

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

**Tuesday, June 15, 1993**

9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Dave Hough, Director:

- 1) Introduction of Paul Carr, Capital Facilities Planner.
- 2) Discussion - Agricultural Lands Parcel Rating Program.
- 3) Code Enforcement Report.
- 4) Miscellaneous.

10:00 a.m. - 11:00 a.m. Planning Commission Recommendations:

- 1) Approval - Cedar Ridge PURD Modification, 2 Miles East of I-5/Conway Interchange on North Side of SR534.
- 2) Approval - Clark's Cabins Rezone Request, Marblemount.

1:30 p.m. - 2:00 p.m. Signature - Resolution Authorizing County 911 Communications Committee to Investigate E911 Service for Skagit County.

The Skagit County Board of Commissioners met in regular session on Tuesday, June 15, 1993, with Commissioners Robert Hart, Harvey Wolden, and Robby Robinson present.

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

- 1) Introduction of Paul Carr, Capital Facilities Planner.

The Board was introduced to and welcomed Mr. Paul Carr, Capital Facilities Planner.

- 2) Discussion - Agricultural Lands Parcel Rating Program.

Kraig Olason, Assistant Planning Director, addressed the Board regarding the Agricultural Lands Parcel Rating Program, which was added to the Agricultural Element of the GMA. This will assist in defining individual parcels. Some cities have only agricultural land to expand into and this program will help to evaluate land value desired to be used for city expansion. Mr. Olason said that 11 parcels were used as example parcels to evaluate.

Rob Knable, Associate Planner, addressed the Board. He said that the rating points range from -15 to 155. Numerical values were based on the attributes of the 11 test parcels used. A two tiered system was created. If the questions outlined in Section I are all answered with a "yes" the parcel should remain an agriculture resource land. If any answers are "no" the rating process will continue by reviewing regarding parcel size, soil classification, zoning, existing land use, surrounding land use, adjacent land uses, average surrounding parcel sizes, agricultural open space potential, critical areas, and capital facilities. There are points awarded in each of these categories depending on the appropriate attribute for each parcel. These points are then totaled to find the standing on the rating system.

Casey Stevens, College Intern, reviewed the list of 11 test parcels used and rated. He said that Tullare and Santa Barbara Counties in California were researched for their existing rating systems. Mr. Stevens presented slides of the areas represented by the 11 test parcels. The area covered ranged from south Mount Vernon west to the tulip fields, north to Cook Road, and east to I-5. All sites were County located, outside city limits. Mr. Stevens reviewed test parcels 1 through 4 and showed vicinity maps and photo slides of each site.

Mr. Olason said that the results of the rating tests will be shown to the agriculture element citizens advisory committee. He said that he would like to use the rating system as a tool when considering Urban Growth Boundaries.

Elsa Gruber, Skagit Audubon Society, questioned whether when adding points when parcels are located in a flood plain, determines that points will be subtracted if the parcels are not in the flood plain.

Mr. Olason congratulated Mr. Stevens for his hard research and presentation.

The Board thanked the Planning staff members for their presentation.

3) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

Miscellaneous.

- 1) Mr. Hough provided a summary of platting activity in the County to the Board. At the end of May, 1993, 28 Short Plat, 57 lots less than 5 acres, 32 lots greater than 5 acres, and 7 plats, had been filed with the County. Between the adoption and effective date of June 14, 1993, for Interim Zoning, those totals increased to 60, 148, 49, 12, and 136 respectively.
- 2) Gary Christensen, Senior Planner, stated that the Planning Commission met Monday, June 14, 1993. One item was addressed regarding Washington State Department of Transportation (WSDOT) proposal to reclassify 6 acres from Agriculture Reserve to Public Use for a highway maintenance equipment facility. The subject property is approximately 3.5 miles east of Sedro-Woolley, south and adjacent to Highway 20, and east of Sims Road. The Commission voted 9 to 0 in favor of the WSDOT Rezone. This item will be presented to the Board for recommendation in approximately three weeks.

PLANNING COMMISSION RECOMMENDATIONS:

- 1) Approval - Cedar Ridge PURD Modification, 2 Miles East of I-5/Conway Interchange on North Side of SR534.

Mr. Hough stated that the Board of Commissioners in 1991 approved Cedar Ridge PUD with the provisions that 27 acres be deeded to Skagit County for the development of a park, and the applicant provide 4% of the income from the lot sales for the park development. The preliminary plat was approved and the main road was cut in to the development. The applicant asked for a modification, proposing that the land originally designated to be deeded to the County remain as community land for the benefit of the residents, and 4% of the income from the lot sales be donated to develop a park within the Conway School District. The Planning Commission voted 9 to 0 for approval of the proposed modifications, including the requirement that the applicant submit a development plan.

The lot owners association will be responsible for maintaining the community park and road, insurance etc., but it will remain designated open space land.

Commissioner Robinson motioned to approve the recommendation as presented. Chairman Hart seconded the motion which carried unanimously.

2) Approval - Clark's Cabins Rezone Request, Marblemount.

Mr. Hough stated that this request is for the reclassification of 16 acres east of SR 20 from Clark's Cabins existing commercial development from Rural and Residential Reserve, to Commercial-Light Industrial. The Planning Commission met in May, 1993, and voted 9 to 0 for approval of the request with several conditions. The Commission recommended a contract rezone or agreement be executed with the following conditions:

1. The conditions contained in the MDNS must be satisfied as information provided with a complete development proposal and implemented through development actions.
2. The requirements included in the Highway-Oriented-Commercial Zoning District shall prevail when more stringent than those included in the Commercial-Limited Industrial Zoning District.
3. The applicant has five years from the approval of this rezone to complete a detailed proposal and site plan meeting all applicable submitted for approval to the planning agency and once approved shall become a part of the concomitant agreement.
4. If no site plan is submitted and approved within five years, the zoning of the property shall revert to the underlying zoning.

Don Clark, Clark's Cabins, Marblemount, addressed the Board. He said that his family has resided in the Cascades for over 100 years. In the 1960's it was recommended to his family to consider discontinuing business in the logging industry. As a result, his family converted the mill cabins to overnight rental cabins. During the initial County zoning effort he was told that if he wished to expand his business when it outgrew the original 7 acres, he would be required to request a rezone. In 1986 the rezone for a recreational vehicle park was approved. In 1989 a rezone request for the cabin area was submitted. The recreational vehicle park rezone request took three weeks to be approved. He voiced disappointment in the length of time it has taken for the subject rezone request. Mr. Clark thanked Commissioner Robinson for his patience and willingness to meet with him. Mr. Clark said that Commissioner Robinson had felt that due process was being denied him, and the public hearing process had not been followed. The process then began to be heard and moved forward. Mr. Clark said that he was pleased to finally be in front of the Board for a decision after 5 years. He also thanked Mr. Hough for the time and effort he spent on this project. He said that the Planning Commission voted unanimously in favor of his first rezone request, and they have now voted unanimously in favor of the subject request.

Mr. Clark stated that the property has a unique permit on it - a conditional use permit. It is a valid permit with no sunset clause. No utilities were installed when the permit was issued. He now wishes to proceed with what the permit allows. Mr. Clark said that the entire 40 acres is covered by the conditional use permit, from what he understood John Moffat, Chief Civil Deputy Prosecuting Attorney to say. He said that the current, new regulations are going to be imposed which he is unfamiliar with. He said that when he tried to develop roads, he was told that he had to go through the current processes. He felt that this requirement denies him his property rights. He had a development plan when the conditional use permit was approved. With a legal permit and recognized site plan, he felt he should be able to develop his property according to the permit. He referred to a letter he received from Mr. Moffat dated December 3, 1992. In the letter Mr.

Scott Kirkpatrick, Planning Director at that time, and Mr. Moffat agreed that although the permit was valid, it only gives Mr. Clark the right to do what was approved within that permit. Mr. Clark said that is all he wishes to do. He requested the Board to deliberate on the rezone request, and determine the standing of the conditional use permit.

Commissioner Robinson stated that the only determination in front of the Board was for the rezone request as submitted for approval from the Planning Commission. Commissioner Robinson motioned to approve the recommendation including the mitigating conditions. Commissioner Wolden seconded the motion, which carried unanimously.

Mr. Hough stated that he has been discussing these issues with Mr. Clark for some time. He said that he requested a legal opinion on the standing of the conditional use permit and felt that Mr. Moffat's comments were not clear. He will ask for further information. He said that there are issues that go beyond the Clarks due to plats that were approved in the flood way that are currently enforcing state and county statutes prohibiting development. He is requesting a legal position on what can be done.

Chairman Hart stated that he expected to hear further recommendations from the Planning staff regarding Mr. Clark's conditional use permit in the near future.

**SIGNATURE - RESOLUTION AUTHORIZING COUNTY 911 COMMUNICATIONS COMMITTEE TO INVESTIGATE E911 SERVICE FOR SKAGIT COUNTY.**

Tom Sheahan, Emergency Manager, presented a resolution to the Board for approval and signature to rename the Skagit County 911 Emergency Communications Committee to the Skagit County E911 Emergency Communications Committee. He said that at the May 12, 1993 meeting the Committee discussed the E911 issue. Mr. Sheahan said that the following items will need to be addressed: major address changes for the County, possible consolidation of dispatch centers, establishment of dispatch sites; and public communication and education. John Church will develop a plan for this. Operational issues to be addressed are: microwave vulnerability and exposure; and regular meetings of an E911 committee.

Mr. Sheahan said that in 1992, emergency calls increased by 30 percent over calls in 1991. There has been an increase of 20 percent in the first quarter of 1993. He felt that the most important issue is to establish and hire a consultant, to be recommended to the Board for final selection. Mr. Sheahan said that there is funding assistance available that can be applied for.

The basic 911 committee was established in 1988, with the following members: Gary Frazier, Bert Williamson, Jack Ketcham, Dennis Hofstad, Diane Speer, Stan Sass, Audrey Medved, Frank Kendall, Bill Vaux, Ed Breckenridge, Tom Sheahan, Ruth Wylie, Lee Kue, Mark Knowles, Linford Smith, Diane Morton, Larry Yonnaly, Dave Rohrer, Rich Balam and Jerry Coffman.

The following subcommittees were formed: Training and Policies; Equipment Procurement, Interlocal City/County Agreements, Personnel Hiring Issues; Implementation Details and Budget Committee.

Mr. Sheahan read the proposed Resolution into the record.

Commissioner Robinson asked Mr. Sheahan how the proposed new committee will be chosen.

Mr. Sheahan said that there may not need to be as large a committee as originally formed. He felt that the police and fire departments need representation, as well as Sheriff, Emergency Management Services Council, Skagit County Emergency Management, and the Commissioners office. He said that a temporary committee will be formed to address the emergency council, and recommendations will be made to the Board for permanent committee members in the near future.

Commissioner Wolden motioned to approve the resolution as presented. Commissioner Robinson seconded the motion with the understanding that a recommendation will be made to the Board for the E-9-1-1 Committee selection. The motion carried by unanimous vote. (Resolution #14907).

**ADJOURNMENT**

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

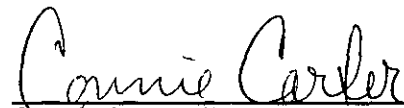
BOARD OF COMMISSIONERS  
SKAGIT COUNTY

  
Robert Hart, Chairman

  
Harvey Wolden, Commissioner

  
Robby Robinson, Commissioner

ATTEST:

  
Connie Carter, Clerk of the Board  
Skagit County Commissioners

