

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

Tuesday, February 23, 1993:

- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Dave Hough, Acting Director:
- 1) Discussion - Transportation Citizen Advisory Committee Membership.
 - 2) Discussion - Growth Management Act Progress Report.
 - 3) Code Enforcement Report.
 - 4) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Planning Commission Recommendations:
- 1) Approval - Washington State Department of Transportation Comprehensive Plan Amendment #CPA-92-016, Sims Road East of Sedro-Woolley.
 - 2) Approval - Code Amendment, Section 14.04.240(16)(c) - Appeal Process.
- 1:30 p.m. - 2:30 p.m. Work Session - Solid Waste Post Closure Plan for Inman Landfill.
- 2:30 p.m. - 3:00 p.m. Hearing Examiner Recommendation - Approval - Agricultural Variance for Harold Lange, 1873 Cedardale Road, Mount Vernon.

The Skagit County Board of Commissioners met on Tuesday, February 23, 1993, with Commissioner's Hart, Wolden, and Robinson present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - DAVE HOUGH, ACTING DIRECTOR:

- 1) Discussion - Transportation Citizen Advisory Committee Membership.

Mr. Hough stated that the Citizen's Advisory Committee (CAC) for the Transportation Element of the Comprehensive Plan had not begun at the same time as the others last year, in order to allow David Baltz to perform some necessary technical background work. This committee can also be used as an advisory committee for the Regional Transportation Planning Organization (RTPO). There has been no list created from which to select committee members, and it is desired to have a committee organized within the next six weeks.

Commissioner Robinson stated that he is aware of areas where the residents are very interested in the Transportation Element, one of them being along the Highway 9 corridor. He said that the Board would like to have this element be as well rounded in representation as the others.

Mr. Hough stated that he will contact the Skagit Island Counties Builders Association and other community groups to gather a list of interested individuals. He will present recommendations to the Board in approximately three weeks. Mr. Hough distributed a list of common ground rules for CAC's to the Board for review.

Commissioner Wolden noted that two consecutive absences results in a person no longer being a member of the CAC. He said that there were a few people that fit into this rule violation. He felt that other citizens

that would like to be actively be a part of the CAC's should be allowed to fill the vacancies.

Commissioner Robinson felt that the violators should be removed from the committees, but they should not be replaced. A new member would be as much or more behind in what was going on as the person who had not been attending.

2) Discussion - Growth Management Act Progress Report.

Mr. Hough stated that he will be bringing staff members from the various elements of the GMA to review progress with the Board.

Edwyna Fong, stated that the committee for the Housing Element has been in the process of reviewing 15 documents gathered from surrounding communities and counties regarding housing. At the March 1, 1993, meeting they will be reviewing the documents remaining. They have been going through them one at a time and determining which ones they want to consider further. She said that they are developing a "laundry list" of policies that they will prioritize accordingly. The group works well together, and are very productive.

Ms. Fong related several issues to the Board that the housing consultants provided from the second draft report:

- 42% of all housing units county wide do not meet building codes requirements and 18% is of low quality construction or below.
- Renter households increased by 31% between 1980 and 1990, owners increased by 22%.
- Home values changed 58% between 1980 and 1990.
- Properties with mobile homes increased 139% between 1980 and 1992.
- Overcrowded housing units have increased by 39%.
- Labor force increased 27% between 1980 and 1990, and by 1992 had increased another 4.9%. 1992 unemployment rates as 9.1%.
- Over 6,000 households in Skagit County earned less than \$14,194 in 1990.
- HUD defines households paying more than 30% of income for housing costs and earning less than 80% of the median income as being in need of housing assistance. In unincorporated areas of the County, 36% of renters are paying more than 30% on income on housing, Anacortes has 38% of renters paying more that 30%, Mount Vernon and Sedro-Woolley have 41%, and Burlington 40%.
- The ten fastest growing occupations will be lower paying:

- Food service and lodging managers.
- Receptionists and information clerks.
- Maids and housekeeping cleaners.
- Dining rooms and cafeteria attendants.
- Nursing aids, orderlies and attendants.
- Gardeners and groundskeepers.
- Waiters and waitresses.
- Accountants and auditors.
- Bartenders.
- Cooks, restaurants.

- Accountants and Auditors income levels are over the areas median household income.
- In order to meet housing needs, each year since 1990, 1,026 housing units would need to be built. The

breakdown would be as follows: 399 units for low income, 140 units for moderate income, 90 for middle income, and 397 for market rate housing.

Chairman Hart asked whether a chair was appointed to the CAC's or if staff member heads the meetings.

Mr. Hough said that only the Rural Element CAC has a chairperson, the others are facilitated by a staff person.

3) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

4) Miscellaneous.

- A) Mr. Christensen reviewed the results of the February 22, 1993, Planning Commission meeting with the Board. The Lake Tyee PUD Plat Amendments was continued to the March 1, meeting. The item regarding Amending Skagit County Zoning Ordinance to include a definition of a Retriever/Field Trial Dog Training Facility, and amending Section 14.04.150 to include the addition of the new definition as a category listed under Unclassified Special Uses in Agriculture and Agriculture Reserve areas. The Planning Commission voted to recommend approval with a 9 - 0 vote.
- B) Mr. Hough stated that a Draft Environmental Impact Statement will be issued for the Chuckanut Golf Course. There will be no residences on the property. A public meeting will be held on March 11, 1993, at the Alger Community Hall.

