

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

Tuesday, December 20, 1994

7:30 a.m. - 8:30 a.m.

Commissioners' Staff Meeting.

9:00 a.m. - 10:00 a.m.

Planning Department - Dave Hough, Director

- 1) Continuation of Public Hearing on Proposed Interim Controls for the March's Point Industrial Area.
- 2) Code Enforcement Report.
- 3) Miscellaneous.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 21, 1994, with Commissioner Harvey Wolden, Robby Robinson and Robert Hart present.

PLANNING DEPARTMENT - Dave Hough, Director.

1. Continuation of Public Hearing on Proposed Interim Controls for the March's Point Industrial Area.

Chairman Wolden opened the continuation of the Public Hearing.

Dave Hough, Planning Department Director, provided the Board with a complete copy of the industrial district changes proposed and the allowable uses within the industrial classification. Mr. Hough is recommending that the Storage and Freight Terminals and Transportation Facilities remain as originally stated rather than be stricken. Mr. Hough indicated that he distributed copies of the proposed changes to those assembled.

Jerry Faulkner, 753 Padilla Heights, expressed his concern about the lot size proposed and indicated his understanding that existing lots would be grandfathered. Mr. Faulkner stated that he is paying taxes at a high rate, but would not be able to realize a profit if he sold his property due to the new restrictions. The Board clarified that an existing lot, even if sold, would remain as is due to grandfathering. The Board indicated that Mr. Faulkner could not create a subdivided lot. Mr. Faulkner indicated that drainage is excellent on his property and each scenario should be considered on a case-by-case basis on its own merits.

Anthony Raab, representing Nielsen Brothers in Bellingham, agreed with the Storage and Freight being included in the applicable uses, but questioned the restriction of boat sales in the area as such restrictions would limit his company's potential in developing a marina. Mr. Raab further suggested that the word "Marine" should be added to "Bulk Fuel and Oil" as this would forbid gasoline stations, but would allow the marina to sell gasoline to their customers. Mr. Raab further indicated that the "Feed, Seed and Grain" section should be left in as these activities would be better suited to the March's Point area rather than downtown Anacortes. Mr. Raab further indicated that the March's Point industrial zone has become a pawn among Anacortes, Skagit County and the Swinomish Indian Tribe, and that consequently property owners are suffering or will be suffering unwanted changes. Mr. Raab expressed his opinion that all property owners are against these controls. Mr. Raab stated that he can see no urgent need for any interim controls at this time, and that after lengthy debate, the issues will be resolved and either Skagit County or Anacortes will control this area. Mr. Raab suggested that no interim controls be adopted and that the language affecting design of this area be submitted to the Planning Commission with a period of written public comment.

Mike Young, Young's Nursery, concurred with Mr. Raab's comments. Mr. Young indicated that taxes are a major concern and restrict what he can do with his property. Mr. Young further indicated that if retail

RECORD OF THE PROCEEDINGS

Tuesday, December 20, 1994

Page #2

activity is restricted, then a tax reduction should be induced as activities in the area will be limited other than those activities grandfathered. Mr. Young noted that the Highway 20 corridor is a perfect area to serve those from Anacortes and Oak Harbor in retail services. Chairman Wolden indicated that big industry will not be restricted, but smaller retail operations will be curtailed due to the continuing problems with septic systems in the area. Commissioner Hart indicated that the continuing sewage problems in the area have created the necessity for these restrictions, and that the refineries have their own wastewater system. Mr. Young stated that he is against the proposed restrictions.

John Jannike, Sedro Woolley, is the architect for the Jerry Smith automobile dealership project on Highway 20 and Reservation Road. Mr. Jannike indicated that these interim controls are not good for the County or City of Anacortes because the controls would artificially restrict commercial development. Mr. Jannike stated that industrial facilities do not need frontage but need lower priced property. Mr. Jannike urged the Board to deal with the political issues directly. Mr. Jannike stated that if commercial development is restricted, it will hurt the entire County, and that an industrial base should not be developed along the Highway 20 corridor.

There being no public comment forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

Commissioner Hart noted that a large amount of correspondence has been received on this matter.

