

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, December 2, 1997**

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| 7:30 a.m. – 8:30 a.m. | Commissioner's Staff Meeting. |
| 8:30 a.m. – 9:00 a.m. | Work Session – Operations Division Manager/Road District Supervisors. |
| 9:00 a.m. – 10:00 a.m. | Public Works Department. – David Brookings, Administrator.
1) Public Hearing – Proposed Road Name Change from Millett Road to Tidewater Road, #18110.
2) Public Hearing – Establishment of Cokedale Road, #95559.
3) Public Hearing – Proposed 1998-2003 Six-Year Transportation Improvement Program.
4) Signature – Vendor Services Agreement with Eager Beaver Tree Service to Provide Safety Improvements by Removing Trees in County Right-of-Way.
5) Signature – Establishment of a Sub-Flood Control Zone known as Bryson Road Sub-Flood Control Zone.
6) Miscellaneous. |
| *T 10:00 a.m. – 11:00 a.m. | Planning & Permit Center – Roxanne Michael & Tom Karsh, Co-Directors.
1) Signature – Call for Public Hearing to Consider the Proposed Fee Schedule Revisions for the Skagit County Planning & Permit Center.
2) Discussion – Calling for Interested Citizens to Request an Application to Serve on Citizens Advisory Committees to Work on the Development of the Skagit County Development Code.
3) Miscellaneous. |
| 2:00 p.m. – 3:00 p.m. | Public Hearing – Considering the Adoption of a New Chapter (10.22) to the Skagit County Code Regulating the Reasonable Storage of Junk Vehicles on Private Property. |
| 3:30 p.m. – 5:30 p.m. | Review of Petitions Requesting Comprehensive Plan Map Redesignations. |

The Skagit County Board of Commissioners met in regular session on Tuesday, December 2, 1997, with Commissioners Harvey Wolden, Robert Hart and Ted W. Anderson present.

PUBLIC WORKS DEPARTMENT – David Brookings, Administrator.

1. Public Hearing – Proposed Road Name Change from Millett Road to Tidewater Road, #18110.

Linda Leonhart, Engineering Division, advised the Board that a petition was received to change Millett Road to Tidewater Road. She reviewed the exact location of the road in question. There being no public comment forthcoming, Commissioner Anderson moved to close the public hearing. Commissioner Hart seconded the motion, which passed unanimously. Commissioner Hart moved to approve the proposed name change. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 16676)**

2. Public Hearing – Establishment of Cokedale Road, #95559.

Ms. Leonhart reviewed the history of this proposed road, and its exact location. There being no public comment forthcoming, Commissioner Anderson moved to close the public hearing. Commissioner Hart seconded the motion and it passed unanimously. Commissioner Anderson moved to approve the establishment of Cokedale Road. Commissioner Hart seconded the motion, which passed unanimously. **(Approved)**

3. Public Hearing – Proposed 1998-2003 Six-Year Transportation Improvement Program.

Dave Baltz, Engineering Division, reviewed the Six-Year Transportation Improvement Program proposed for 1998-2003. He reviewed the procedures taken to get to this point, including the review by the Planning Commission.

There being no public comment forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Anderson seconded the motion, and it passed unanimously. Commissioner Anderson moved to approve the Six Year Transportation Improvement Program 1998-2003 as presented by Mr. Baltz. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution No. 16777)**

4. Signature – Vendor Services Agreement with Eager Beaver Tree Service to Provide Safety Improvements by Removing Trees in County Right-of-Way.

Steve Blair, Traffic Engineering Services, presented a Vendor Services Agreement with Eager Beaver Tree Service to provide tree removal in the right-of-way on F&S Grade Road. Commissioner Anderson moved to approve the Agreement as presented by Mr. Blair, with an amount not to exceed \$6,000. Commissioner Hart seconded the motion, and it passed with a unanimous vote. **(Contract No. 03732)**

5. Signature – Establishment of a Sub-Flood Control Zone known as Bryson Road Sub-Flood Control Zone.

John Abenroth, Surface Water Management Division, detailed the location of the sub-flood control zone near Bryson Road, together with the history of the formation of this sub-flood control zone. Commissioner Anderson moved to approve the Resolution establishing a sub-flood control zone as presented by Mr. Abenroth. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution No. 16678)**

6. Miscellaneous.

- A. Dan Tolliver presented a Resolution amending the road closure for Biz Point Road. Commissioner Hart moved to authorize a road closure for Biz Point Road from November 17 through December 10, 1997. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 16779)**
- B. Young Soo-Kim introduced some visitors from South Korea, who are engineers learning business practices.
- C. Mr. Brookings advised that there will be a public meeting next Thursday concerning the Skagit River feasibility study.

