

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

**Tuesday, January 28, 1992:**

- 8:30 a.m. - 9:00 a.m.            Work Session - Operations Division Manager/Road Superintendents.
- 9:00 a.m. - 10:00 a.m.        Department of Planning and Community Development - Scott Kirkpatrick,  
Director:
- 1) Discussion and Status of Resource Lands/Critical Area Classification Program.
  - 2) Farm Land Protection Program Update.
  - 3) Code Enforcement Report.
  - 4) Miscellaneous.
- 10:00 a.m. - 11:00 a.m.        Continuation - Planning Commission Recommendation - Approval - Code  
Amendments for Fire Protection and Environmental Controls.
- 1:30 p.m. - 2:00 p.m.        1) Discussion - Skagit County Fairground Fees.  
2) Call for Public Hearing - Setting Fees for Skagit County Fairground.
- 2:00 p.m. - 2:30 p.m.        Skagit County Historical Society Quarterly Report.
- 2:30 p.m. - 3:00 p.m.        1) Call for Bids - Public Defender's Office Remodel.  
2) Work Session - Visitor and Employee Vehicle Parking.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 28, 1992, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:**

1) Discussion and Status of Resource Lands/Critical Area Classification Program.

Mr. Kirkpatrick explained that State mandates require that each County planning under the Growth Management Act must have catalogued, designated and protected resource lands and critical areas by September 1, 1991. Skagit County received an extension of the due date through March 1, 1992. Those lands to be considered included frequently flooded areas, wetlands, wildlife areas, aquifer recharge areas and unstable slopes. The last mapping of these areas was performed in 1973, when most of the mapping was created by hand.

Gary Christiansen, Senior Planner, explained that the County's classification program has been developed with the assistance of a Technical Advisory Committee. Parametrix was chosen to act as consultant to the project.

Maps were displayed depicting overlays of existing data obtained from local, State and Federal agency records. Mr. Christiansen stated that the results of this program are informational only in nature and are not meant to represent a regulatory effort. Regulation of sensitive areas must be accomplished through the County Comprehensive Plan, Zoning Map and Ordinances.

Jim Freeman, Senior Planner, reviewed each of the following maps:

- Slope stability potential
- 1973 maps

## RECORD OF THE PROCEEDINGS

Tuesday, January 28, 1992

Page #2

- Flood zone and floodway
- Generalized soils
- Comprehensive Plan Map
- DNR mineral resources
- Satellite images showing land cover

Mr. Freeman explained that the maps were created using the U.S. Geological Survey quadrangle method. Computerized maps can be created from the data entered in quadrangle increments. The final product will be available in one month.

Commissioner Vaux discussed with the members of the Department of Planning and Community Development the potential regulatory ramifications of the data gathered. He indicated that Skagit County needs to provide areas for growth and development for every area that is protected.

### 2) Farm Land Protection Program Update.

This item was rescheduled at another time.

### 3) Code Enforcement Report.

Provided for review.

### 4) Miscellaneous.

There were no miscellaneous items from the Planning Department at this time.

## CONTINUATION - PLANNING COMMISSION RECOMMENDATION - APPROVAL - CODE AMENDMENTS FOR FIRE PROTECTION AND ENVIRONMENTAL CONTROLS.

Scott Kirkpatrick, Director - Department of Planning and Community Development, synopsised the events leading up to the discussion. He explained that an interim control had been adopted last year, prohibiting the issuance of building permits for parcels located outside of fire districts. Local fire districts requested that the interim control be made permanent, and the Planning Commission has recommended the same. At an earlier public meeting to consider the recommendation, a number of eastern county residents testified in opposition to the permanent control, and the Board continued the discussion.

Mr. Kirkpatrick stated that the Board may exercise any of the following options:

- 1) To adopt the recommendation of the Planning Commission.
- 2) To remand the matter back to the Planning Commission for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Chairman Robinson noted that the Board received a letter from George Theodoratus of Valley West Realty opposing the permanent control.

Mr. Kirkpatrick explained to the Board that applications for building permits may still be denied, even for parcels located within a fire district, if the Fire Marshall feels that emergency vehicle access standards have not been met. Under the interim control, if a parcel is located outside a fire district, a building permit application will be denied outright unless a variance is granted.

**RECORD OF THE PROCEEDINGS**

**Tuesday, January 28, 1992**

**Page #3**

Mr. Kirkpatrick reviewed with the Board Skagit County Code Chapter 14.04.223, Variances.

Diane Ramsey, a Burpee Hill Road resident, stated that lack of fire protection should be the problem of the landowner. If their home is destroyed by fire, the consequences should be borne by the landowner.

Les Wiger gave information using an example of a parcel located near Baker Lake where the landowner will be unable to obtain a building permit.

Mr. Kirkpatrick again explained that if the Planning Commission recommendation is adopted, building permit applicants whose property does not lie within a fire district have the option of a) seeking a variance, b) petitioning a fire district for annexation to the district, or c) establishing their own fire district.

