

**RECORD OF THE PROCEEDINGS**  
**SKAGIT COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, May 7, 1996**

- 7:30 a.m. - 8:30 a.m. Commissioners' Staff Meeting.  
Flag Salute.
- 9:00 a.m. - 10:00 a.m. Planning & Permit Center - Roxanne Michael, Director.  
1) Discussion - Critical Areas Ordinance Update.  
2) Discussion - Resource Lands Ordinance Update.  
3) Discussion - Call for Public Hearing on Interim Ordinance #16075 and #16093 regarding Interim Land Use Controls.  
4) Discussion - Comprehensive Plan Work Program Update.  
5) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Appeal by Dean Holt of Hearing Examiner's Decision Denying a Special Use Permit to Allow Construction & Operation of a Private Airstrip & Heliport, 2200 Bulson Road, Mount Vernon (SPU-93-015).
- 11:00 a.m. - 11:30 a.m. Public Hearing - Community Development Block Grant Business Lending & Microenterprise Development on Behalf of Skagit Council of Governments and the Economic Development Association of Skagit County.
- 1:30 p.m. - 2:00 p.m. Bid Opening - McLean Road Asphalt Overlays, et al., County Road Project #4400-4.
- 2:00 p.m. - 3:00 p.m. Work Session - Drainage Utility Commission Funding Implementation.
- 6:00 p.m. - 8:00 p.m. Public Meeting - Highway 20 Corridor Safety Project (Hearing Rooms B & C).

The Skagit County Board of Commissioners met in regular session on Tuesday, May 7, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

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

**1. Discussion - Critical Areas Ordinance Update.**

Jim Cahill, Planning Department Staff, advised the Board that he had met with Jay Derr, attorney in Critical Areas matters, to review the suggestions and comments from the recent work session on this matter. Mr. Cahill advised that work is progressing and that a red-lined version of the document will be presented to the Board at Wednesday's work session.

**2. Discussion - Resource Lands Ordinance Update.**

Gary Christensen, Planning Department Staff, advised that the Natural Resource Lands report has been presented to the consultants and attorneys on this matter. It is possible that the document will be made available to the Board and the public next week. More information will be available by the end of this week. Commissioner Hart queried staff on the adherence to the timeline. Mr. Christensen stated that this may impact the timeline somewhat, but that other components of the Comprehensive Plan are proceeding on schedule. The Board expressed their concern that the document be released well enough in advance for study and scrutinization by the Board and the public.

**3. Discussion - Call for Public Hearing on Interim Ordinance #16075 and #16093 regarding Interim Land Use Controls.**

Tom Karsh, Assistant Director of Planning & Permit Center, reviewed the history of these two ordinances. Mr. Karsh presented to the Board a Resolution Calling for Public Hearing to Consider the Adoption, Modification, or Repeal of Skagit County Interim Land Use Control Ordinances No. 16075 and 16093, and to Take Public Input on What Actions, if Any, the County should take in Response to Order (No. 95-2-0065) of the Western Washington Growth Management Hearings Board (Findings of Non-Compliance and Invalidity). Mr. Karsh noted that this agenda item is for the Board to query staff on this matter.

The Board indicated their desire to call for a public hearing in this matter. Commissioner Hart stated his desire to have all of the Board's options available to them on this matter prior to the public hearing. John Moffat, Chief Civil Deputy, noted that the Notice of Public Hearing gives the Board flexibility.

Commissioner Hart moved to approve the Call for Public Hearing as presented by Staff. Commissioner Wolden seconded the motion, which was approved unanimously. (Resolution No. 16147)

4. Discussion - Comprehensive Plan Work Program Update.

Mr. Karsh presented a Proposed GMA Work Program for the Board's review. This document reviewed the tentative schedules for the Critical Areas ordinance, Natural Resource Lands Ordinance, Countywide Planning Policy Amendments and Comprehensive Plan and UGAs and Development Regulations. The concept of holding joint public hearings and meetings with the Planning Commission and the Board was discussed. Mr. Karsh noted that this timeline will be affected by any appeals that may be forthcoming as these matters proceed. The target date for the adoption of the Comprehensive Plan in compliance with the Growth Management Act is October 1996. Mr. Karsh stated that this plan should be fully assembled and ready for presentation to the Growth Management Hearings Board for the scheduled June 4 hearing.

Commissioner Hart indicated the need to get out to communities throughout the County to discuss the Comprehensive Plan with the general public. Facilitating these types of community meetings was briefly discussed. Mr. Karsh indicated that at completion of the Critical Areas Ordinance the opportunity may be timely to present this information to the public as well as other components of the Comprehensive Plan.

5. Miscellaneous.

A. Mr. Karsh presented to the Board a Platted Lots Summary.

B. Mr. Karsh presented a supplement to a contract with Wilson Engineering regarding professional services on the Edison Sewer which will add approximately \$60,000 to Wilson Engineering Fee. Mr. Karsh advised that funding for these services will be borne by the grant. Commissioner Hart moved to approve the Supplement as presented by Staff. Commissioner Wolden seconded the motion, which passed unanimously. (Contract No. 02506).