PLANNING & PERMIT CENTER – Roxanne Michael & Tom Karsh, Co-Directors.

1. Signature – Call for Public Hearing to Consider the Proposed Fee Schedule Revisions for the Skagit County Planning & Permit Center.

Tom Karsh, Co-Director, outlined the procedures for this proposed fee schedule revision for the Skagit County Planning & Permit Center. This request is made as the Department's expenses for Growth Management Act related costs have been quite high in 1997, and revenues are down for the Department.

The Board indicated the importance of getting the proposed fee schedule out to the public.

Commissioner Hart moved to approve the Call for Hearing as presented. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 16780)**

Discussion – Calling for Interested Citizens to Request an Application to Serve on Citizens Advisory Committees to Work on the Development of the Skagit County Development Code.

Roxanne Michael, Co-Director, reviewed the process to date in the development of the Skagit County Development Code. She advised that the citizen review will help Staff pull together the finalization of the Development Code early next year.

Commissioner Hart clarified with Staff that the process proposed for developing these citizen advisory committees is in compliance with the direction of the Western Washington Growth Management Hearings Board.

A brief discussion ensued on various aspects of the Development Code.

Ms. Michael reviewed the application form and the various committees being formed.

2. Miscellaneous.

There were no miscellaneous items for discussion.

PUBLIC HEARING – CONSIDERING THE ADOPTION OF A NEW CHAPTER (10.22) TO THE SKAGIT COUNTY CODE REGULATING THE REASONABLE STORAGE OF JUNK VEHICLES ON PRIVATE PROPERTY.

Chairman Wolden opened the public hearing.

Jon Schmidt, Code Compliance Officer, briefly discussed the proposed ordinance. Mr. Schmidt advised that he has received no phone calls or written testimony to date regarding the proposed ordinance.

Commissioner Anderson clarified that the draft ordinance has been available to the public since November 18.

Mr. Schmidt advised that the proposed ordinance is based on a model from Cowlitz County. He reviewed the definition of a junk vehicle as listed in the definition portion of the proposed ordinance. He reviewed some of the language contained in the proposed ordinance, and explained that these junk vehicle situations would be handled on a "complaint-only" situation.

Ed Stauffer, Box 114, Bow, stated that he is appalled that this ordinance has gotten this far. He indicated that conditions should be attached in the language of the ordinance which would require a complaint received to be signed by the complainant and a fee submitted. He stated that "Nuisance Junk Vehicle" should be well identifiable from a publicly maintained road. He stated that over 50% of property owners in Skagit County would be in violation of this ordinance if it goes into place. He indicated that most people who have vehicles parked on their property have them there for a reason. He commented on the need to preserve the rural lifestyle pursuant to the Skagit County Comprehensive Plan. He stated that as long as vehicles are not a nuisance or hindrance to others, individuals should be allowed to keep as many vehicles as they desire on their property. He stated that money would be better spent on the control of noxious weeds.

Bob Peter, Sedro Woolley, commented on the possibility of abuse and harassment by County staff in determining the definition of a junk vehicle. He indicated that many people collect cars, and one car is oftentimes not enough to obtain the necessary parts. He further stated that it is unrealistic to expect people to build expensive buildings to screen these vehicles from the public's view. He stated that the County has more important things to deal with and that the proposed ordinance is way too narrow.

John Blackburn, Burlington, stated that he cannot understand why the County is picking on people who own many vehicles. He stated that this is an item that should be thrown in the trashcan, and that flood control is more important.

Ernie Dahl, 902 Benson Road, Bow, stated that this ordinance is long overdue and is necessary. He cited an example that he is forced to view from his home. He stated that the Board has been very lenient in the past.

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Steve Scott, Hwy 20, West of Concrete, stated that in some ways this law would be good, but that there are different definitions for junk vehicles. He disliked the portion of the ordinance requiring oil to be drained from idle vehicles. He noted the difficulty of deciding what is a junk vehicle.

Tony Splane, Sedro Woolley, stated that he is an antique car collector and has several vehicles. He stated that the last car he took parts from took ten years to dismantle. He explained the difficulties in then having a hulk car removed from private property. He stated the ordinance needs some provision to provide for the necessary paperwork to dispose of these vehicles.

Joe Morgan, 1077 District Line Road, Burlington, stated that he has several reasons for having old cars. He has old cars to utilize parts. He objected to the requirement for buildings as he would then have to pay additional property taxes.

George Theodoratus, 3593 Hwy. 20, Concrete, asked for clarification of the definition of a "junk vehicle" – whether that would include cars, trucks, motorcycles, tractors. Many people around have extra vehicles they use for specific purposes and that they never license. He stated that draining the fluids out of all of this equipment will literally destroy the vehicle. He asked if this included equipment trailers and boat trailers. He agreed with one gentleman who asked that the complaints be in writing so they could be identified.

Jamie Lanning, 1312 Hwy 9, Mount Vernon, stated that he cannot pay taxes on new sheds to cover his cars. He spoke of the nuisance of vehicles in the county rights-of-way.

Jim Hinton, 1553 Gunderson Road, stated that he sympathizes with Mr. Dahl, but objected to putting enforcement in one man's hands. Mr. Hinton suggested that perhaps a hearing before the board from adjacent property owners might be a better way to handle these matters. He stated that this ordinance is vague and gives too much power to one individual.

Ken Fritch, Burmaster Road, stated that many vehicle parts are acquired over the years for business purposes, and some of the ordinance is stretching to give an excuse to do whatever the compliance officer wants to. He stated that beauty is in the eye of the beholder. There are often legal situations where there is no choice but that the vehicle must be stored. He reiterated the difficulty to disposing of junk vehicles. He suggested that screening is an expensive thing to do and perhaps the County should pay for it if it is required. He stated that many people restoring vehicles spend money within the County so you shouldn't eliminate these types of projects.

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

Commissioner Anderson stated that there is a difference between a junk vehicle and a vehicle being stored. He discussed the drainage of fluids from idle vehicles. He explained that the property rights issue is a two-edged sword. There must be medium ground gained. He stated that every city in Skagit County has passed a junk vehicle ordinance, and therefore junk vehicles are being hauled out to rural County areas. He stated that the intent of Skagit County is not to go out and harass individuals who are restoring cars. Commissioner Anderson stated that if someone is going to run a wrecking yard, they should have a license and meet standards.

Commissioner Hart indicated that the number of calls the Board receives regarding junk vehicles is only surpassed by the number of calls received regarding a leash law.

Commissioner Anderson suggested that people who are in to the restoration of old cars should have a hand in crafting an ordinance that would be agreeable to all factions. He explained that in Skagit County, the Board can not do anything without some kind of ordinance. Commissioner Anderson indicated the necessity to clarify specifics of which vehicles would fall under this ordinance.

Commissioner Hart indicated the need to look at getting abandoned vehicles released where there are no papers available. Sheriff Goodman explained the procedures for obtaining the necessary paperwork. He stressed the need to keep this a civil matter, not a criminal matter.

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The Board indicated they would consider the testimony taken today and would work further on the development of this ordinance.

REVIEW OF PETITIONS REQUESTING COMPREHENSIVE PLAN MAP REDESIGNATIONS.

John Dahl, representing Irene Cameron Dahl, asked the Board to reconsider the rural reserve designation to rural intermediate. He outlined the exact location of the subject property. He stated that the subject property is an island among smaller parcels.

Shirley Fox did not appear to speak.

Dean Goodell, 748 Parker Road, Sedro Woolley, asked for clarification of the letter that he received from the County. He stated that the record shows clearly his position and thanked the County for doing an analysis of his position.

Norman Hornbeck reviewed the exact conditions of the acquisition of his property, and distributed to the Board a map of his property. Mr. Hornbeck asked for 2-1/2 acre designation for his land.

Ken and Laura Howard, 280 Sharpe Road, Anacortes, stated that their designation when they bought the property was rural intermediate, now it is rural reserve under the Comprehensive Plan. Mr. Howard asked that the Board reconsider the designation of this property to rural intermediate.

Joanne Lennox, Box 425, Concrete, reviewed the exact location of the property in question. She asked that the property be redesignated from industrial forest to secondary forest. She detailed the criteria that fits her property making it logically included in secondary forest.

