

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, February 13, 1996**

- 7:30 a.m. - 8:30 a.m.                      Commissioners' Staff Meeting.
- 8:30 a.m. - 9:00 a.m.                      Work Session - Operations Division Manager/District Maintenance Supervisors.
- 9:00 a.m. - 10:00 a.m.                      Planning & Permit Center - Roxanne Michael, Director.
- 1)        Discussion - Review of the Planning Commission's Deliberations of the Critical Areas Ordinance.
- 2)        Discussion - Comprehensive Plan and Implementing Regulation Adoption Schedule.
- 3)        Miscellaneous.
- 10:00 a.m. - 10:45 a.m.                      Risk Management Update.
- 1:30 p.m. - 1:45 p.m.                      Bid Opening - Provide Back-up Vessels for Guemes Ferry.

The Skagit County Board of Commissioners met in regular session on Tuesday, February 13, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

**PLANNING & PERMIT CENTER - Roxanne Michael, Director.**

1.        **Discussion - Review of the Planning Commissioner's Deliberations of the Critical Areas Ordinance.**

Tom Karsh, Assistant Director, referred the above item to Oscar Graham, Planning Staff. Mr. Graham reported that discussions are proceeding in each of the Critical Areas. Mr. Graham reported that the Planning Commission will meet again on Thursday. Mr. Graham reviewed the timelines involved in this process.

2.        **Discussion - Comprehensive Plan and Implementing Regulation Adoption Schedule.**

Mr. Karsh presented the Board with a revised critical path and timeline for completing the comprehensive plan and implementing ordinance.

Mr. Karsh stated that procedural criteria has been discussed and that there is now a better understanding of the flexibility in regard to the Growth Hearings Board concept of the County's role in the Growth Management Act.

Mr. Karsh reviewed the timeline schedule stating that the first critical date is March 12, 1996. Mr. Karsh mentioned that the Growth Hearings Board has indicated that the next compliance date is April 22, 1996, for the Natural Resource Lands ordinance, and then after a recommendation from the Planning Commission, the Board of Skagit County Commissioners would have some options to consider. Mr. Karsh stated that if those are completed, the comp plan could proceed. Mr. Karsh mentioned that we also need to give the public a chance to review the ordinances and stated that these opportunities will be provided by the Planning Commission. Mr. Karsh stated that completion date of the Comprehensive Plan is planned for October 1, 1996.

Commissioner Hart inquired as to whether the completion date would be altered if the draft necessitated changes after significant public comment is received and it was determined, after some discussion, that the final draft would have already taken these comments into consideration.

Gary Christenson, Planning Staff, commented on the tremendous task ahead to adhere to the schedule as presented. Mr. Christenson stated that the Planning Commission will meet several times a week to complete their portion of this procedure.

Commissioner Hart inquired as to whether the County legal staff is working closely in this process. Mr. Christenson responded that a proactive approach has been taken, rather than a reactive approach.

Commissioner Wolden concurred that being proactive rather than reactive is the correct approach and emphasized the goal of arriving at a document that is accepted by the general public.

3. Discussion and Possible Adoption of an Interim Amendment to Skagit County Code 14.04 (Zoning Ordinance) Pursuant to Recent Orders from the Western Hearings Board.

Mr. Karsh reviewed the recent Growth Hearings Board ruling which invalidated the County ordinances on February 7, 1996, and continued to explain the chain of events which led to the cessation of issuing permits. Mr. Karsh stated that many questions are being attempted to be answered in regard to whether the Growth Hearings Board has the authority to declare these ordinances invalid and stated that the legal staff is looking into filing an appeal in this regard. Mr. Karsh mentioned that if they do, in fact, have the authority, we need to find out what exactly a declaration of invalidity means. Mr. Karsh presented a Draft Ordinance to the Board stating that procedurally, without a Natural Resource Lands ordinance in place, this Interim Ordinance might not be sustained. Mr. Karsh reviewed the Draft Ordinance, stating that this addresses all districts that relate to residential districts and converts those districts to a rural designation of 5 acres minimum lot size. It then takes commercial industrial zoning districts and converts those to a rural industrial district (which we currently do not have). Mr. Karsh stated that what this ordinance does not address is the urban commercial industrial districts, such as March Point and the Port and Mr. Karsh mentioned they are pursuing how to address this issue.

Mr. Karsh stated that after further discussion with legal counsel and the public, an additional week would be helpful in being able to develop a better document.

Commissioner Hart commented on the certified lot situation and a discussion ensued.

Chairman Anderson reviewed the recent case in Jefferson County where the Growth Hearings Board ruled against the County. A discussion ensued.

Commissioner Wolden briefly reviewed information faxed in the last few minutes from Community, Trade and Economic Development in regard to vested right and in this regard, stated that the information needed to be discussed further since the Board did not have ample time to review this information.

4. Miscellaneous.

Mr. Karsh discussed the recent decision regarding non-acceptance of applications. Mr. Karsh stated that based on legal counsel, a decision had been made to accept applications, informing applicants at the time that if the project falls within one of the zoning districts designated by the order from the Growth Hearings Board, the application would not be able to be approved until the order is released, and that based on legal counsel recommendation, this will include all applications that came in from the time of the order, which was Wednesday, February 7, 1996, at 11:48 a.m.

February 13, 1996

Commissioner Harvey Wolden was not present for the following portion of the agenda.

**RISK MANAGEMENT UPDATE.**

Dave Fleming, Risk Manager, reviewed the options available in regard to broadcasting proceedings from the Hearings Room via cable television. Mr. Fleming mentioned that lighting will need to be enhanced to eliminate excessive shadows and that a new sound system would also have to be installed, including equipment for the hearing impaired. Mr. Fleming reported that the system would be portable to necessitate moving it to the hearing rooms downstairs for larger meetings.

Mr. Fleming provided the Board with some rough cost estimates and discussed aspects of the new telecommunications law. After brief discussion the Board concurred that this project should proceed.

**MISCELLANEOUS.**

Patti Chambers, Administrative Coordinator, presented a Resolution regarding Authorization to Sign Written Contracts and Amending Resolution Nos. 12458 and 12658. This Resolution states that the Road Superintendent could sign contracts in regard to leasing equipment in emergency situations to deal with a problem relative to County roads and that the Director of Parks, Recreation & Fair can sign for referees and official scorers contracts in the Recreation Division as well as School Facilities Use Agreements and for contracts associated with the operation of the Skagit County Fair. Commissioner Hart made a motion to approve the Resolution, as presented. Chairman Anderson seconded the motion and it passed unanimously. (Resolution #16061).

**BID OPENING - PROVIDE BACK-UP VESSELS FOR GUEMES FERRY.**

Charlie Tewalt, Public Works Staff, opened the one bid that was received from Arrow Launch of Port Angeles, Washington. The bid received was for \$150 per hour, \$1,500 per 12 hour day and \$2,000 per 18 hour day. Mr. Tewalt stated that he would review the bid and present a Personal Services Agreement in this regard to the Board at a later date.

**ADJOURNMENT.**

Chairman Anderson made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
Ted W. Anderson, Chairman

  
Harvey Wolden, Commissioner

  
Robert Hart, Commissioner



ATTEST.

  
Debby Sims, Clerk  
Skagit County Board of Commissioners