C. Jeff Morgan, Planning Staff, advised that the Nookachamps Hills matter has been remanded from the Judge back to the Board to clarify the Board's intentions in 1980 for this development. Mr. Morgan presented a resolution remanding this matter to the Planning Commission for hearing on Monday, May 13. Mr. Moffatt briefly explained this situation to the Board and advised that the original zoning map from 1980, the transcript from the Planning Commission Hearings, and transcripts of Land Use Advisory Committee Meeting. Commissioner Wolden moved to approve the Resolution as presented by Staff. Commissioner Hart seconded the motion, which passed unanimously. (Resolution No. 16145).

D. Kristi Carpenter, Skagit Conservation District, gave a brief presentation on the Samish Watershed, Ms. Carpenter displayed the new signs for the Samish Watershed.

APPEAL BY DEAN HOLT OF HEARING EXAMINER'S DECISION DENYING A SPECIAL USE PERMIT TO ALLOW CONSTRUCTION & OPERATION OF A PRIVATE AIRSTRIP & HELIPORT, 2200 BULSON ROAD, MOUNT VERNON, (SPU-93-015).

Dean Holt, Appellant, noted his support from the FAA and the State of Washington and that there are no safety hazards. Mr. Holt advised that the only issue that the Hearing Examiner based his denial of the special use permit was on the issue of appropriate land use.

Commissioner Wolden noted the "Catch-22" that the Board is caught in. An adjacent landowner was allowed permission to operate a private airstrip. A previous appeal was denied for a landing strip that was proposed to run counter to the existing airstrip. Commissioner Wolden noted that he does not have a major problem with this airstrip as it runs parallel with the existing airstrip and has been used previously for this purpose. Commissioner Wolden indicated that the same conditions should apply as do to the existing airstrip.

Commissioner Hart indicated that the safety issue is an FAA matter. Commissioner Hart indicated that the community did not support adding additional airstrips in the area. Most property owners in the area were opposed to the granting of the special use permit. Grace Roeder, Planning Department Staff, confirmed this fact.

Chairman Anderson indicated his support of one airstrip in this area that all three homeowners could use. Chairman Anderson indicated that consistency is necessary among the homeowners, but it would appear from reading the information, that Mr. Holt's location of the airstrip is superior to the previous appellant. Chairman Anderson suggested a collaborative agreement among the three property owners to come to an agreement for use of the one airstrip. The Board indicated their concurrence with this plan and that they would entertain approval of this type of arrangement.

Commissioner Wolden agreed that if a working agreement could be made among the property owners and neighborhood mitigation occurred, it would be beneficial to all parties.

Mr. Holt indicated that approval of his airstrip would not impact the neighborhood as flights will not increase as this airstrip is for hobby use only and would be very sporadic use.

Patti Chambers, Commissioners' Office Staff, reviewed the options that the Board has before them today as follows:

1. The Board may deny the request and allow the Hearing Examiner's decision to stand;
2. The Board may remand the matter back to the Hearing Examiner for further study
3. 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.

Commissioner Wolden moved to remand this matter to the Hearing Examiner for further study and a possible use plan for one airstrip in the area rather than three. Commissioner Hart seconded the motion, which was approved unanimously. (Resolution to be provided by Staff at a Later Date).

**PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT BUSINESS LENDING & MICROENTERPRISE DEVELOPMENT ON BEHALF OF SKAGIT COUNCIL OF GOVERNMENTS AND THE ECONOMIC DEVELOPMENT ASSOCIATION OF SKAGIT COUNTY.**

Chairman Anderson opened the public hearing.

Mike Woodmansee, Budget/Finance Director, briefly described the purpose of this community development block grant public hearing and the requirements for such a hearing.

Commissioner Hart explained the recapitization the revolving loan fund is necessary to encourage economic development in Skagit County.

There being no further public comment forthcoming, Commissioner Hart moved to close the public hearing, and Commissioner Wolden seconded the motion. The motion passed unanimously and the public hearing was closed.

Commissioner Hart moved to adopt the Resolution with Certifications of Compliance Authorizing a Community Development Block Grant Application. Commissioner Wolden seconded the motion, which passed unanimously. **(Resolution No.16146).**

**BID OPENING - MCLEAN ROAD ASPHALT OVERLAYS ET AL., COUNTY ROAD PROJECT #4400-4.**

Ed Hawes, Public Works, opened the two bids received in regard to the above project, as follows:

- 1) Associated Sand & Gravel Co.,  
Everett, WA  
\$379,128.08
- 2) Lakeside Industries  
Anacortes, WA  
\$389,206.63

Mr. Hawes reported that the Engineer's's Estimate was \$417,382.55 and stated that the bids would be reviewed by Public Works before returning to the Board with a bid award recommendation.

**ADJOURNMENT.**

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

BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
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Ted W. Anderson, Chairman

  
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Harvey Wolden, Commissioner

  
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Robert Hart, Commissioner



ATTEST.

  
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Debby Sims, Clerk  
Skagit County Board of Commissioners