Karyn Livingston 1809 Lafayette, Burlington, stated that her property near Sauk Mountain was purchased to leave a portion of the forest to future generations of her family. The Board viewed the exact location of the subject property. The property is now designated Industrial Forest, and Ms. Livingston would like the land designated Secondary Forest. She stated the need to be a good steward of the land and to be able to live on the property.

Stan and Julie Olson did not appear to speak on behalf of the Rundgren/Peterson/Olson petition.

Rosalie Schanzenbach described the exact location of her property along the Cook Road. She explained the need to subdivide her property so she can move her home to the back of the property.

Jason Schmidt, 689 Gallagher Road, Concrete, asked that his Walker Valley property designated as Industrial Forest be reclassified to Secondary Forest. He clarified that this property is served by a fire district.

Bill Schmidt, private forest landowner, 689 Gallagher Road, Concrete, stated that his land is in a fire district. The purchase price was based on 1 dwelling per 20 acres. He asked that the land be redesignated from Industrial Forest to Secondary Forest. He stated the need to recognize non-industrial forest landowners.

Robert Sjoboen, 233 E. Main, Concrete, explained the location of his farm on Thunderbird Lane. He stated that he asking for the zoning to be returned to what it was in the past. He reviewed with the Board the exact location of his property. He asked for 10-acre homesites in this area.

Ken Wolcowski was not present to speak.

Bill Schmidt spoke again about property he owns in Birdsvew. He asked the Board to use common sense in designating this property.

Pat Cummings reviewed the exact location of his property. He asked for both parcels of his property that are adjacent should be given the same acreage size, rather than splitting 2-1/2 and 10 acres. He asked that the parcel currently designated as 10 acres, be designated as 2-1/2 acres.

Mary Fotland, 1818 McMurray Road, Conway, reviewed with the Board the location of her property.

Mack Johnson, 91 Alder Lane, Mount Vernon, described the five acres he owns on Pinelli Road. The land was shortplatted in 1979. The property was zoned residential reserve and the property has been downzoned to one house per ten acres.

Sue Christianson, 1153 Pulver Road, Burlington, Alf Christianson Seed Company, asked the Board to acknowledge that there is a pre-existing nonconforming use of this property. Commissioner Hart clarified with Staff that this property was considered rural reserve.

Barbara Matthiesen, on behalf of Carl Matthiesen, 1015 Alexander, Sedro Woolley, explained the location of their property on the South Skagit Highway. The property was originally zoned forestry. She stated they would like it to remain forest, but would like to have secondary forest.

Harriet Smith, 771 Ferguson Road, Sedro Woolley, reviewed the exact location of her property. She explained that the land has never been subdivided.

Alan Thomas, 2032 Bridgewater Road, reviewed the exact location of the subject property. He asked for a change from rural reserve to rural intermediate.

Curt Wylie, representing Wylie, Inc., wants highway oriented commercial zoning for the subject property.

Mark Danielson, Sedro Woolley, stated that there is a mistake in his designation as Industrial Forest. He stated that his property is located contiguous to other industrial forest lands, but his property is also next to smaller recreational lots. He requested the Board to change his designation to secondary forest.

Ted Palmer thanked the Board for the chance to speak. The property in question is in the Big Rock area west of Highway 99. The land has been designated agriculture, and should be changed.

Lawrence Bates, 725 Russell Road, Concrete, asked the Board to change his designation to rural intermediate.

Joe Boyle, representing Kennedy/Freeman, 820 Chester Avenue, Sedro Woolley, detailed the subject property location and the history of the zoning of the land. It has been zoned rural reserve and they would like rural intermediate.

Steve Estvold detailed the exact location of the subject property. He stated that the zoning had been changed from 2-1/2 to 10 acre minimums. He reviewed the surrounding properties which are all less than ten acres.


Gary Christianson, Planning Staff, advised that the Board of County Commissioners over 4 days has heard from a number of property owners who have disagreed with their designations. The Board will consider these requests during the next several weeks, and will arrive at decisions via resolution to remand to the Planning Commission those properties meeting the appropriate criteria. The Planning Commission, in turn, will hold public hearings and will make recommendations to the Board for their consideration and action..

A discussion ensued on this process.


ADJOURNMENT.

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

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON




Harvey Wolden, Chairman



Robert Hart, Commissioner

Ted W. Anderson, Commissioner

ATTEST:



Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners

