

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, March 17, 1998

- 7:30 a.m. – 8:30 a.m. Commissioners' Staff Meeting.
- 9:00 a.m. – 11:30 a.m. Planning & Permit Center – Roxanne Michael and Tom Karsh, Co-Directors.
- 1) Discussion and Possible Action – Citizen Advisory Committee Recommendations.
 - 2) Discussion and Possible Action – Interim Ordinance Relating to Wireless Communication Towers.
 - 3) Miscellaneous.
- 2:00 p.m. – 2:30 p.m. Facilities Management, Roger Howard, Director.
- 1) Bid Opening – Remodel of Existing Building for Skagit County Family Resource Center.
 - 2) Bid Award – Remodel of “Brakefield” Building for the Skagit County Planning & Permit Center.
- 2:30 p.m. – 3:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition.
- Wednesday, March 18, 1998:**
- 1:30 p.m. – 3:00 p.m. Public Transportation Area Board Meeting (Port of Skagit County).
- 3:00 p.m. – 4:00 p.m. Skagit Council of Governments Meeting (Port of Skagit County).

The Skagit County Board of Commissioners met in regular session on Tuesday, March 17, 1998, with Commissioners Robert Hart and Harvey Wolden present. Commissioner Ted W. Anderson's absence was excused.

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

1. Discussion and Possible Action – Citizen Advisory Committee Recommendations.

Tom Karsh, Co-Director, reviewed that this is a continuation of the process which was started last week regarding the recommendations of the Citizen Advisory Committees (CACs). He presented the Board with a draft resolution which is a request to the Planning Commission to begin the public process to review these draft County codes and bring them back to the Board for final approval as permanent development codes. The comments of the Board have been summarized in this Resolution document.

Chairman Hart indicated the need to go through this proposed document point-by-point to make sure all of the recommendations are included and are accurate.

1. The Development Code (Skagit County Code Chapter 14.01 and Concurrency Code (SCC 14.03) was first reviewed. It was noted that the Board made no changes to this committee's recommendation. Chairman Hart asked about a review by the Public Works Department. It was explained that the Public Works Department had not had sufficient time to review for concurrency and would submit an independent assessment to the Planning Agency by April 3, 1998.

Mr. Karsh indicated that the CARD ordinance will be coming back to the Board by April 6, 1998.

Chairman Hart indicated that a good job was done by the Development Code Committee _____

RECORD OF THE PROCEEDINGS

Tuesday, March 17, 1998

Page #2

2. The Zoning Ordinance Committee was next reviewed. Staff rewrites include the following:
 - (a) Make public notice requirements consistent. There are some projects that require notification of all property owners within five hundred (500) feet and other projects that only require notifications to three hundred (300) feet. It has been recommended that a uniform three hundred (300) feet notification from the property line should be established.
 - (b) Setbacks to road rights-of-way should be able to take into consideration pending road widening projects. Commissioner Hart noted the need that both the applicant and the County should be required to notify each other of a potential change in right-of-way. Mr. Karsh advised that any project involving access off of a State highway would require notification. Chairman Hart asked to send this back to the Planning Commission to make sure it sets the necessary parameters.
 - (c) Language needs to be added to clarify criteria for farmworker housing permits. The particular language was reviewed by the Board. Commissioner Wolden noted the need to check for consistency with State law. Senate Bill 6168 was referenced.
 - (d) The provisions for lot aggregation continue to concern the Board. The revisions proposed by the CAC at 14.04.050(4) address some concerns. The Planning Agency is directed to work with the County Assessor and County Auditor to fine tune notification and recording requirements. . A discussion ensued on the affects of aggregation.
3. The CAC recommendations and staff reports concerning SCC 14.40 (Accepting Grants of Real Property), SCC 14.44 (Open Space Current Use Assessment Applications), and SCC 14.55 (Right to Manage Natural Resource Lands) are to be forwarded to the Planning Agency as submitted to the Board. There were no requests for staff rewrites.
4. The CAC recommendations and staff assessments concerning Telecommunications are to be forwarded to the Planning Agency as submitted to the Board. In addition, an Interim Ordinance relating to "Personal Wireless Service Facilities" is to be forwarded to the Planning Agency. On a separate track, the Department of Public Works and the "Telecommunication Coordinating Group" will be bringing forward for Board review a telecommunications ordinance relating to the issuance of franchises for telecommunication providers within Skagit County. This recommendation will be forthcoming.
5. The CAC recommendation and staff assessments concerning SCC 14.38 (existing Chapter 15020) (Floor Damage Prevention), SCC 14.50 (a new chapter) (Enforcement) and SCC 14.36 (Drainage) are to be forwarded to the Planning Agency with the following exceptions noted.
 - (a) The CAC did not make any changes to the SCC 14.36 at this time. The Board will reconvene this committee upon completion of a draft ordinance currently under development by the Department of Public Works and a private consultant.
 - (b) The Board directed staff to bring back proposed code language that will further restrict the use of fill within the floodplains. Corey Schmidt, Planning Staff, reviewed the particular aspects of the code language changes. A discussion ensued on methods allowed for residential or commercial construction including wet flood proofing methods per SCC 14.38.190(4).
 - (c) The Board directed staff to bring back proposed code language to address repair standards for buildings experiencing repetitive damage from flooding.
6. The CAC recommendations concerning the Environmental Ordinance (SEPA), SCC 14.25 (currently chapter 14.26) are approved and forwarded to the Planning Agency. The Board concurs with the CAC recommendation to maximize the exemption limits as allowed under State law.
7. The CAC recommendations concerning Land Divisions, SCC 14.12 (a new chapter of code which consolidated all existing regulations concerning division of land, including short plats, long plats, planned unit developments, mobile home parks, and added conservation and reserve land divisions (CARD) are to be forwarded to the Planning Agency with staff assessments and the following exception:
 - (a) The CARD provisions are of concern to the Board and need to be simplified for ease of use by the public. Staff is directed to continue to work with interested members of the Land Division CAC to revise the provisions.

CARD draft code by April 3, 1998. The Board will meet in a future study session to review and consider whether to forward the new draft CARD recommendations to the Planning Agency.

Kendra Smith, Planning Staff, discussed some of the CARD provisions.

Chairman Hart explained his perception of the CARD, allowing for individuals as well as developers to utilize a process that could be accessed to assist in this implementation. He noted that the language submitted by the CAC did not foster that concept. A discussion ensued on the various aspects of the proposed ordinance.

Chairman Hart stated that this is a concept that is new, but has worked in areas throughout the country. He noted the need to keep the record of transactions available in the private sector.

Commissioner Wolden indicated the need to include transfer of development rights noted on the plat. The County should not become the agent to direct buyers to sellers.

The Board indicated the need to summarize these thoughts to forward them on to the Planning Commission.

8. The CAC recommendation and staff assessments/comments concerning the Critical Areas Ordinance (SCC 14.06) are to be forwarded to the Planning Agency. There are two drafts of the Aquifer Recharge section (SCC 14.06.300). The Board agreed to forward both the CAC final draft rewrite of the Aquifer Recharge section and a staff recommended draft. Mr. Karsh indicated that the Planning Commission can compare both versions of this document during their review.

Mr. Karsh summarized that he will make a number of changes, he will put this on the regular Planning Agenda for next week.

Chairman Hart stated that people from diverse backgrounds worked together on the CAC's and came forward with good work product. He applauded their efforts in this regard.

2. Discussion and Possible Action – Interim Ordinance Relating to Wireless Communication Towers.

Mr. Karsh stated that there had been a moratorium previously adopted by this Board that disallows any placement of new telecommunication personal wireless communication towers. The Permit Center has not accepted any such applications during this moratorium. Mr. Karsh explained that the moratorium expires today. Mr. Karsh stated that the Board needs to consider either extending the moratorium or adopt an interim ordinance as suggested by the Telecommunications Committee Citizens Advisory Committee. The interim ordinance would be in effect for six months, and a public hearing would be required within 60 days.

Mr. Karsh stated that there were some changes made for the purposes of clarity, but no substantive changes were made from the review done with the CAC last week. Mr. Karsh further advised that the interim ordinance has been reviewed by legal counsel.

Chairman Hart stated that this is a good document, realizing that the CAC had both the main opponents of cell towers and cell phone proponents as members of the committee. The issues addressed were the same as considered by the State Legislature.

Chairman Hart moved to approve the interim ordinance and that a public hearing will be held within 60 days. Commissioner Wolden seconded the motion.

Mr. Karsh clarified that this ordinance affects siting and related issues rather than right-of-way issues. This encourages co-location and allows commercial/industrial and industrial forest lands as siting, and discourages siting in other locations.

The question was called for, and the motion passed unanimously. **(Resolution No. 16919)**

RECORD OF THE PROCEEDINGS

Tuesday, March 17, 1998

Page #4

3. Miscellaneous.

Mr. Karsh discussed with the Board a Joint Planning Commission/Board of County Commissioners Meeting tentatively scheduled for Wednesday, April 1, to discuss Development Code related matters.

FACILITIES MANAGEMENT – Roger Howard, Director.

1. Bid Opening – Remodel of Existing Building for Skagit County Family Resource Center.

Roger Howard, Facilities Director, opened the following bids:

Anda Construction
Bellingham
Addenda acknowledged
Bid Bond attached
Base Bid: \$398,000

P & L General Contractors
Oak Harbor
Addenda acknowledged
Bid Bond attached
Base Bid: \$449,000

Crest General Contractors
Mount Vernon
Addenda acknowledged
Bid Bond attached
Base Bid: \$445,000

John Daniels Construction
Bellingham
Addenda acknowledged
Bid Bond attached
Base Bid: \$412,163

Ebenal General, Inc.
Bellingham
Addenda acknowledged
Bid Bond attached
Base Bid: \$417,000

Eldred & Essex
Bellingham
Addenda acknowledged
Bid Bond attached
Base Bid: \$417,000

Red Mountain Company
Monroe
Addenda acknowledged
Bid Bond attached
Base Bid: \$422,372

Mr. Howard advised that the estimated base bid was \$460,000. He further stated that a bid award recommendation would be forthcoming next week.

RECORD OF THE PROCEEDINGS

Tuesday, March 17, 1998

Page #5

2. Bid Award – Remodel of “Brakefield” Building for the Skagit County Planning & Permit Center.

Mr. Howard presented a Resolution awarding the remodel of the Brakefield Building for the Skagit County Planning & Permit Center submitted by Pellco Construction. Chairman Hart moved to approve the Bid Award Resolution as presented by Mr. Howard. Commissioner Wolden seconded the motion, which passed unanimously. **(Resolution No. 16920).**

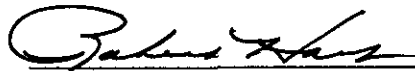
MISCELLANEOUS.

Staff presented an Out-of-State Travel Request for Rich Doenges, Conservation Futures Director, to attend a Purchase of Agricultural Conservation Easements: What Works/American Farmland Trust Conference in Boiling Springs, Pennsylvania March 29-31, 1998. The total cost of the request is \$744. Chairman Hart moved to approve the Out-of-State Travel Request as presented by Staff. Commissioner Wolden seconded the motion, which passed unanimously.

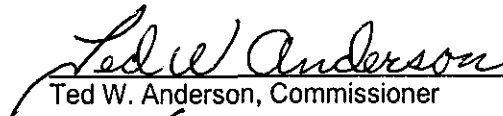
ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



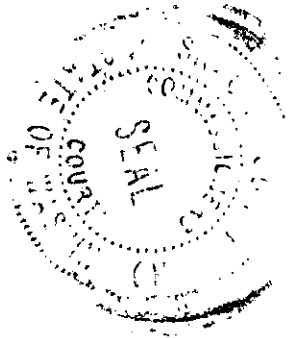
Robert Hart, Chairman



Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



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