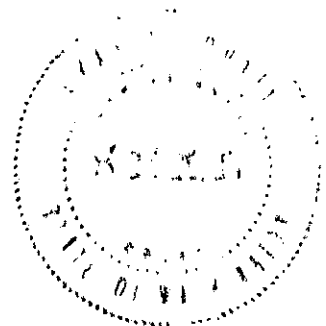
Mr. Jay had some tim ago asked that a boundary adjustment be approved by the Planning Department and was denied because it would have created a substandard 5 acre parcel. He h as not requested a variance to the short plat ordinance and the agricultural lot requirements. Existing fence lines are proposed to act as boundary lines, and neighbors have submitted letters indicating that the fence lines are recognized as property lines.

After considering the evidence, Commissioner Robinson motioned to approve the Agricultural Variance request #AGV-91-024 of Paul Jay, with conditions as stated by the Hearing Examiner. Chairman Vaux seconded the motion, which passed unanimously.

ADJOURNMENT:

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Robinson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux

W. W. Vaux, Chairman

Robby Robinson

Robby Robinson, Commissioner

Ruth Wylie

Ruth Wylie, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners