

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, December 7, 1998**

8:15 a.m. – 8:30 a.m.	CONSENT AGENDA. MISCELLANEOUS.
8:30 a.m. – 9:00 a.m.	Executive Session – Personnel, Litigation and Land Acquisition.
9:00 a.m. – 10:00 a.m.	Work Session – Surface Water Management Program.
10:00 a.m. – 11:00 a.m.	Public Hearing – Adopting the 1999 Skagit County Budget.
11:00 a.m. – Noon	Public Hearing - Consideration of Testimony regarding the Sale of Surplus County Personal Property.
1:30 p.m. – 3:30 p.m.	Review of 1997 Comprehensive Plan Amendment Recommendations from the Planning Commission.

The Skagit County Board of Commissioners met in regular session on Monday, December 7, 1998, with Commissioners Robert Hart, Ted W. Anderson, and Harvey Wolden present.

CONSENT AGENDA.

Commissioner Anderson moved to approve the Consent Agenda for Monday, December 7, 1998. Chairman Hart seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings of Monday, November 30, 1998.
2. Record of the Proceedings of Tuesday, December 1, 1998.

FARMLAND LEGACY PROGRAM:

3. Cooperative Agreement with the United States of America Commodity Credit Corporation (CCC) through the Natural Resources Conservation Service for the implementation of the Farmland Protection Program. The CCC shall obligate the sum of \$450,000 for the acquisition of conservation easements or other interests in land in Skagit County. Skagit County must request payment of this amount by September 30, 2000. **(Contract No. 04074)**

SENIOR SERVICES:

4. Catered Meal Service Agreement with Island Hospital for the calendar year 1999 at the following rates: \$3.35 per bulk meal delivered, \$3.65 per hot home-delivered meal, and \$7.50 transportation charge per day. **(Contract No. 04160)**

MISCELLANEOUS.

1. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing, which has been made available to the Board.

As of this date, December 7, 1998, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

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Warrants numbered 34266 through 34555 from Clearing Fund 696 in the total dollar amount of \$415,575.78 (Transmittal No. C-85-98).

PUBLIC HEARING – ADOPTING THE 1999 SKAGIT COUNTY BUDGET.

Alicia Huschka, Budget Manager, reviewed the budget process to this point, and advised that today's hearing will bring closure to the 1999 budget process. She indicated that work had begun in August, and that the budget document was available two weeks ago. The budget document gives the details of the 1999 Budget. She proceeded to review the revenues of the Current Expense Fund, which is up 4.7% from 1998. The entire 1999 budget is also increased by 4.7% over 1998, for a total of \$76,605,080. Ms. Huschka advised that full time equivalent employees will drop from 599 to 595. She detailed various personnel additions and changes throughout the County.

Ms. Huschka next discussed revenues, both increases and decreases. She advised that there is growth in sales tax revenue, but that such revenues are still not up to the levels of 1994. She discussed various revenues that will be decreased in 1999.

Ms. Huschka then reviewed the projects and goals contained in the 1999 Budget, including maintaining a balanced budget for the current expense fund while keeping reserves in place, combining the Juvenile Probation and ARIS Program in to one department, making capital improvements including work at Pressentin Park in Marblemount, and the Swinomish Boat Launch, together with various uses of the Real Estate Excise Tax fund monies.

After a brief discussion regarding various fund balances, expenditures and revenues, Chairman Hart opened the public hearing.

Randy Good, 25512 Minkler Road, Sedro Woolley, stated that this is the biggest budget request in Skagit County's history, which means that the citizens will pay another tax increase. He identified himself as the Chairman of CART, and informed the Board that it is their sworn duty to uphold the Board's obligation to citizens and eliminate all proposed budgeted items for the Cascade Trail. He stated that Skagit County may be liable for this taking. Mr. Good stated that the County Road Fund has expenses exceeding its revenues for 1999, but funds are being siphoned into the Cascade Trail project, a project that has pending litigation. He stated that there has been no feasibility study on this project, and that there is no clear title to the property until the Year 2000. Further, he stated that there have been no SEPA, Shorelines or EIS requirements fulfilled, and no hydraulics permit obtained. Mr. Good indicating that the Sheriff's Office has received an increase of 10.5% in services calls to the trail, and is unable to respond to such calls. Mr. Good quoted both Jon Aarstad, Parks Department Director, and the Sedro Woolley Courier Times newspaper. He stated that his group's rights have not been addressed. Mr. Good stated that the Washington State Constitution requires that the landowners' property rights need to be legally and adequately addressed before this project can proceed. He stated that the Public Works Department Director, Chal Martin, was forced to go around the Constitution to work on this project. Mr. Good stated that the Planning Commission defended the intent of the Transportation Element of the Comprehensive Plan, and indicated he would submit a transcript from that meeting. He demanded that the landowners property rights be legally and adequately addressed. He stated that Fund 341 shows \$900,000 in the preliminary budget, of which \$333,000 is designated for the "Woodmansee Trail." He stated that Skagit County taxpayers are not ready for that type of expenditure, and he asked that the Board eliminate all references to the Cascade Trail in the 1999 Budget, including the statement in the budget message. He asked the Board to acknowledge the enormous amount of support throughout Skagit County from people who cherish their constitutional beliefs. He urged the Board to find it in their hearts to do the same.

Chairman Hart asked Mr. Good if in fact his own attorney had stated that there is no question of ownership of the Cascade Trail. He asked if the attorney perjured himself or had Mr. Good perjured himself.

Mr. Good responded that this was not a court of law and he was not obligated to answer that question.

Jan DeBoer, 8107 Owens Lane, Concrete, commented on the expenditure of budget monies on the Cascade Trail. She stated that the Sheriff cannot maintain or control the trail. She urged the Board not to approve the

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paving of the trail, as it will only encourage motor vehicle usage. Ms. DeBoer indicated that the trail is rarely walked on, and that the County cannot maintain the parks they already own and control.

Jack Crawford, 15239 Bear Road, Mount Vernon, stated that he has not followed the budget process, but that his interest was tweaked when he attended a Fair Board meeting recently. He commented that the County has not done much to know where they are going with the Fairgrounds. He urged the Board to hire a private group to run the Fair. He questioned why there is money to spend on the Rails-to-Trails project, while the Northern State area sits idle. He stated that the Trail would not be used nearly as much as the fairgrounds, which could be used year round. He commented regarding the public abusing adjoining property owners and public property. He stated that if the County has \$500,000 to spend, it should go to our existing fairgrounds or to the Northern State area.

Judy Lipsey, 35701 Lyman-Hamilton Road, Sedro Woolley, displayed pictures of the Cascade Trail which she does not want improved, and many of the areas of the Trail are frequently flooded.

Carol Ehlers, Windcrest Lane, West Fidalgo Island, spoke to a major error on page 129 of the budget document for the Drainage Utility Fund. She commented that since the Drainage Utility Fund was created essentially for capital projects, the budget needs to reflect the actual expenditures. She further noted the need to list intergovernmental projects and explain where County monies are spend in relation to other jurisdictions.

Ms. Ehlers stated that growth management mandates a capital facilities budget. Every capital improvement section for the County should be included. The only departments included in the 1999 budget in this regard are the Parks and Public Works Department. She stated that she did not see anything that would make the Parks Comprehensive Plan conform with the overall Skagit County Comprehensive Plan. She commented on the need to have transparency in government, so that there is continuity in the process.

Tom Oliver, 3060 Lyman Hamilton Road, expressed concern for the Skagit Bicycle Pass, and asked why the Parks Department approved this plan to produce miles of hazardous surface to the trail. He stated that there are few people who walk on the trail and few people who ride horses. He stated that people on horseback will be at risk if the path is paved, and the Parks Department would be held liable for injuries to the public. He stressed that this is a place for a trail, not a paved bicycle path. He asked three questions: 1) Has an EIS been done? 2) Is the designer from Seattle because that is where you see paved walkway? And 3) Why do it at all?

Leonard Halverson, 11558 Sterling Road, Sedro Woolley, indicated that the County does not own the Cascade Trail property until adverse possession is claimed. He urged the Board not to spend additional money until the ownership question has been answered. He next spoke regarding the Drainage Commission and the Board's efforts in "getting rid" of the Commission members. He spoke briefly regarding the demolition of the Highway 9 Bridge, and offered to share with the County the complete mechanical drawing of the bridge when it was originally built.

Ralph Clemons, PO Box 202, Lyman, stated that CART is challenging Skagit County's authority to do what they have done regarding the Cascade Trail in the first place. He then stated his protest and objection to the constant growth of government and the County's budget. He compared the County to private corporations modernizing and downsizing, while government continues to get bigger and bigger. He noted that the budget is \$76,000,000, which is almost \$1,000 for very inhabitant of Skagit County. He stated that his property taxes will be raised by \$120 per year, and that he pays the highest fees for removing his trash and garbage. He stated that, in his opinion, it is time for the government to starting contracting out its services or moving such services overseas.