Commissioner Robinson noted the concerns of the City of Anacortes and further that the Growth Management Act is attempting to manage growth and direct retail to certain areas. Commissioner Robinson indicated that the proposed interim control would be a positive way to go until the Comprehensive Plan as discussed by the Planning Commissioner is completed. Consequently, Commissioner Robinson moved to approve the Interim Control measures as presented by Staff.

Commissioner Hart stated that he is not ready to second the motion as stated by Commissioner Robinson. Commissioner Hart acknowledged the concerns of the City of Anacortes and stated that the Board is precluded by law in discussing the Urban Growth Area until a recommendation is received from the Citizens Advisory Committee and the Planning Commissioner. Commissioner Hart stated that people living in the area need to be vocal in what they see and what they want done. Commissioner Hart noted that the interim controls only address what will be done during the next 2-3 months until the comprehensive Plan is adopted. Commissioner Hart further indicated that areas where there is a need to stop proliferation are eating and drinking establishments, retail sales including vehicles, and any type of retail conglomerate store such as Wal-Mart or Costco. Commissioner Hart further stated his opinion that the items of "Fuel and Oil", "Heavy Equipment" and "Feed, Seed & Grain" are appropriate to the area and need to remain. Therefore, Commissioner Hart moved to adopt the interim controls with the following changes:

Under (2) PERMITTED USES, item (d) - Leave (i) as is, which is "Heavy Equipment", delete (ii) which is "Building Material", leave (iii) "Fuel and Oil" and (iv) "Feed, Seed and Grain." Delete (v) "Eating and Drink Establishment", leave (vi) "Industrial Equipment and Supplies", (vii) "Storage and Freight Terminals", and (viii) "Transportation Facilities".

Lot sizes should remain as in the original proposal, that is, minimum lot size of 20,000 square feet, with a minimum lot width of 100 feet.

Chairman Wolden seconded the motion as presented by Commissioner Hart. Chairman Wolden reiterated that this is a short-term control in effect only until the Comprehensive Plan is adopted. On the call for the

question, Commissioners Hart and Wolden voted affirmatively for this motion, and Commissioner Robinson opposed the motion. The motion passed.

2. Code Enforcement Report.

The Code Enforcement Report was reviewed.

3. Miscellaneous.

- A. Staff presented an Ordinance Adopting a Revised Section, SCC 14.04.190(5) of the Skagit County Zoning code Imposing Interim Controls Relating to the Aggregation of Substandard Lots as approved by the Board following a public hearing. Commissioner Hart moved to approve the Ordinance as presented by Staff. Commissioner Robinson seconded the motion, which carried unanimously. (Ordinance #15589)
- B. Staff presented an Addendum to Consultant Service Agreement with Parametrix, Inc. to prepare the draft and final supplemental Environmental Impact Statement for San Juan Fidalgo Properties. The County is being reimbursed for the cost. Commissioner Hart moved to approve Addendum #4 as presented by Staff. The motion was seconded by Commissioner Robinson and passed unanimously. (Contract #00914)
- C. Staff presented a Personal Services Agreement with Alfred Reid, M.A., to conduct cultural reconnaissance relating to the Tewart Quarry as ordered by the Shoreline Hearings Board for the amount of \$4,350. The County will be reimbursed for this cost. This will complete all of the requirements that the Shoreline Hearings Board remanded back to Skagit County according to Mr. Hough. Commissioner Hart moved to approve the Agreement as presented by Staff. Commissioner Robinson seconded the motion, which passed unanimously. (Contract #02260)

MISCELLANEOUS.


- 1. Staff presented an Emergency Resolution for the Board's signature concerning the break along the diking system on the east side of Corkindale Creek near Milepost 103 on State Highway 20. Commissioner Hart moved to approve the Resolution declaring an Emergency in this regard. Commissioner Robinson seconded the motion, which unanimously carried. (Resolution #15590)
- 2. Staff presented a Resolution concerning the Northwest Economic Adjustment Initiative as requested by the Economic Development Association of Skagit County. This Resolution prioritizes projects which have been submitted to the Washington Community Economic Revitalization Team. Commissioner Robinson moved to approve the Resolution as presented by Staff. Commissioner Hart seconded the motion, which was unanimously approved. (Resolution #15591)

ADJOURNMENT.

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





Harvey Wolden, Chairman



Robby Robinson, Commissioner



Robert Hart, Commissioner

ATTEST:



Patti J. Owen, Clerk
Skagit County Board of Commissioners