Dan Cain, County Fire Marshall, explained that just because a variance is given on a parcel of land is annexed into a fire district does not mean an applicant will receive a building permit. The State law requires that each structure meet accessibility standards for emergency vehicles.

Paul Kreigel asked who would review applications for conformance to road accessibility standards, and what if an unprotected parcel owner has existing homes located on each side of his property.

Mr. Cain explained that the Fire Marshall's Office reviews applications for road accessibility conformance.

Lloyd Gailey, Baker Lake Road, agreed with Ms. Ramsey. He complained that the County would be offering no compensation for land de-valued by this new legislation.

Nita Robson, Baker Lake Road, asked if her unprotected home burnt down whether she would be allowed to rebuild.

Mr. Kirkpatrick replied that she would not be allowed to rebuild without a variance.

After considering the comments made, Commissioner Vaux motioned to remand the matter back to the Planning Commission to consider exempting platted lots of a specific size established prior to a specified year from the regulations.

Commissioner Wylie suggested that instead of Commissioner Vaux's motion, the Board could adopt the legislation, but make a variance more accessible by allowing those landowners or those replacing existing structures an administrative variance procedure.

Mr. Kirkpatrick also suggested other methods of resolving the issue. He suggested that the Board could adopt the legislation and then restructure fees so that a variance would be less expensive to certain applicants who live outside fire districts. A second suggestion was to adopt the legislation and then adopt additional legislation creating an administrative variance procedure. Mr. Kirkpatrick's final suggestion was to adopt the recommended legislation and later modify the language to exempt or "grandfather" certain lots.

After discussion, Commissioner Wylie asked that Commissioner Vaux modify his motion to include directing the Planning Commission to study a simplified variance procedure, and to address replacement of existing homes located outside fire districts. Commissioner Vaux agreed, and Commissioner Wylie seconded his motion, which passed unanimously.

Commissioner Vaux then motioned to direct the Planning Commission to extend or reinstate the existing interim control.

**RECORD OF THE PROCEEDINGS**  
**Tuesday, January 28, 1992**  
**Page #4**

Commissioner Wylie seconded the motion, which passed unanimously.

**DISCUSSION - SKAGIT COUNTY FAIRGROUND FEES.**

Proposals for changes to current fairground rental fees were presented. Increases were proposed to the rental rates for the pavilion arena from \$45.00 to \$60.00 for private use and \$125 for public use, and to the pavilion wings from \$40.00 to \$50.00 for private use and \$80.00 for public use. Rental of the flower building was raised from \$75.00 to \$75.00 for private use and \$125.00 for public use. Grange building rental was raised from \$50.00 to \$65.00 for private use and \$100.00 for public use. Use of the commercial building was raised from \$75.00 to \$75.00 for private use and \$100.00 for public use. Use of the sheep barn was raised from \$60.00 to \$60.00 for private use and \$100.00 for public use. Campground use without hookups was raised from \$9.00 to \$10.00. Additionally, clubs using the horse arena would be required to pay for arena rototilling and preparation, or to supply a volunteer to assist with the grounds preparation.

**CALL FOR PUBLIC HEARING - SETTING FEES FOR SKAGIT COUNTY FAIRGROUND.**

Don Helwig, Fair Manager, explained that on recommendation of the Parks and Recreation Department staff, the Fair Advisory Board has decided to recommend to the Board of Commissioners that new fees be adopted for fairground user and administration fees.

Commissioner Wylie motioned to hold a public hearing on Tuesday, February 18, 1992, at 2:00 p.m. Commissioner Vaux seconded the motion, which passed unanimously.

**SKAGIT COUNTY HISTORICAL SOCIETY QUARTERLY REPORT.**

Jim Barmore, Director of the Skagit County Museum, provided a quarterly report of the activities of the Skagit County Historical Society.

**CALL FOR BIDS - PUBLIC DEFENDER'S OFFICE REMODEL.**

Roger Howard, Facilities Manager, explained that the second floor of the Public Defender's Office has previously been unusable space. As part of the 1992 budget, Mr. Howard stated he will be gutting this space and refinishing it for use as office space. In addition, an inefficient heating system will be replaced with a new gas heating system. The entire project will cost between \$30,000 and \$40,000.

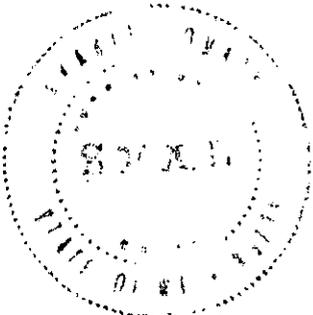
Commissioner Vaux motioned to adopt the resolution calling for bids for the remodel of the Public Defender's Office to be received and opened on February 19, 1992, at 1:30 p.m. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14210)

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

2/24/92



*Robby Robinson*  
Robby Robinson, Chairman

*Ruth Wylie*  
Ruth Wylie, Commissioner

*W. W. Vaux*  
W. W. Vaux, Commissioner

ATTEST:

*Connie Cash*  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners