

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

**Tuesday, December 7, 1993**

7:30 a.m. - 8:30 a.m. Commissioners' Staff Meeting.

8:30 a.m. - 9:00 a.m. Executive Session - Personnel.

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

- 1) Discussion - Urban Growth Areas.
- 2) Code Enforcement Report.
- 3) Miscellaneous.

10:00 a.m. - 11:30 a.m. Discussion with City Mayors Regarding Concerns with Skagit County Comprehensive Plan.

1:30 p.m. - 2:00 p.m. Bid Opening - One New Four-Wheel Drive, Rubber-Tired Hydraulic Excavator.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 6, 1993, with Commissioners Robert Hart, Harvey Wolden and Robby Robinson present.

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - Dave Hough, Director**

**1) Discussion - Urban Growth Areas.**

Dave Hough, Director, and Paul Carr, Capitol Facilities Planner, were present.

Mr. Hough explained that this is a continuation in updating the Board about the discussions they have been having with all the cities about development of the final urban growth areas. The round of meetings with the cities were completed last week and they have put together some County wide figures for the review of the Board. Also, based on a lot of their discussions they will review some mapping with the Board.

Mr. Carr distributed a sheet of figures relative to urban growth areas, which he reviewed with the Board.

Mr. Hough said the interim growth areas ended up at about 20,000 acres. The first review, after their earlier discussion with the Board, has brought that down to about 13,000 acres. Mr. Hough then reviewed the Cities' urban growth areas with the Board.

There was some discussion about the concerns of the City of Anacortes relative to the locating of another commercial area in the industrial area. Some amendments could be considered to make it more restrictive as it relates to retail operations. This would also pertain to the Port areas and airport area. The Board expressed some agreement as to the City's concerns in this regard.

Relative to Sedro Woolley, Mr. Hough said that he had a good meeting with Planner Carol Johnson and they have reached agreement about what they think would be suitable boundaries. He reviewed the urban growth area where there were some areas of concern.

Mr. Hough reviewed the Mount Vernon proposed urban growth area, indicating that they will probably see a substantial reduction in acreage in the Mount Vernon proposal.

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In looking at one portion of the Mount Vernon proposed urban growth area, Chairman Hart noted there are some real problems there with flood control and ag land, etc. Some of this area is more appropriately left in the County.

Commissioner Wolden reported that there was a flood and drainage meeting the previous evening where there was discussion about interim controls and a new diking system.

Mr. Hough reported that with Burlington the Bayview area was discussed and an agreement was not reached one way or the other. Mr. Hough reviewed the County proposal relative to other areas in Burlington.

Mr. Hough said that there were some difficulties with the Upper Skagit Valley areas because of the lack of understanding of where they are going with the GMA and what obligation they have by including property in their urban growth area.

Concrete is fairly simple because they have reasonable service boundaries.

Hamilton was pretty broad in their proposed urban growth area. They do have some problems with the aquifer. Any kind of development there could seriously impact the aquifer. They did include some properties that have better soils in terms of protecting their aquifer.

Mr. Hough discussed Lyman and La Conner and their proposed boundaries.

Mr. Hough concluded by saying that the urban growth areas here represent about 13,000 acres, which is more than adequate to take care of any expected population in the next 20 years.

Chairman Hart said they are probably going to see more growth from Sedro Woolley east than they have seen in the past.

There was some discussion and concern about the cities' impact fees forcing more building out in the County. Mr. Hough said that perhaps the cities may want to consider amending their policies relative to impact fees. He added that they are closer to a 50/50 split in terms of population than is talked about. He said he agreed that there may be a huge demand to develop in the rural areas due to impact payments and everything else.

Commissioner Wolden said he felt that a lot of those things will take care of themselves and that there will be an equalization. There will be impact fees in the rural areas relative to schools, although if a person can save \$10,000 of impact fees he is going to go and live in a different school district. This is going to be a big factor in how people locate in the County.

Mr. Hough distributed a Foster, Pepper and Shelfelman newsletter to the Board, which he explained provides a good tone for where things are going.

After further discussion about the proposed urban growth areas the meeting concluded.

2) **Code Enforcement Report.**

The Code Enforcement Report was presented to the Board.

3) Miscellaneous.

Oscar Graham, Associate Planner, discussed with the Board some proposed restrictions on the Upper Skagit relative to eagle protection. He said an inquiry had been received from the Forest Service about whether the County would be willing to participate in regulating use on the Upper Skagit River. They are looking for a general feeling from the Board.

Chairman Hart said he did not see how there is a problem as there is currently an excess of eagles. He said he did not see any reason to restrict access to the river since there is no problem.

Mr. Graham said there will be a decision by the Forest Service at the end of the month and the decision will be appealable.

Chairman Hart noted that if there is a problem, it is probably on the beach where the eagles are feeding.

Commissioner Wolden said the balance of nature has turned where there is an increase in eagles and less fish. There should be more concern about what is being done about a food source for eagles.

Chairman Hart said he would have no objection to sitting down with the Forest Service and discussing the situation. He said this is something the County should be participating in.

Mr. Graham advised that once a decision has been received from the Forest Service on a preferred alternative he will discuss this with the Board.

DISCUSSION WITH CITY MAYORS REGARDING CONCERNS WITH SKAGIT COUNTY COMPREHENSIVE PLAN.

Chairman Hart opened the meeting relative to the cities' concerns about the Comprehensive Plan.

Mayor Doyle Geer, of the City of Anacortes, spoke for all of the Mayors. He stated that the Mayors and Planning Directors of the Cities have some concerns about the County planning policies. They are at the point where they have all presented their policies to their City Councils at the request of the County. They have received ratification from their Councils and are concerned with some of the feedback they are getting relative to discussions with their Planning Directors and the County Planning Department. There may be some effort to circumvent those policies that have already been ratified and used as guidelines in developing their own comprehensive plans.

Mayor Geer explained that it would be their goal to return to the County-City Policies Committee that was formed a couple of years ago and hasn't met in 18 months. They have seen the development of an extremely effective working relationship with the County between RTPO and the SCOG process. He said that he is pleased with the progress they have made in the two years he has been involved. He said he believes that is the kind of process that needs to take place with regard to policies. They would like to be part of the discussion and express their concerns in terms of the tendency they see towards circumventing those policies and would prefer that before that happens that the Cities be included. He added that they are appreciative of the opportunity to discuss this matter with the Board of County Commissioners today.

Mayor Geer said he felt that the cooperation between the Cities and County has been excellent and they would hate to see that relationship disintegrate. In terms of the Growth Management Act, everyone is at the

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point where it becomes sensitive and that sensitive area could have a negative impact on relationships that have been built up over the years. There is an opportunity now to set a standard in Washington state in terms of the GMA and they believe that things can be worked out.

In terms of the County Planning policies, they are here today to open that first step of discussion. Mayor Geer asked for any further comments from the Mayors and Planning Directors, and asked to open this matter up for discussion.

Chairman Hart said he applauded the position of the Cities. A lot of effort has been made to keep the lines of communication open. He added that he did not think anyone had made an attempt to circumvent the policies referred to but as those areas are looked at he would want to continue the dialogue.

Mayor Geer asked the Board if it would be possible to reimplement the Policy Committee?

Chairman Hart agreed that this would be something they can look into. He said he could not see any reason why they could not do this, although they would need to look at the structure of the committee and what the goals were before they could agree to this.

Mayor Reep of the City of Mount Vernon, said the committee was composed of entities of the County, the Mayors and the Commissioners. Mayor Geer added that the committee was similar to RTOP and SCOG.

Commissioner Robinson said there was no problem from his standpoint with sitting down with a group and discussing things the Technical Committee and citizens bring forth and trying to come up with something agreeable to everyone. They are getting to that line where some difficult decisions will have to be made. It is important to discuss things back and forth.

Mayor Geer stated that the reason the Mayors have requested this meeting is because of some specific items. They are concerned about the three tiered approach and County-City housing. He said they had no input into that process. There was some citizen input but they would like to have the opportunity to provide input. The Growth Management Act identifies counties as the regional government. It also said "and cities are responsible for providing urban services...." They are including the cities as well as the counties in that statement where they identified the county as the regional government. They have also identified the cities as being responsible for what happens. They would like to be a part of those decisions when they are made.

Chairman Hart said a lot of those items are areas where advisory committees have made a recommendation. Those recommendations will be brought to the Planning Commission for public hearings. Those are not areas where any kind of decision has been made. The information coming from the advisory committees shows that the public is frustrated. It is an area that needs to be addressed. He added that he had no problem with further discussion with the Cities.

Mr. Hough said they are talking about two different sets of policies. There seems to be confusion about this. What the County is doing is relating to the development of a County Comprehensive Plan and those policies are coming out of the County's committees versus the County wide regional policies the Mayor is talking about. There is no question the policies coming out of the County Comprehensive Plan are for the County and not the cities.

Mayor Geer said they see this as potential circumvention.

Mr. Hough explained that they can't circumvent the cities.

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Mayor Geer said, they are responsible for their citizens and they need to be sure of everything that is happening, whether in the County or the Cities, as the Cities are part of the County. They are trying to be more proactive than reactive. The approach they are taking is to be included in that process with the mechanism in place with the County wide Policies Committee.

Mr. Hough added that he is just trying to clear up the difference between the two policies.

Chairman Hart affirmed that the Cities would not want the County to tell them what to do in their cities as the County does not want the Cities to tell them what to do in the County.

Mayor Geer said, perhaps they are not talking about anything more than a vehicle for communication. This group of people works very well together and they would like the opportunity to do that again.

Chairman Hart said he had no disagreement with that and asked if there was any further discussion.

Mayor Geer added that he appreciated the opportunity for today's discussion and asked if the City Planners had anything to add.

Ian Munce, Planning Director, City of Anacortes, said that what is happening is that some of the policies the Cities and the County negotiated are appearing through the citizen advisory committees. They do not know what to do about this. Should they challenge them or point out to the County that they have been discussed. The way those should be regenerated is to discuss them with the Mayors, staff and County.

Chairman Hart said the citizens advisory committees had every right to bring these issues up and discuss them in public and then go to the public hearing. They have to be put on the table. One of the whole things with the GMA is to get the public involved. There are things they are not going to agree on, but this is the forum to discuss them.

Mayor Henery of Burlington commented on the need for consistency. Mayor Reep agreed with Mayor Henery that consistency is important and that these things should be treated the same.

Mr. Hough said he would like to say that in the past year the Planning Department has made a tremendous effort to establish communications with staff of each of the cities. They certainly hope the meeting today is not a reflection on what has happened in the last year about communication.

Mayor Geer said it was not at all. Mayor Reep said that Mr. Hough and the County Planning Department staff have done a great job and a lot of good things came out of that. Mayor Geer said they merely see some things that need to be addressed and they don't mean to imply that communication hasn't been happening. Relations have been very positive. There is just this one area that has gotten a little out of focus and the committee will provide the forum to address the matter.

Commissioner Robinson said they are going to try and implement what the citizens are telling them, at least a big share of it. They don't always agree with what comes out of the citizens advisory committees, but the next step is the Planning Commission hearings. That is the place where things should be brought up.

Mayor Geer said the Cities believe they should have the opportunity to bring these issues up before this point. They are not sure it is appropriate for the Cities to come before the County Planning Commission.

Commissioner Robinson said he did not know that they could circumvent what the citizens are saying, although discussion is fine. There may be agreement and there may not be.

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Mayor Geer said he thought that in most cases they do come to an agreement. He said he doesn't think it will be any different with this committee being reinstated.

Chairman Hart said he did not think that this board would be deciding policies before those policies go before the public hearing process. It is important that they really listen to that public input and try to see where it is headed before deciding what the options are.

Mayor Geer again emphasized that there needs to be a discussion which will include the Mayors.

Commissioner Wolden said he had no problem with that.

Carol Ehlers of the Skagit County Planning Commission said there are a number of contradictions between the CAC recommendations and the County policies. She stated that the planning staff of the Cities contributed enormous amounts of information, understanding, disagreement, etc. that made the decision after the hearings quite clear about what should be done. She emphasized again how helpful the planning staff of the Cities were in helping to create an understanding of the issues and the difference between the urban and rural perspectives. She said she certainly hopes that this is included again.

**BID OPENING - ONE NEW FOUR-WHEEL DRIVE, RUBBER-TIRED HYDRAULIC EXCAVATOR.**

Chairman Hart requested that the bids be opened. The following bids were received:

Western Power and Equipment 3217 Hewitt Avenue Everett, WA 98201	No Bid
Smith Tractor and Equipment 1712 Hickox Road Mt. Vernon, WA 98273 Cashier's Check included	\$143,828.55
NC Machinery P.O. Box 130 Mt. Vernon, WA 98273 Bid Bond included	\$182,285.48

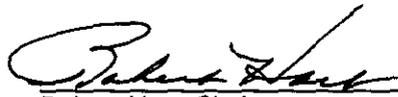
Chairman Hart advised that a recommendation for the bid award will be made the following week.

ADJOURNMENT:

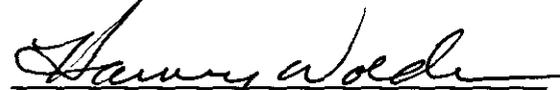
Commissioner Robinson motioned to adjourn the proceedings. Commissioner Wolden seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



  
Robert Hart, Chairman

  
Robby Robinson, Commissioner

  
Harvey Wolden, Commissioner

ATTEST:

  
Jean Terry, Clerk  
Skagit County Board of Commissioners