PLANNING COMMISSION RECOMMENDATIONS:

- 1) Approval - Washington State Department of Transportation Comprehensive Plan Amendment #CPA-92-016, Sims Road East of Sedro-Woolley.

Ms. Fong addressed the Board regarding the recommendation for approval of the Comprehensive Plan Amendment as requested by the Washington State Department of Transportation. The request is to reclassify 6.3 acres from Agriculture to Public Use approximately 3.5 miles east of Sedro-Woolley.

Mr. Christensen stated that the only testimony received was not in opposition to the proposal, but expressed concern regarding elk migration, drainage, ingress & egress, and noise buffers. The land is of limited Agricultural value, and the County resource classification program has designated it as Secondary Agricultural.

The options for consideration are:

- a) to summarily approve the Planning Commission's recommendation; or
b) to remand it back to the Planning Commission for further discussion; or
c) If it is felt that the Planning Commission's recommendation needs changes and it is in the public interest, it must be remanded to the Planning Commission for their public hearing. The Planning Commission, after conducting a public hearing on the Board's proposed amendment, extension, or changes, may recommend further revisions. After receiving its recommendation, the Board may

adopt proposed change as heard by the Commission or adopt any revisions the Commission may recommend.

Commissioner Robinson motioned to approve the recommendation as presented. Commissioner Wolden seconded the motion, which carried unanimously.

2) Approval - Code Amendment, Section 14.04.240(16)(c) - Appeal Process.

Mr. Christensen stated that the Planning Commission voted 7 - 0 to recommend approval on the proposed amendment to Skagit County Code 14.04.240(16)(c) Hearing Examiner Appeal Process. The proposal will allow 60 days for the Board to examine a written appeal instead of 14, and no further testimony may be considered during this time frame. Subsection (iii) is to be stricken, and replace with - If the Board believes the Hearing Examiner's decision is not supported by substantial evidence, the Board may adopt its own findings, conclusions and decision based upon the record made before the Hearing Examiner. The current code allows additional public testimony to be received during the 14 day review period. The current method of appeal was found to be inconsistent with State Statutes. The Board has been allowed to reject any or all of the Hearing Examiner's decisions and call for their own public hearing and additional testimony. Statutorily, the Board is only to make a determination based on the Hearing Examiner's findings. The proposed revision will bring the present code to statutory consistency.

Chairman Hart stated that it is the Hearing Examiner's job to make a determination. The Board only determines if the Hearing Examiner conducted his decision making properly.

Commissioner Robinson asked how the 60 day review period was determined.

Mr. Christensen stated that it was felt that the Board should not be bound by the 14 day time frame from receipt of the appeal to the public hearing. Due to scheduling and various factors, a 60 day time frame appeared to be fair for the Board as well as the appellant. In reviewing past records, 60 days seemed to be an average time frame.

Carol Ehler, Planning Commission Member, addressed the Board. She felt that the public notice process needs to be improved. She felt that notification of Planning Commission, Hearing Examiner, and Commissioner's public hearings should be advertised in more than just the legal notification in order to encourage better turn-out, and have a more substantial record.

Mr. Christensen stated that there have been discussions regarding the development of a standard format for advertising. He said that he agreed that there needs to be a standardized, simplified, method of notification.

Commissioner Robinson motioned to approve the recommendation to amend SCC 14-04

HEARING EXAMINER RECOMMENDATION - APPROVAL - AGRICULTURAL VARIANCE FOR HAROLD LANGE, 1873 CEDARDALE ROAD, MOUNT VERNON.

Grace Roeder, Associate Planner, presented Assessor's maps and photographs of the subject property to the Board. Ms. Roeder stated that Mr. Lange's property is two acres in size with a home, retail business, and warehouse on it. He is retired and has leased the business and warehouse for a number of years. The

Lessor now desires to purchase the warehouse and business. The plan is to divide a 2/3 acre portion of the property, which will contain the retail business and warehouse, to sell to the lessor. This will leave the remaining 1 and 1/3 acre and home for Mr. Lange. In order to do this, it will be necessary to subdivide the property. The minimum size requirement for agricultural subdivisions is to have 40 acres in each parcel. This obviously is not possible with only two acres to begin with. The Hearing Examiner recommended approval of the request.

Earl Angevine, attorney for Mr. Lange, addressed the Board. He said that Mr. Lange's property is a grandfathered situation. He has owned his property for many years, and his health no longer allows him to maintain the business. He wants to sell as explained, and it has been suggested that a condition be applied that no living quarters be allowed on the property to be sold. The sale of the property would also allow Mr. Lange to have a retirement income.

Commissioner Wolden motioned to approve the Agricultural variance for Harold Lange, 1873 Cedardale Road, Mount Vernon, as recommended.

Commissioner Robinson seconded the motion, which carried unanimously. (Resolution #14747).

ADJOURNMENT

Commissioner Wolden motioned to adjourn the proceedings. Commissioner Robinson seconded the motion which carried unanimously.


BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Robert Hart, Chairman


Harvey Wolden, Commissioner

Robby Robinson, Commissioner

ATTEST:


Connie Carter, Clerk of the Board
Skagit County Commissioners

