

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, May 5, 1998**

- |                         |   |
|-------------------------|---|
| 7:30 a.m. – 8:30 a.m.   | Commissioners' Staff Meeting.   |
| 8:30 a.m. – 9:00 a.m.   | Work Session – Operation Division Manager/Road District Supervisors.  |
| 9:00 a.m. – 10:00 a.m.  | <u>Public Works Department – Chal Martin, Director.</u><br>1) Presentation – County Road Administration Board Certificate of Good Practice.<br>2) Discussion – Public Works Trust Fund Loan Applications.<br>3) Summary – TransAid Skagit County Coordinating Committee Meeting held April 29, 1998.<br>4) Miscellaneous.   |
| 10:00 a.m. – 11:00 a.m. | <u>Planning &amp; Permit Center – Roxanne Michael &amp; Tom Karsh, Co-Directors.</u><br>1) Consideration of a Proposed Resolution Establishing a Fee Waiver for a Variance Application where a Residence Exists in a Critical Area Buffer.<br>2) Continued Discussion and Possible Adoption of the 1998 Work Program, Tasks and Timeline for Addressing Growth Management, Comprehensive Planning and Development Regulations.<br>3) Miscellaneous. |

The Skagit County Board of Commissioners met in regular session on Tuesday, May 5, 1998, with Commissioners Robert Hart, Ted W. Anderson and Harvey Wolden present.

**PUBLIC WORKS DEPARTMENT – Chal Martin, Director.**

**1. Presentation – County Road Administration Board Certificate of Good Practice.**

The Board presented Chal Martin, Director, with the Certificate of Good Practice presented to Skagit County by the County Road Administration Board.

**2. Discussion – Public Works Trust Fund Loan Applications.**

Mr. Martin reviewed a letter from the Public Works Board stating that the County's Public Works Trust Fund applications will not be considered due to an outstanding invalidity order on the County's Comprehensive Plan. He discussed two possible exemptions from either the State Department of Ecology or State Department of Health. He advised that the exemption for the Transfer Station would probably not be possible, but the fish passage project could possibly qualify for an exemption. Mr. Martin advised that he had discussed this matter with the Chief Civil Deputy, John Moffat. The possibility of changing the invalidity order to a non-compliance order may be possible. Mr. Martin's recommendations include letting the loan application for the Transfer Station proceed without comment, following-up on the application for the fish passage project and obtaining a letter from Ecology in this regard. Further, a presentation to the Western Washington Growth Management Hearings Board to obtain a change in status allowing for re-submission will be prepared.

A discussion ensued on the history of the Public Works Trust Fund and the ramifications of the Growth Management Act.

**3. Summary – TransAid Skagit County Coordinating Committee Meeting held April 29, 1998.**

Mr. Martin reviewed several topics discussed at this meeting. These included the Northwest WSDOT Region reorganization into sub-regions, which will take place within the next six months. It also included the Transportation Commission approval of design money release, per ESSB 6456. Study projects were briefly discussed. Mr. Martin advised that another topic discussed was the status of potential partnership with the State to replace Farm-to-Market Road Bridge at SR20. Mr. Martin next discussed the status of federal money transfer with the City of Sedro Woolley. He advised that there are fewer opportunities to absorb federal monies, and the Department would prefer that SCOG not lock us in to anything in trading urban funds for rural funds. He expressed concern that he Does not want this money to penalize the County in future allocations from the federal government

A lengthy discussion ensued on the establishment of an internal policy for these types of money swaps with local entities.

**4. Miscellaneous.**

A. On the design of the Cook Road, Mr. Martin advised that Young Soo Kim is leaving the County's employment and consequently, the Department will be coming to the Board for approval of an RFP for a consultant to complete the work on the Cook Road design. The Board cautioned Mr. Martin at the need for consultants to pay attention to the desires of the County. The Board suggested that perhaps hiring a replacement engineer would be less expensive that employing a consultant. The timeline for the design of Cook Road was discussed, including the need to acquire right-of-way, and prepare appraisals. Mr. Martin advised that the main customers on the Cook Road project are the property owners adjacent to the road. He further advised that the design is planned to be completed by the end of the year with construction to occur in the year 2000.

B. Mr. Martin gave a quick overview of public meetings regarding Cook Road and Avon-Allen Road.

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

**1. Consideration of a Proposed Resolution Establishing a Fee Waiver for a Variance Application where a Residence Exists in a Critical Area Buffer.**

Corey Schmidt, Assistant Building Official, stated that he would not be asking for formal action by the Board today as this matter needs to go through the public hearing process in order to revise the existing fee schedule. Mr. Schmidt discussed the difficulties that some individuals go through when there is no adverse impact to the buffer area. He discussed the requirements for the variance procedure in this regard.

Tom Karsh, Co-Director, stated that the Department recognizes that the Critical Areas Ordinance (CAO) has created this whole class of non-conforming residences, and requires a variance. He suggested that there are two scenarios - either t CAO needs to be changed or the County waives the requirement for individuals to pay \$500 for a variance in addition to their site assessments and/or mitigation plans.

Chairman Hart asked if the staff time to process these requests would then be eliminated, allowing staff to work on other items of importance.

Mr. Karsh indicated that their have only been six of these requested since 1996. He stated that the issue is not a means of collecting revenue to pay for Staff, but rather is the Hearing Examiner the proper avenue for resolving these issues

Chairman Hart suggested that the process definitely needs to be streamlined.

Mr. Karsh stated that the process would be streamlined by a change to the zoning ordinance or the CAO. This is not going to have a significant impact on revenues, but he would like to engage the Budget Director in this discussion before it comes back to the Board as a public hearing.

A discussion ensued on the present method of waiving fees, and on the requirement for a variance on existing structures

Mr. Karsh indicated that Staff will prepare a resolution to call for public hearing and will engage the Budget Manager and Counsel in its preparation.

Chairman Hart stressed the need to have the ability to waive fees on a case-by-case basis.

2. **Continued Discussion and Possible Adoption of the 1998 Work Program, Tasks and Timeline for Addressing Growth Management, Comprehensive Planning and Development Regulations.**

Gary Christensen, Senior Planner, discussed the 1998 Work Program, Tasks and Timeline for Addressing Growth Management, Comprehensive Planning and Development Regulations. He stated that it is time for the Board to take action. He suggested that the Board pass a motion putting this plan in place.

After a brief discussion, Commissioner Wolden moved to accept the 1998 Work Program, Tasks and Timeline as presented and dated April 23, 1998. Commissioner Anderson seconded the motion, which passed unanimously. A copy of the 1998 Work Program is attached to these Minutes and incorporated by reference.

3. **Miscellaneous.**

A. Kendra Smith, Senior Planner, presented two Resolutions calling for public hearing to adopt the interim development standards for the Cities of Mount Vernon and Anacortes.

Commissioner Anderson moved to approve the Resolution calling for public hearing regarding the City of Mount Vernon's development standards. The motion was seconded by Commissioner Wolden, and passed unanimously. **(Resolution No. 16983)**

Commissioner Anderson moved to approve the Resolution calling for public hearing regarding the City of Anacortes' development standards. Commissioner Wolden seconded the motion, and it passed unanimously. **(Resolution No. 16984)**

B. Ms. Smith discussed the interlocal agreement with the City of Burlington regarding development standards in the urban growth areas, and advised that she will be back to the Board after the City Council meeting on May 14<sup>th</sup>.

C. Mr. Christensen advised that the Mineral Resources Overlay is available for public comment, as is the Parks & Recreation Comprehensive Plan.

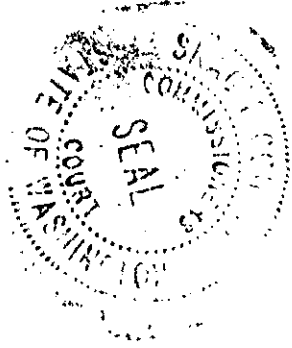
**MISCELLANEOUS.**

Staff presented a Resolution authorizing a request for proposals for the Big Lake Weed Management Project. Commissioner Wolden moved to approve the Resolution as presented by Staff. Commissioner Anderson seconded the motion, and it was unanimously approved. **(Resolution No. 16985)**

**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*  
\_\_\_\_\_  
Ted W. Anderson, Commissioner

*Harvey Wolden*  
\_\_\_\_\_  
Harvey Wolden, Commissioner

ATTEST:

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