Ed Lipsey, Hamilton, indicated that he has attended many meetings of the Board where the citizens are told nothing will happen with the Cascade Trail, and then six months later there is \$250,000 appropriated for this same purpose. She spoke against paving the Cascade Trail. He urged the Board to listen to Commissioner Anderson.

Mary Oliver, 32638 Lyman-Hamilton Road, stated that she does not want the Cascade Trail paved, but is not against the trail itself. She stated that she has only seen children with dogs and horses, and motorcycles utilizing the trail. She commented that the money designated for this project should be spent on a youth group, or on Francis Road, which is full of potholes. Commissioner Wolden clarified that Francis Road is the responsibility of the City of Mount Vernon. Ms. Oliver commented on her concern that the County will be liable if someone falls on

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the paved surface of the Cascade Trail, and further on the possibility of increased theft and crime for the adjoining property owners.

Ellen Nulson, 16417 Minkler Road, spoke regarding the question of ownership of the Cascade Trail. She commented that taxing the entire County to put in a facility for those few people who want a trail seems the height of folly. Ms. Nulson stated that the County would be better served having a private group manage this project rather than funneling money through the Parks Department. She stated that her main objection is that the County is taxing everyone to provide a facility for only a few people.

There being no further public comment forthcoming, Commissioner Wolden moved for the public hearing to be closed. Commissioner Anderson seconded the motion, which passed unanimously. The public hearing was closed.

Commissioner Anderson stated that when he was elected County Commissioner, he realized Rails-to-Trails was an issue. He spoke to the inability to mitigate the concerns of those who live along the Trail. He stated that the money is in the budget and can be used on any trail. The money comes from the Special Paths Fund, and must be used as the name implies. He stated that he has heard more on this issue than any other issue. Commissioner Anderson talked briefly about the problems of motor vehicles on the Trail, and the difficulties policing such usage. He suggested deleting this \$200,000 from specific usage for the Cascade Trail.

Mr. Woodmansee indicated that the Board would have to authorize a call for bids to access the monies. He further explained that approximately \$50,000 would be needed to complete the work to be done this Fall, which includes restroom facilities, access, and fencing. The 1999 workplan includes paving 25% of the Cascade Trail.

Commissioner Wolden stated that paving of the Trail has never been anything that the Board has said they would support.

Commissioner Anderson reiterated that the biggest problem is finding ways to mitigate the Trail with the adjoining neighbors.

Mr. Woodmansee stated that the comments of Randy Good are generally inaccurate, and that it is harmful to deal with information that is inaccurate. He quoted from the Plaintiff's brief in the subject lawsuit stating that the ownership of the Trail is not in question.

Mr. Woodmansee further commented on significant areas and events of the 1999 Budget. He stated that tipping fees are dropping \$5 per ton, and the current expense levy is at one of the lowest levels. He indicated that there are very few entities that have such a good track record. Mr. Woodmansee indicated that the County cannot opt out of some portion of the provision of required services or change market strategies, as the County is required by law to operate the County Jail, provide public defenders, and offer other related public services. He stated that the County is making major changes to Cook Road, with the County acting as the project manager. He spoke to other important items, including the third year of the Skagit River Feasibility Study, GIS Mapping and Geographical Data for citizens, and coordination with the City of Mount Vernon to utilize the County's computer system. He further mentioned improvements to Pressentin Park, Skagit County Playfields, expanding the weight room at Concrete High School for community access, construction of the Swinomish Boat Launch, Growth Management Act Compliance, Development Code, and the incorporation of HB 6094 into the Comprehensive Plan. The County has approved two new appraisers to get new construction on the tax roles. Further, Mr. Woodmansee detailed that East County efforts include a possible Family Resource Center in Concrete, development of the Northern State Recreational Area, the possible acquisition of the Rockport State Park, and the development of Silo Park in Concrete. He advised the that Board had specifically approved the \$200,000 earmarked for the Cascade Trail during budget work sessions. He commented on the Board's difficult challenges, and asked the Board to do what is ultimately the best for the entire County.

Commissioner Anderson questioned the necessity to specifically direct that the \$200,000 be used for the paving of the Cascade Trail

Chairman Hart suggested removing the reference to "paving 25% of the Cascade Trail" from Page 80, leaving the dollar amount and rest of the budget intact.

Commissioner Wolden moved to adopt the 1999 Budget with Chairman Hart's proposed language change within the Budget document on Page 80. The motion was seconded by Commissioner Anderson. The motion passed with a unanimous vote. **(Resolution No. 17239)**

PUBLIC HEARING – CONSIDERATION OF TESTIMONY REGARDING THE SALE OF SURPLUS COUNTY PERSONAL PROPERTY.

John Gold, Forestry Consultant, made a brief presentation on the location of the proposed logging and reviewed a map showing the exact location of the proposed timber to be sold.

Chairman Hart opened the public hearing.

Rusty Middleton, asked Mr. Gold a few pertinent questions regarding the specifics of the timber harvesting. On query to the Board about where the money received would go, Chairman Hart informed Mr. Middleton that the money was dedicated to fund Pressentin Park in Marblemount. Mr. Middleton stated that he represents the Skagit Audobon Society and that they are opposed to the clearcutting portion of the proposal as there is high value to wildlife habitat.

Elsa Gruber, Box 21, LaConner, clarified that this parcel is an undeveloped parcel in the Parks Department inventory. Mr. Gold also confirmed that the parcel has not been developed and is not intended to be developed. She expressed the understanding that this area may make a fine park after replanting. Mr. Gold briefly described the replanting plans. On additional query to Mr. Gold, he explained the specifics of the plan for harvesting the timber.

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

Commissioner Wolden moved to approve the surplussing of the referenced County personal property, and to call for bids for the sale of the timber as described by Mr. Gold. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17240)**

REVIEW OF 1997 COMPREHENSIVE PLAN AMENDMENT RECOMMENDATIONS FROM THE PLANNING COMMISSION.

Gary Christensen, Assistant Director, reviewed a November 23, 1998 forwarding a referral from the Skagit county Planning Commission of the 1997 Annual Amendments to the Skagit County Comprehensive Plan.

Mr. Christensen advised that the Board has the following options:

- 1) Approve or reject the Planning Commission Comprehensive Plan Amendment recommendations; or
- 2) If the Board of County Commissioners decides to change the Planning Commission's comprehensive plan amendment recommendation(s) and it is in the public interest, the Board must remand the matter back to the Planning Commission for a public hearing on the proposed change. The Planning Commission, after conducting a public hearing on the Board's proposed amendment, extension, or changes, may recommend further revisions. After receiving the Planning Commission's recommendation(s), or after the lapse of the prescribed time for the rendering of such a recommendation, the Board can either adopt their proposed change as heard by the Planning Commission or adopt any revisions the Planning Commission may recommend without further public hearing provided that the plan, change or addition conforms either to the proposal as initiated by the Board or the recommendations by the Planning Commission. If the Planning Commission has failed to report within a 90-day period, the Board shall hold at least one public hearing on the proposed plan, change or addition. Thereafter the Board may proceed to approve by motion and certify the proposed comprehensive plan or any amendment or addition thereto.

Mr. Christensen read from the Planning Commission's recorded motion, detailing verbatim the recital clauses to such recorded motion.

Mr. Christensen next asked the Board how they wish to proceed, whether individually or by groups. The Board indicated that they would group those items that they could, but would like to consider each amendment individually. They began considering the items from the Planning Commission's Recorded Motion dated November 3, 1998 regarding the 1997 Annual Amendments to the Skagit County Comprehensive Plan.

Chairman Hart indicated that Items 1-14A from Appendix A, are all technical mapping errors that the Board had previously reviewed and agreed were in error. He suggested that these could be lumped together and approved. In this regard, Commissioner Anderson moved to approve and uphold the Planning Commission's recommendation of Items 1-14A of Appendix A. Commissioner Wolden seconded the motion, which passed with a unanimous vote.

The Board next considered Item 14(B) of the Planning Commission's recommendation. Chairman Hart indicated that this item was not presented as a petition for a Comprehensive Plan amendment, and therefore, no public hearing was held and no public input was obtained. Mr. Christensen confirmed that there was no public notice or input concerning this matter. Chairman Hart reiterated that site specific properties were directed to the Planning Commission, and even though we may all agree that such property needs to be redesignated, there was no public notice given and procedurally this is in error.

John Moffat, Chief Civil Deputy, stated that the Planning Commission's actions on this were to be guided by your instructions in Resolution 16853 and the Planning Commission could not consider properties the Board did not authorize the Planning Commission to consider. Consequently, legal notices only concerned the parcels described in Resolution No. 16853. Mr. Moffat indicated that this causes a public participation problem, as there was no notice to the public that these parcels would be changed.

Chairman Hart stated that those who never applied should be rejected and they should have to apply. He stated that those who have applied need to be reconsidered with 6094 criteria applied.

Commissioner Anderson concurred that 6094 might make some of these parcels allowable, but that these were not specifically referred parcels at this time. He indicated that those rejected without 6094 should be resubmitted under 6094 criteria.

Mr. Christensen spoke briefly to the procedure of applying the 6094 criteria to these properties.

After further discussion, Commissioner Wolden moved to reject Item 14(B) as it is outside of the context of Resolution No. 16853. Chairman Hart seconded the motion, which passed unanimously.

The review then proceeded to Appendix B of the Planning Commission's Recorded Motion.

Chairman Hart moved to approve the Planning Commission's recommendation for items 1, 2 and 3, stating that such recommendations for redesignation were supported by existing criteria. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Hart moved to approve the recommendations of the Planning Commission on page 7-28, items 4, 5, 6, and 7. Commissioner Wolden seconded the motion, which passed with a unanimous vote.

Mr. Christensen next reviewed the three recommendations for Don Clark, No. 8. Commissioner Hart commented on the activities of the governor's office and proposed legislation that may be beneficial to Mr. Clark in the future. It was noted that the property listed in 8(B) was not included in the original amendment request. Consequently, it did not receive the proper public process. Commissioner Hart moved to approve the recommendations of the Planning Commission for Mr. Clark, items 8 and 8(A), and rejecting the recommendation for 8(B) as listed on page 8-28. Commissioner Anderson seconded the motion, which passed unanimously.

Mr. Christensen next reviewed the recommendations for Jim Cook, Item 9. After a brief discussion, Commissioner Anderson moved to approve the Planning Commission's recommendations for Items 9, 9(A) and

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9(B), while rejecting Item 9(C). Chairman Hart seconded the motion. Commissioner Wolden stated that he could not vote for the approval of 9(B). Upon call for the question, Commissioners Anderson and Hart voted for the motion and Commissioner Wolden voted against the motion. The motion passed.

Mr. Christensen reviewed the recommendation for Sterling Crum, Item 10. Mr. Christensen displayed a map of the exact location of the subject property. Chairman Hart moved to approve the Planning Commission's recommendation for denial without prejudice. The motion was seconded by Commissioner Wolden, and passed with a unanimous vote.

Mr. Christensen reviewed the recommendations for Danielson, Ensley, Ferreria, Foss and Gilbertson, Items 11-15. Chairman Hart moved to approve Planning Commission's recommendations for Items 11, 12, 13, 14, and 15 on page 10-28. Commissioner Anderson seconded the motion, which passed unanimously.

After a brief discussion regarding Item 16 (William Handy), the Board decided to consider this matter with the others along West Mount Vernon later in the session.

Mr. Christensen reviewed the recommendations for J.V. Harris, Item 17, and Heilman Property, No. 18 on page 11-28. Mr. Christensen reviewed the recent public hearing held by the Hearing Examiner and the Board's subsequent approval of the Hearing Examiner's recommendation via Resolution No. 17218. Commissioner Wolden moved to uphold the Planning Commission's recommendation for denial without prejudice for No. 17, J.V. Harris. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Anderson then moved to uphold the Planning Commission's recommendation for the Heilman Property, No. 18, recommending redesignation from Rural Reserve to Rural Intermediate. The motion was seconded by Commissioner Wolden, and passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendation for Item No. 19, Paul Isaacson. Chairman Hart moved to approve the Planning Commission's recommendation for redesignation from Agriculture to Rural Reserve. Commissioner Wolden seconded the motion, which passed unanimously.

Mr. Christensen next reviewed the Planning Commission's recommendation for No. 20, Gary Johnson, for a denial without prejudice. Commissioner Anderson stated that there is no economic reason for this land to remain agricultural. Dave Hough, Consultant, stated that when the Planning Commission looked at this property, they were concerned that if they redesignated this parcel, it may affect the remainder of the properties to the west and east. Commissioner Hart moved to uphold the Planning Commission's recommendation for denial without prejudice. Commissioner Wolden seconded the motion. Commissioners Hart and Wolden voted for the motion, and Commissioner Anderson dissented. The motion passed with a 2-1 vote.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 21, Bruce Jones. Chairman Hart moved to uphold the Planning Commission's recommendation for removal of the Mineral Resource Overlay designation. Commissioner Anderson seconded the motion, which passed with a unanimous vote.

Mr. Christensen next reviewed the recommendations of the Planning Commission for Item 22, C.B. Jones. Commissioner Anderson moved to approve the Planning Commission's recommendations for Items 22(A) and 22(B), rejecting Item 22(C) as the property was not included in Resolution No. 16853. Chairman Hart seconded the motion, which passed unanimously.

The Planning Commission recommendation for Item 23, George Klein, was reviewed. Mr. Christensen explained that the Planning Commission recommended redesignation from Rural Resource to Rural Reserve. Commissioner Anderson moved to uphold the Planning Commission's recommendation. The motion was seconded by Commissioner Wolden, and passed with a unanimous vote.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 24, Phyllis Lamb. Commissioner Anderson moved for approval of the Planning Commission's recommendation. Chairman Hart seconded the motion, and it passed unanimously.

Mr. Christensen reviewed Items 25 (Barbara Lutz) and 26 (Scott MacMurchie), which the Planning Commission recommended denial without prejudice. Commissioner Wolden moved to uphold the recommendation of the

Planning Commission for items 25 and 26. Commissioner Anderson seconded the motion, which passed unanimously.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 27, James Mathis. Commissioner Anderson moved to uphold the Planning Commission's recommendation for redesignation from Rural Resource to Rural Reserve. Chairman Hart seconded the motion, which passed with a unanimous vote.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 28, Carl Matthiesen, for a redesignation from Rural Resource to Secondary Forest. Commissioner Wolden moved to uphold the Planning Commission's recommendation. Chairman Hart seconded the motion, which passed unanimously.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 29, McCorkle Trust. He advised that the recommendation was for a denial without prejudice. Commissioner Hart moved to approve the Planning Commission's recommendation, and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 30, Hollis Merchant, for denial without prejudice. Commissioner Wolden moved to approve the Planning Commission's recommendation. Chairman Hart seconded the motion. Upon call for the question, Commissioners Wolden and Hart voted for the motion, and Commissioner Anderson dissented. The motion passed, 2-1.

Mr. Christensen reviewed the recommendations of the Planning Commission for Items 31, 31(A) and 31(B) for Earl Morgan. Commissioner Hart moved to approve the Planning Commission's recommendations for Items 31 and 31(A), but rejecting Item 31(B). Commissioner Anderson seconded the motion, which passed with a unanimous vote.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 32, Dave Nelson. This recommendation approves redesignation from Rural Resource to Rural Intermediate. Commissioner Anderson moved to uphold the Planning Commission's recommendation. Commissioner Hart queried Staff regarding the findings that indicated that this was not an inadvertent application or technical mapping error. Mr. Christensen referred to the parcel density map and stated that the parcel density calculations were calculated on what was once a 40 acre tract. After reviewing specifics, Commissioner Anderson withdrew his original motion, and moved to remand this item back to the Planning Commission. Commissioner Wolden seconded the motion, which passed unanimously. Item 32 will be remanded back to the Planning Commission for further review.

Mr. Christensen reviewed the recommendation of the Planning Commission for Item 33, Morris Nilson, which recommended redesignation from Rural Resource to Rural Reserve and removal of Mineral Resource Overlay. Commissioner Anderson moved to approve the Planning Commission's recommendation for Item 33. Commissioner Wolden seconded the motion, which passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for denial without prejudice for Item 34, Bill Olson. Mr. Christensen reviewed with the Board the exact location of the subject property. It was noted that it would make sense to consider this as a study area in the future. Chairman Hart moved to approve the Planning Commission's recommendation for denial without prejudice. Commissioner Wolden seconded the motion, which passed unanimously.

Mr. Christensen next discussed the Planning Commission's recommendation for Stan O'Neil, No. 35, which is a recommendation for redesignation from Rural Reserve to inclusion into Mount Vernon urban growth area (Commercial/Industrial). The Board decided to make no decision on this item at this time.

Mr. Christensen reviewed the Planning Commission's recommendation for denial without prejudice for Item 36, Larry Pinnow. Chairman Hart moved for approval of the Planning Commission's recommendation for denial without prejudice. Commissioner Anderson seconded the motion, and it passed with a unanimous vote.

Mr. Christensen advised that the request was withdrawn for Item 37, Jim Pipers.

Mr. Christensen reviewed the Planning Commission's recommendation for Item 38, Kenny Portis. This is a recommendation for redesignation from Rural Reserve to Rural Resource and Mineral Resource Overlay. Chairman Hart moved to approve the Planning Commission's recommendation. The motion was seconded by Commissioner Anderson, and passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for Item 39, Nancy Price. This recommendation is for redesignation from Industrial Forest to Secondary Forest. Commissioner Anderson moved to uphold the Planning Commission's recommendation, and Commissioner Wolden seconded the motion. The motion passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendation for Morris Robinson, Item 40. Upon query from Anderson, Mr. Christensen reviewed the Land Use Study reassessment of mineral resources. Commissioner Wolden moved to uphold the Planning Commission's recommendation for denial without prejudice. Commissioner Anderson seconded the motion, with the proviso that this area become a study area in the future. The motion passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendations for Monte Ruble, items 41(A) and 41(B). After a brief discussion concerning the location of this property, Commissioner Wolden moved to reject the Planning Commission's recommendation for Items 41(A) and 41(B). Chairman Hart seconded the motion, and the question was called for. Commissioners Hart and Wolden voted for the motion, and Commissioner Anderson dissented. The motion passed with a 2-1 vote.

Mr. Christensen reviewed the Planning Commission's recommendations for Fred Semays, Items 42(A) and 42(B). Commissioner Anderson moved to approve the Planning Commission's recommendation for Item 42(A) and reject the recommendation for 42(B). Chairman Hart seconded the motion. Commissioners Anderson and Hart voted for the motion, and Commissioner Wolden dissented. The motion passed with a 2-1 vote.

Mr. Christensen reviewed the Planning Commission's recommendation for Item 43, Robert Sjoboen, which was a recommendation for denial without prejudice. Commissioner Wolden moved to uphold the Planning Commission's recommendation. Commissioner Anderson seconded the motion, which passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for a denial without prejudice for Item 44, Skagit County Sewer District No. 2. Commissioner Anderson moved to uphold the Planning Commission's recommendation of denial. Commissioner Wolden seconded the motion, and it passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendation for denial without prejudice for No. 45, Taylor Brothers. Commissioner Anderson commented that this action takes away every right that this property owner has. Mr. Christensen indicated that the City of Sedro Woolley has not supported this redesignation request. Chairman Hart moved to uphold the Planning Commission's recommendation for denial of this request. Commissioner Wolden seconded the motion. The question was called for and Commissioners Wolden and Hart voted for the motion, with Commissioner Anderson voting nay. The motion passed, with a 2-1 vote.

Mr. Christensen reviewed the Planning Commission's recommendation for denial without prejudice for Item 46, George Theodoratus. Commissioner Anderson moved to uphold the Planning Commission's recommendation for denial. Chairman Hart seconded the motion, and it passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for denial without prejudice for Item 47, Barbara Thompson. Chairman Hart moved to uphold the Planning Commission's recommendation for denial. Commissioner Wolden seconded the motion, which passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendation concerning Item 48, Charles Trafton. Commissioner Anderson made a motion to approve the Planning Commission's recommendation for redesignation from Rural Reserve to Rural Intermediate. A brief discussion ensued, and the Board tabled this item until the entire study area is considered.

Mr. Christensen reviewed the Planning Commission's recommendations for Item 49, Stanley Walters, and Item 50, Department of Fish and Wildlife. Both of these items were recommended denial without prejudice.

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Commissioner Wolden moved to uphold the Planning Commission's recommendation for denial for Items 49 and 50. Commissioner Anderson seconded the motion, which passed with a unanimous vote.

Mr. Christensen reviewed the Planning Commission's recommendation for adjusting the Bayview Rural Village designation for Item 51, Paul Weyer. Chairman Hart moved to approve the recommendation of the Planning Commission, and Commissioner Anderson seconded the motion. The motion passed unanimously.

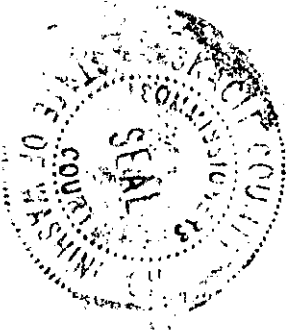
Mr. Christensen reviewed the Planning Commission's recommendation for denial for Item 52, Gary Williams. Commissioner Anderson moved to uphold the Planning Commission's recommendation for denial. Commissioner Wolden seconded the motion, which passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for denial for Item 53, Wylie, Inc. Commissioner Anderson moved to uphold the Planning Commission's recommendation for denial. Commissioner Wolden seconded the motion, which passed unanimously.

Mr. Christensen reviewed the Planning Commission's recommendation for redesignation from Agriculture to Rural Reserve for Item 54, Ken Youngsman. Commissioner Hart moved to uphold the Planning Commission's recommendation. Commissioner Anderson 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**

A handwritten signature in cursive script, appearing to read "Robert Hart".

Robert Hart, Chairman

A handwritten signature in cursive script, appearing to read "Ted W. Anderson".

Ted W. Anderson, Commissioner

A handwritten signature in cursive script, appearing to read "Harvey Wolden".

Harvey Wolden, Commissioner

ATTEST:

A handwritten signature in cursive script, appearing to read "Patti J. Chambers".

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

**SKAGIT COUNTY PLANNING COMMISSION
RECORDED MOTION REGARDING
1997 ANNUAL AMENDMENTS TO THE
SKAGIT COUNTY COMPREHENSIVE PLAN**

Whereas, on January 29, 1998, the Skagit County Board of Commissioners adopted Resolution #16853 (incorporated herein and attached as Exhibit A) which requested a report and recommendation from the planning agency on 1997 comprehensive plan land use redesignation requests (97 CPAs); and

Whereas, Skagit County's first year amendments to the comprehensive plan were limited under Resolution #16853 to the application of *existing* land use designation criteria on property-specific (landowner initiated) and County identified geographical areas to address "technical mapping errors or inadvertent application of designation criteria." This re-assessment allows for errors to be corrected and new information to be considered at a level of review that was not conducted as part of Skagit County's county-wide comprehensive planning process; and

Whereas, the Skagit County Planning Commission has proposed comprehensive plan land use redesignations for areas not identified in Resolution #16853 based on recommendations contained herein to avoid incompatible and undesirable land use designations and to insure orderly growth. Such recommendations are in bold and so noted; and

Whereas, the Skagit County Planning Commission in reassessing individual properties (not study areas) for Rural Intermediate designation have utilized comprehensive plan policy 7.8.2 of the land use element (page 4-25), and have interpreted "existing and/or surrounding parcel density" to mean "existing lots or parcels that are contiguous or adjacent to the subject parcel(s)," and when reviewing Department parcel density calculations located within Exhibit C have elected to exclude the subject property when applying the mean and/or medium methodology for surrounding parcel density; and

Whereas, on March 12, 1998, a Skagit County Planning & Permit Center (Department) report and recommendation (incorporated herein as Exhibit B), a State Environmental Policy Act (SEPA) threshold determination of non-significance (DNS), and a bound volume titled "1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853" (incorporated herein and attached as Exhibit C) were made available to the public regarding the proposed 97 CPAs; and

Whereas, on April 16, 1998, a legal notice was published that the Skagit County Planning Commission would conduct a public hearing on May 5, 1998 to receive public testimony and written correspondence both for and against the proposed 97 CPAs; and

Whereas, on May 5 and 7, 1998, the Skagit County Planning Commission held public hearings on the above matter where all were afforded an opportunity to submit written correspondence and/or speak on the merits of the proposed 97 CPAs; and

Whereas, on May 22, 1998, the Department in a memorandum to the Skagit County Planning Commission (incorporated herein and attached as Exhibit D) addressed written correspondence (incorporated herein as Exhibit E) and public testimony received on the proposed 97 CPAs; and

Whereas, on May 26 and 28, June 9 and 25, July 2, and August 18, 1998, the Skagit County Planning Commission met in regular scheduled sessions to review, deliberate and vote on the proposed 97 CPAs; and

Whereas, the Skagit County Planning Commission has deliberated on the merits of the proposed 97 CPAs and has considered the extensive record in this matter; and

Whereas, on October 27 and November 3, 1998, the Skagit County Planning Commission met during a public meeting(s) to review their previous actions and to adopt findings on the proposed 97 CPAs which are described below and as illustrated on the maps in Exhibit F:

APPENDIX A of Resolution # 16853

1. Bates, Lawrence - *Recommend redesignation from Rural Resource to Rural Intermediate*

The subject properties are located in the area adjacent to the Birdsvew study area. The area does not meet the designation criteria for Rural Resource. Existing commercial uses on the property preclude natural resource land management. The only natural resource land designation criteria that the Bates property complies with is private forest land grades 1-3. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. A Rural Intermediate designation is consistent with the recommended land use redesignations within the Birdsvew study area. See Appendix C, #5 findings below. The subject properties meet the Rural Intermediate, parcel density-designation criteria. See Exhibit F, #22.

2. Blanton, George - *Recommend redesignation from Rural Resource to Rural Intermediate*

The subject property does not meet the designation criteria for Rural Resource and the proximity to existing commercial development precludes natural resource land management. The only natural resource land designation criteria that the Blanton property complies with is private forest land grades 1-3. A Rural Intermediate designation is consistent with the recommended land use redesignations within the Birdsvew study area. See Appendix C, #5 findings below. The analysis in the Department's 1997 Annual Review of Landuse

Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #22.

3. Bow Hill Land Company - *Recommend redesignation from Rural Resource to Rural Reserve*

The subject property does not meet the natural resource land designation criteria for Rural Resource. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #9.

4. City of Mount Vernon - *Recommend redesignation from Residential/Agriculture to Residential (R-1-6.0) and Commercial to Commercial/Industrial in Mount Vernon UGA*

A. The recommendation is to redesignate the South Wall Street properties to Residential (R-1-6.0). The subject properties were mapped in error and the corrections reflect existing land uses. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Requests Volume 1 (November 20, 1997) is incorporated herein. See Exhibit F, #29.

B. The recommendation is to redesignate the Smith tractor property to Commercial/Industrial. The subject property was mapped in error and the corrections reflect existing land uses. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Requests Volume 1 (November 20, 1997) is incorporated herein. See Exhibit F, #29.

5. City of Sedro-Woolley - *Recommend redesignation from Heavy Industrial to Light Industrial in Sedro Woolley UGA*

The recommendation is to redesignate the subject property to Light Industrial to reflect existing land uses. A technical mapping error occurred when mapping the subject property. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #30.

6. Colson, Thomas - *Recommend adding Mineral Resource Overlay designation*

The recommendation is to add the Mineral Resource Overlay (MRO) designation to an existing gravel operation. The MRO designation was inadvertently left off the subject property. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #3.

7. Crown Pacific Ltd. - *Recommend redesignation from Agriculture to Rural Reserve*

At one time the underlying soils may have been valued for their agricultural or timber management qualities but the site improvements and past land uses (log sorting and storage) preclude the use of the property for soil based agriculture and there is no longer any standing timber. The subject property is currently home to the regional headquarters for Crown Pacific Ltd. A majority of the Agriculture and Rural Resource designation criteria is not satisfied. None of the subject parcels are larger than 40 acres in size, many are less than 5 acres in size. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #19.

8. Goodell, Dean - *Recommend redesignation from Rural Resource to Rural Reserve*

The designation of the 9-acre parcel as Rural Resource was a technical mapping error. The subject property does not meet the designation criteria for Rural Resource. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. It was also noted that adjacent properties have been divided into 5-acre tracts via a County approved land division (Viewcrest). Section 2 of Ordinance # 16291 (Adopting Natural Resource Land Designations and Protection Measures) provides for reconsideration of NRL designated lands when there may be "vested short plat, long plat or PUD applications pending that have not received a final decision from the County." Therefore, the 40-acre parcel is recommended for redesignation to Rural Reserve because the 160 acre block of Rural Resource land designation criteria can not be satisfied. See Appendix D, #18 findings below. See Exhibit F, #17.

9. Janicki, John - *Recommend redesignation from Heavy Industrial to Light Industrial in Sedro Woolley UGA*

The recommendation is to redesignate the subject property to Light Industrial to reflect existing land uses. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. The City has supported the request and has indicated that a mapping error had occurred. See Appendix A, #5 findings above. See Exhibit F, #30.

10. Klingel, Jean - *Recommend redesignation from Rural Resource to Rural Reserve*

The property does not meet the designation criteria for Rural Resource. The redesignation is based on updated assessor's parcel maps that indicate the subject property was short platted. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #18.

11. Koth, Ben - *Recommend redesignation from Agriculture to Rural Intermediate*

The parcels do not meet most of the Agriculture designation criteria. The 2.04 & 2.39 acre parcels are adjacent to Rural Intermediate designation. The subject properties meet the criteria for designation as Rural Intermediate. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #12.

12. Lennox, Monty - *Recommend redesignation from Industrial Forest to Secondary Forest*

Recommendation is for redesignation of the SE ¼ SE ¼ in Section 2 and the NE ¼ NE ¼ in Section 11, T35N, R8E, W.M to Secondary Forest, both of which are less than 40 acres when excluding Everett Lake. The two above described parcels are more closely associated with the land uses and parcel sizes of properties to the west. The two parcels were inadvertently designated Industrial Forest since they meet the designation criteria for Secondary Forest. The subject parcels do not contain PFLG soils 1-5. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's memorandum (May 22, 1998) is incorporated herein. See Exhibit F, #24.

13. Mallet, Betty - *Recommend redesignation from Industrial Forest to Secondary Forest*

Based on the 1.9 acre parcel size, it was determined that the Industrial Forest designation was a mapping error. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #25.

14. Moore, Anne; Robinson, Mary Ann - *Recommend redesignation from Industrial Forest and Secondary Forest to Rural Reserve and Secondary Forest*

A. The petitioner's subject property (22 and 7 acre parcels) contains three different designations. Placing the entire parcel under a Rural Reserve designation creates a consistent land use designation pattern. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #25.

B. ***Properties/Areas Not Included in Resolution #16853.*** The SE 1/4 SE 14 of Section 19, and the N 1/2 SW 1/4 SW 1/4 of Section 20 and the SE 1/4 SW 1/4 of Section 20, all of which are within T35N, R10E, W.M. is recommended

to be redesignated from Industrial Forest to Secondary Forest thereby creating a 1/4 mile buffer between the rural designation and the Industrial Forest designation. This recommendation complies with the Secondary Forest designation criteria. See Exhibit F, #25.

APPENDIX B of Resolution # 16853

1. Abenroth/Rockafellow - *Recommend redesignation from Agriculture to Rural Reserve*

The subject properties were mapped in error under Agricultural designation criteria since the lots are not in the open space taxation program; are not in agricultural use and have not been for 15 years; and, the majority of the lots are utilized as single-family residential homes. The designation of Rural Reserve would be an extension of the existing adjacent land use designation and would not create an island in the natural resource area. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #10.

2. Adamitz, Harry - *Recommend redesignation from Rural Resource to Rural Intermediate*

The recommendation is to include the parcel that currently abuts Rural Intermediate on two sides. The existing land use designation boundary inadvertently divided a small parcel. This was discovered upon reviewing updated assessor parcel maps. The remaining parcel (most northerly) does not meet the land use density criteria for Rural Intermediate. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #8.

3. Benson, Vic - *Recommend redesignation from Industrial Forest to Secondary Forest*

The recommendation is to redesignate the 40- acre parcel to a Secondary Forest land designation. This is mapping error since both 40-acre parcels owned by the petitioner only share a common corner, are deemed not contiguous and therefore do not meet the land use designation criteria for Industrial Forest. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon

Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #14.

4. Brown, Peter - *Recommend denial without prejudice*

The request is for inclusion into the Big Lake UGA. The Big Lake UGA is a non-compliant UGA based on the Western Washington Growth Management Hearing Board's Final Decision and Order (Case # 97-2-0060c) and is the subject of reassessment, analysis, and future legislative action. Changes within and surrounding the UGA should be considered during this process. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

5. Bussing, Ray - *Recommend denial without prejudice*

The request was one of many received within the Day Creek area including a petition against any changes. The area was not selected as a study area for regional review. It is recommended that the citizens submit for a Comprehensive Plan Amendment Petition requesting a community planning process as described in Chapter 14 of the Comprehensive Plan. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

6. Cecotti, Gino - *Recommend denial without prejudice*

The proposed request does not meet the criteria on surrounding parcel density for designation as Rural Intermediate. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

7. City of Anacortes - *Recommend denial without prejudice*

The request was beyond the scope of review. The UGA expansion is not a technical mapping error or inadvertent application of designation criteria. The request should be addressed as an annual Comprehensive Plan amendment. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation

Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

8. Clark, Don

Recommend denial without prejudice

The request for Rural Village designation was beyond the scope of the process. Rural Village designation boundaries are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

Recommend redesignation from Rural Reserve to Rural Intermediate

- A. The subject property includes an existing tourist/recreational campground, cabins and resort. Placing the subject property under a unified land use designation allows for orderly growth based on infill, existing parcel density, maintaining rural character, existing land uses and the presence of physical boundaries such as roads, land forms and topography that create a logical boundary. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #26.
- B. ***Properties/Areas Not Included in Resolution #16853.*** The recommendation under A above affects an adjacent 10.7 acre parcel. It is recommended that the 10.7 acre parcel be redesignated to Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as roads, land forms and topography that create a logical boundary. See Exhibit F, #26.

9. Cook, James

Recommend denial without prejudice

The request for Rural Village designation was beyond the scope of the process. Rural Village designation boundaries are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's

Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

Recommend redesignation from Rural Resource to Rural Reserve

- A. Birdsvie property. The petitioner's property is currently surrounded by a camping club to the north and a sawmill to the west. The subject property, including much of the surrounding area, although designated as Rural Resource, was substantially below the 40 acre\160 acre block designation criteria included in the Rural Resource designation criteria. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Appendix C, #5 B findings below. See Exhibit F, #22.

Recommend redesignation from Rural Reserve to Rural Intermediate

- B. Eagle Hill property. The subject properties are adjacent to the Wilderness Village plat which is a small lot development on the west and the plat of Hidden Cove to the east. A Rural Intermediate designation eliminates the island of Rural Reserve designation between the two small lot developments. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) is incorporated herein. See Exhibit F, #23
- C. ***Properties/Areas Not Included in Resolution #16853.*** The recommendation under B above affects adjacent properties within the plat of Hidden Cove. It is recommended that the plat of Hidden Cove be redesignated to Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as roads, the river, land forms and topography that create a logical boundary. See Exhibit F, #23.

10. Crum, Sterling - *Recommend denial without prejudice*

The parcel and the surrounding land meet the criteria for designation as Secondary Forest. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

11. Danielson, Mark - *Recommend redesignation from Industrial Forest to Secondary Forest*

The subject property abuts the Sauk study area. See Appendix C, #4 findings below. See Exhibit F, #26.

12. Ensley, Robert - *Recommend denial without prejudice*

The request was beyond the scope of the process. Rural Village designation boundaries are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

13. Ferreria, Michael - *Recommend denial without prejudice*

See Appendix A, #5 findings above.

14. Foss, Forest - *Recommend redesignation from Rural Reserve to Rural Intermediate*

The recommendation is to redesignate a 13.7 and two (2) 20 acre parcels to the Rural Intermediate designation. The properties are adjacent to the City of Anacortes and are surrounded on the north and east sides by the Rural Intermediate designation. The redesignation is based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries (incorporated/unincorporated lands) to create a logical boundary and remove a spot designation of Rural Reserve. See Exhibit F, #1.

15. Gilbertson, Greg - *Recommend adding Mineral Resource Overlay designation*

The subject property meets classification criteria for mineral designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #16.

16. Handy, William - *Recommend redesignation from Rural Reserve to Inclusion into Mount Vernon UGA (Commercial/Industrial)*

Property is within the west Mount Vernon UGA study area. See Appendix C, #7 findings below. See Exhibit F, #12.

17. Harris, J.V. - *Recommend denial without prejudice*

Request is to change the Agriculture designation to a Rural designation that would permit a RV park. Although the parcel does not meet several of the Agriculture designation criteria, changing the designation to Rural Reserve would allow rural residential development to encroach into an area that is predominantly agriculture. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

18. Heilman property - *Recommend redesignation from Rural Reserve to Rural Intermediate*

The subject property is included in a vested 2.5 acre density land division; the redesignation removes an island of Rural Reserve and creates a logical boundary for Rural Intermediate designation based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #2.

19. Isaacson, Paul - *Recommend redesignation from Agriculture to Rural Reserve*

The subject properties do not meet many of the Agriculture designation criteria (e.g., are not located in a special purpose district (drainage or diking), are not in the 100 year floodplain) and have limited agricultural viability because of the presence of hydric soils and wetlands. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, # 5.

20. Johnson, Gary - *Recommend denial without prejudice*

The parcel meets the majority of the Agriculture designation criteria. Changing the designation would divide and isolate Agriculture land use designations. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation

Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

21. Jones, Bruce - *Recommend removal of Mineral Resource Overlay designation*

The WA State Department of Natural Resources indicated that the area did not have potential for long-term, commercially significant minerals and has recommend removal of the MRO designation. The parcel does meet the majority of the criteria for designation as Rural Resource. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #6.

22. Jones, C.B. - *Recommend redesignation from Rural Resource to Rural Reserve and Rural Intermediate*

A. The two larger parcels (40 and 27 acres) are to be designated Rural Reserve because they abut National Forest land, provide logical boundaries with adjoining rural lands and to avoid conflict with existing land uses. See Exhibit F, #26.

B. The two smaller parcels (9 and 6 acres) are to be designated Rural Intermediate because they are currently divided by the Rural Reserve and the Rural Intermediate designations. Redesignation of the smaller subject properties creates a consistent land use designation with adjoining properties. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #26.

C. ***Properties/Areas Not Included in Resolution #16853.*** It is recommended that the small triangle property in Section 13 be redesignated to Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as roads, land forms, power lines and topography that create a logical boundary. See Exhibit F, #26.

23. Klein, George - *Recommend redesignation from Rural Resource to Rural Reserve*

The property does not meet the designation criteria for Rural Resource based on soil quality, tree producing capacity, parcel sizes, the history of forest practices, and avoidance of conflict with adjacent neighboring uses. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as

Remanded by Resolution #16853 (March 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #17.

24. Lamb, Phyllis - *Recommend redesignation from Rural Reserve to Rural Intermediate*

Calculations of the surrounding unincorporated lands substantiates a density of greater than 1 dwelling unit per 2.5 acres. Including city park land (parcel size) inflates the density calculations and misrepresents the existing rural development pattern. The redesignation is based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as existing land uses, land forms, and topography to create logical boundaries. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein. See Exhibit F, #3.

25. Lutz, Barbara - *Recommend denial without prejudice*

The property is located north of the Bayview State Park and is not considered as a part of the Bayview Rural Village. Rural Village designation boundaries are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

26. MacMurchie, Scott - *Recommend denial without prejudice*

The property meets the majority of the Agriculture designation criteria and any change in designation would create a peninsula within the Agriculture designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

27. Mathis, James - *Recommend redesignation from Rural Resource to Rural Reserve*

The petitioner's property currently has a camping club to the west. Adjacent non-resource land uses impair natural resource land management. The subject property, including much of the surrounding area, although designated as Rural Resource, was substantially below the 40 acre\160 acre block designation criteria included in the Rural Resource designation criteria. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report

Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.
See Appendix B, #9 A findings above. See Exhibit F, #22.

28. Matthiesen, Carl - *Recommend redesignation from Rural Resource to Secondary Forest*

Approximately 50% of the subject property did not contain prime upland soils nor was the property included in a 160 acre block. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #21.

29. McCorkle, Trust - *Recommend denial without prejudice*

The property does not meet the criteria for inclusion with the Rural Intermediate designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

30. Merchant, Hollis - *Recommend denial without prejudice*

The subject properties meet the majority of the Agriculture land use designation criteria. In addition, the properties are located immediately adjacent to the Skagit River levee at the Avon bend and this is one of the areas under consideration as overbank flow area in the countywide flood study. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

31. Morgan, Earl -

Recommend denial without prejudice

Rural Village designation boundaries and establishment are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). This process is beyond the scope of considering establishing a new Rural Village. The analysis in the Department's 1997 Annual Review of

Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

Recommended redesignation from Rural Reserve to Rural Intermediate

- A. A portion of the subject property does meet the criteria for designation as Rural Intermediate based on surrounding parcel densities. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #3.
- B. ***Properties/Areas Not Included in Resolution #16853.*** Properties located adjacent to the subject properties in A above are recommended for Rural Intermediate designation based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography that create logical boundaries. See Exhibit F, #3.

32. Nelson, Dave - *Recommend redesignation from Rural Resource to Rural Intermediate*

An updated assessor's parcel map indicates that the subject property was divided into 4 separate parcels. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Birdsvew Study Area for further discussion (Appendix C, #5 below. See Exhibit F, #21.

33. Nilson, Morris - *Recommend redesignation from Rural Resource to Rural Reserve and removal of Mineral Resource Overlay*

The subject properties did not meet the criteria for designation as Rural Resource (e.g., parcel is less than 40 acres and a portion of the property is private forest land grade 4-5) nor was there any substantiation that the properties contained commercially significant minerals. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #13.

34. Olson, Bill - *Recommend denial without prejudice*

See Appendix A, #5 findings above.

35. O'Neil, Stan - *Recommend redesignation from Rural Reserve to Inclusion into Mount Vernon UGA (Commercial/Industrial)*

Property is within the Mount Vernon UGA study area. See Mount Vernon study area for findings (Appendix C, #7 below). See Exhibit F, #12.

36. Pinnow, Larry - *Recommend denial without prejudice*

The surrounding parcel density does not meet the criteria for redesignation nor would the property be considered as an infill area within an existing Rural Intermediate designated area. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) is incorporated herein.

37. Pipers, Jim - Request withdrawn

38. Portis, Kenny - *Recommend redesignation from Rural Reserve to Rural Resource and Mineral Resource Overlay*

Petitioners have modified their request to include only a 40-acre parcel. It is recommended that the subject property be redesignated as Rural Resource with a Mineral Resource Overlay since the property has the potential for commercially significant mineral resources. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #3.

39. Price, Nancy - *Recommend redesignation from Industrial Forest to Secondary Forest*

Property is within the Fire Mountain study area. See specific findings included in the discussion regarding the study area (Appendix C, #3 findings below). See Exhibit F, #16.

40. Robinson, Morris - *Recommend denial without prejudice*

See Appendix B, #5 findings above.

41. Ruble, Monte - *Recommend redesignation from Rural Resource to Rural Reserve*

A. The subject property and many of the surrounding parcels are less than 40 acres in size and do not satisfy all of the Rural Resource designation criteria. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, # 15.

B. ***Properties/Areas Not Included in Resolution #16853.*** A Rural Reserve designation on adjoining properties is recommended based on infill, existing parcel density, maintaining rural character, and to create logical boundaries. The analysis in the Department's memorandum (May 22, 1998) is incorporated herein. See Exhibit F, # 15.

42. Semays, Fred - *Recommend redesignation from Agriculture to Rural Intermediate*

A. The subject property meets very few of the designation criteria for Agriculture and would be a logical extension of the Rural Intermediate designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #11.

B. ***Properties/Areas Not Included in Resolution #16853.*** A Rural Intermediate designation on adjoining properties to the south of the subject property referenced in A above is recommended based on infill, existing parcel density, maintaining rural character, and to create logical boundaries. See Exhibit F, #11.

43. Sjoboen, Robert - *Recommend denial without prejudice*

The subject properties meet several of the Rural Resource designation and are adjacent to an Agricultural designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

44. Skagit County Sewer District No. 2. - *Recommend denial without prejudice*

See Appendix A, #4 findings above.

45. Taylor Brothers - *Recommend denial without prejudice*

The subject property is located within the Sedro Woolley UGA. UGA land use designations within a municipal UGA are prescribed through city comprehensive plans and implementing development regulations to assure orderly development. The City has not supported this redesignation request. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

46. Theodoratus, George - *Recommend denial without prejudice*

Surrounding parcel density does not support a Rural Intermediate designation. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

47. Thompson, Barbara - *Recommend denial without prejudice*

The subject properties meet the majority of criteria for designation as Rural Resource. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

48. Trafton, Charles - *Recommend redesignation from Rural Reserve to Rural Intermediate*

Property is within the Trafton Lake study area. See findings for the study area (Appendix C, #1 below) See Exhibit F, #2.

49. Walters, Stanley - *Recommend denial without prejudice*

The subject property meets a majority of the land use designation criteria for Agriculture. The City of Mount Vernon has not proposed expanding the UGA boundaries to include the subject property. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

50. Washington Department of Fish and Wildlife - *Recommend denial without prejudice*

Petitioner has requested that all lands that they manage be redesignated to Public. Regional public lands were designated in the Comprehensive Plan. No effort was made to identify all parcels managed by the state or county for public purposes since many of the parcels are extremely small and would not be visible on the Comprehensive Plan Map. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

51. Weyer, Paul - *Recommend adjusting Bayview Rural Village designation*

The boundary of the Bayview Rural Village bisects one of the subject parcels. Adjusting the boundary line addresses a technical mapping error based on an updated assessor's parcel map. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #8.

52. Williams, Gary - *Recommend denial without prejudice*

Petitioner has expressed concern that the Secondary Forest designation may preclude the existing agricultural uses on his property. This issue should be clarified in the new development code. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

53. Wylie, Inc. - *Recommend denial without prejudice*

The subject properties meet the designation criteria for Agriculture. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein.

54. Youngsman, Ken - *Recommend redesignation from Agriculture to Rural Reserve*

The existing uses (commercial/industrial) on the subject property preclude utilizing the land for agricultural purposes. The analysis in the Department's 1997

Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #4.

APPENDIX C of Resolution # 16853

1. Trafton Lake Study Area- *Recommend redesignation from Rural Reserve to Rural Intermediate*
 - A. The Trafton Lake study area is located on Fidalgo Island and is generally described as an area west of Campbell Lake, east of Rosario Road, south of Cambell Lake Road and Sharpe Road and north of Deception Pass State Park lands. The Department provided a GIS generated 2.5 acre or less parcel size for the study area (Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998)). The Planning Commission concurs with the Department's recommendation that those parcels in the above referenced report be redesignated to Rural Intermediate based on the land use designation criteria. The Planning Commission further recommends that additional parcels within the Trafton Lake study area be redesignated to Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography that create logical boundaries. See Exhibit F, #2.
 - B. *Properties/Areas Not Included in Resolution #16853.* It is recommended that an area (north and south of the Campbell Lake Road) beyond the Trafton Lake study area be redesignated Rural Intermediate based on recommended land use redesignations within the study area and infill, existing parcel density, maintaining rural character, and to create logical boundaries. See Exhibit F, #2.
2. Alger/Parsons Creek Study Area- *Recommend redesignation from Rural Reserve to Rural Intermediate*
 - A. The Alger/Parsons Creek study area is generally described as south of the community of Alger to Parson Creek Road and east including the Butler Creek Road. An existing Rural Intermediate designated area is centered in the area of Old Highway 99 North and Parsons Creek Road. The Department provided a GIS generated 2.5 acre or less parcel size for the study area (Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998)). The Planning Commission concurs with the Department's recommendation that those parcels in the above referenced report be redesignated to Rural Intermediate based on the land use

designation criteria. The Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #7.

B. ***Properties/Areas Not Included in Resolution #16853.*** It is recommended that a triangular shaped area west of and adjacent to the Alger/Parson's Creek study area (Section 17) be redesignated Rural Intermediate based on recommended land use redesignations within the study area, infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography to create logical boundaries. See Exhibit F, #7.

3. ***Fire Mountain Study Area- Recommend redesignation from Industrial Forest to Secondary Forest***

The Fire Mountain study area is generally described as east of Big Lake with all of the lands currently designated as Industrial Forest. The study area includes numerous parcels 20 to 40 acres in size and the Boy Scouts of America camp. The majority of the study area is within an established Fire Protection District. The Boy Scout camp more appropriately fits within the Secondary Forest designation since the level of development is much greater than a primitive campground. The primary difference between the Industrial Forest and Secondary Forest designation criteria is parcel size. Industrial Forest is typically parcels greater than 40 acres in size. Secondary Forest are tracts generally less than 40 acres in size and abut non-natural resource lands while providing a 1/4 mile buffer between such lands. The Planning Commission concurs with the Department's recommendation that the entire study area, with the exception of the most easterly 80-acre tract, be redesignated to Secondary Forest based on parcel size and existing land uses. The 80-acre tract is to remain designated as Industrial Forest because of its parcel size and proximity to larger tracts, and timber company managed lands (redesignation to Secondary Forest would create an undesirable peninsula into an Industrial Forest designated area). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #16 & 20.

4. ***Sauk Valley Study Area- Recommend redesignation from Industrial Forest to Secondary Forest***

The Sauk Valley study area is generally described as east of the Sauk River, is bisected by SR 530, and is approximately 5-6 miles north of the Skagit/Snohomish County line. The entire study area is designated as Industrial

Forest. A number of individual requests were submitted for this area. All of the study area (save one parcel) consists of parcels that are less than 40 acres in size. Much of the area contains parcels that are less than 20 acres in size. The Planning Commission concurs with the Department's recommendation that the entire study area be redesignated to Secondary Forest based on parcel size. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #28.

5. *Birdsview Study Area- Recommend redesignation from Rural Reserve to Rural Intermediate and from Rural Resource to Rural Reserve*

A. The Birdsview study area is generally described as non-natural resource land designated properties north of the Skagit River, south of and along SR 20, east of Pinelli Road, and west of Gallagher Road. The Department provided a GIS generated 2.5 acre or less parcel size for the study area (Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998)). The Planning Commission concurs with the Department's recommendation that those parcels in the above referenced report be redesignated to Rural Intermediate based on the land use designation criteria. The Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. Furthermore, the Planning Commission recommends that additional areas be redesignated to Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography that create logical boundaries. See Exhibit F, #21& 22.

B. ***Properties/Areas Not Included in Resolution #16853.*** The Department has identified a "technical mapping error and/or inadvertent application of land use designation criteria" for an area (Rural Resource designated lands) adjacent to the study area. Several landowners have requested land use redesignations in this area. An updated assessor's parcel map has been created since the original designation of Rural Resource was applied to the area. The update parcel map reveals a number of land divisions in the subject area. The Planning Commission recommends that the subject area be redesignated to Rural Reserve based on the presence of existing land uses and parcel sizes. The Department's memorandum (May 22, 1998) is incorporated herein. See Exhibit F, #21& 22.

6. *West of the City of Sedro-Woolley on Cook Road Study Area- Recommend redesignation from Agriculture to Rural Reserve*

The West of the City of Sedro-Woolley on Cook Road study area is generally described as west of the City of Sedro-Woolley on both sides of Cook Road for approximately ½ mile. The area included in the recommendation consists of lots 5 acres or less in size and are not currently in agricultural production. Re-designation to Rural Reserve would reflect the current use of the properties and would not adversely impact the adjacent Agriculture designated properties. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #11.

7. *Memorial Highway West of Mount Vernon Study Area- Recommend redesignation from Rural Reserve and Agriculture to Mount Vernon UGA (Commercial/Industrial)*

The West Mount Vernon study area is generally described as those lands adjacent to the existing UGA west of the City of Mount Vernon between Dunbar Road and Valley View Road. The majority of the area on the north and south side of Memorial Highway is currently developed as commercial. Much of the area has services and utilities in place. The recommended changes in the UGA are supported by the City of Mount Vernon and would have little if any impact on future commercial capacity for the City's UGA. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #12.

APPENDIX D of Resolution # 16853

1. *Bergquist, Jim - Recommend redesignation from Industrial Forest to Rural Resource*

A. The subject property is bisected by Day Creek, with about 1/3 of the 40 acres on the east side of the creek. The use of the property is more agriculture in nature than forestry. Property immediately west of the 40 acres is Rural Resource and to the east are designated Industrial Forest lands. The portion of the property west of Day Creek is recommended to be designated as Rural Resource and that portion east of the creek is to remain Industrial Forest. This would provide a logical boundary based on existing land management practices and ingress and egress to the subject property. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853

(March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #19.

- B. ***Properties/Areas Not Included in Resolution #16853.*** The property immediately north of the 40 acres on the west side of the creek is recommended to be redesignated to Rural Resource based on logical boundaries, land use management practices, and access. See Exhibit F, #19.

2. Boon, Charlie - *Recommend denial without prejudice*

See Appendix B, # 12 findings above.

3. Carlson, Alfred - *Recommend denial without prejudice*

See Appendix B, #12 findings above.

4. Christenson, et.al. - *Recommend redesignation from Rural Reserve to Inclusion into Mount Vernon UGA (Commercial/Industrial)*

Property is within the Memorial Highway West of Mount Vernon Study Area. See Appendix C, #7 findings above. See Exhibit F, #

5. Clark, Don - *Recommend redesignation from Rural Reserve to Rural Intermediate*

See Appendix B, #8 findings above

6. Danielson, Mark - *Recommend redesignation from Industrial Forest to Secondary Forest*

See Appendix B, #11 findings above.

7. Engelson, Douglas - *Recommend redesignation from Rural Resource to Rural Reserve and removal of Mineral Resource Overlay*

The subject area consists of 20 acre or less sized parcels which is inconsistent with the designation criteria for Rural Resource. Also the majority of the mineral overlay consists of five acre tracts with existing residences. The analysis in the Department's memorandum (May 22, 1998) are incorporated herein. See Appendix B, finding #41 above. See Exhibit F, #15.

8. Kindler, Cindy - *Recommend denial without prejudice*

The subject property does not meet the Rural Intermediate designation criteria. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation

Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998)
and the Department's memorandum (May 22, 1998) are incorporated herein.

9. Kooops, Gary - *Recommend redesignation from Agriculture to Rural Reserve*

The subject property is isolated by Interstate 5, Old Highway 99 and the Burlington Northern Railroad. Parcels to the south are designated Rural Reserve and changing the designation to Rural Reserve is recommended based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies roads, land forms and topography that create logical boundaries. See Exhibit F, #10.

10. Palmer, Ted - *Recommend redesignation from Agriculture to Rural Reserve*

A. The subject property does not meet the designation criteria for Agriculture, is isolated by the railroad tracks, and not located in the 100-year floodplain. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #13.

B. ***Properties/Areas Not Included in Resolution #16853.*** It is recommended that adjacent properties to the north and south be redesignated to Rural Reserve for reasons stated in A above and to allow infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as roads, railroad tracts, land forms and topography to create logical boundaries. See Exhibit F, #13.

11. Parent, John - *Recommend redesignation from Industrial Forest to Secondary Forest*

The property abuts the Sauk study area. See Appendix C, #4 findings above. See Exhibit F, #28.

12. Peek, Dennis -

Recommended denial without prejudice

The subject property is sandwiched between the Marblemount Rural Village to the east and Rural Intermediate to the west. Rural Village designation boundaries are to be addressed through a community development planning process (Comprehensive Plan Policy 7.10 @ page 4-26). The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #26.

Recommend redesignation from Rural Reserve to Rural Intermediate

The property is recommended to be designated Rural Intermediate based on infill, existing parcel density, maintaining rural character, and the presence of physical boundaries such as bodies of water, roads, land forms and topography that create logical boundaries. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998) and the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) are incorporated herein. See Exhibit F, #26.

13. Trinity United Presbyterian Church - *Recommend redesignation from Agriculture to Inclusion into City of Sedro Woolley UGA (Public)*

The subject property is the site of an existing church which precludes any agricultural use of the property. The City is supporting the redesignation. Adding the property to the UGA would not impact the capacity of the City for future growth since the parcels are already developed. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein. See Exhibit F, #11.

14. VanLuven, Ron - *Recommend denial without prejudice*

The subject property is located within the City of Burlington's UGA. UGA land use designations within a municipal UGA are prescribed through city comprehensive plans and implementing development regulations to assure orderly development. The City of Burlington has not supported the redesignation of the subject property at this time. The analysis in the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

15. Wolcoski, Ken - *Recommend denial without prejudice*

The subject property does not meet the Rural Intermediate designation criteria. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

16. Perry & Detz - *Recommend denial without prejudice*

See Appendix B, #4 findings above.

17. Ewing, Iva - *Recommend denial without prejudice*

The subject properties meet the designation criteria for Industrial Forest. The analysis in the Department's 1997 Annual Review of Landuse Redesignation Petitions as Remanded by Resolution #16853 (March 1998), the Department's Report Regarding the 1997 Comprehensive Plan Land-use Re-designation Petitions Upon Remanded Items Provided in Resolution #16853 (March 12, 1998) and the Department's memorandum (May 22, 1998) are incorporated herein.

18. Viewcrest Land Division- *Recommended redesignation from Rural Resource to Rural Reserve*

Properties/Areas Not Included in Resolution #16853. Section 2 of Ordinance # 16291 (Adopting Natural Resource Land Designations and Protection Measures) provides for reconsideration of NRL designated lands when there may be "vested short plat, long plat or PUD applications pending that have not received a final decision from the County." Therefore, the subject properties are recommended for redesignation to Rural Reserve based on the approved land division and failure to meet Rural Resource parcel density criteria. See Appendix A, #8 findings above. See Exhibit F, #17.

19. Sunrise Ridge Land Division- *Recommended redesignation from Rural Resource to Rural Reserve*

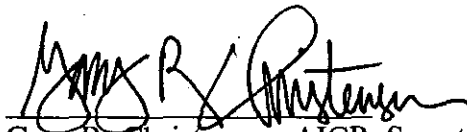
Properties/Areas Not Included in Resolution #16853. Section 2 of Ordinance # 16291 (Adopting Natural Resource Land Designations and Protection Measures) provides for reconsideration of NRL designated lands when there may be "vested short plat, long plat or PUD applications pending that have not received a final decision from the County." Therefore, the subject properties are recommended for redesignation to Rural Reserve based on the approved land division and failure to meet Rural Resource parcel density criteria. See Exhibit F, #9.

Now, **Therefore** on November 3, 1998, the Skagit County Planning Commission voted, as represented below, to forward to the Skagit County Board of Commissioners the aforementioned recommendations and findings as part of the 1997 Annual Amendments to the Skagit County Comprehensive Plan.

Motion for approval: Dave Patterson
Seconded by: Herb Goldston

<u>Vote:</u>	<u>Support</u>	<u>Opposed</u>	<u>Absent</u>
Dave Hughes	X		
Bill Thrasher	X		
Elizabeth Dynes			X
Carol Ehlers	X		
William Stiles			X
George McFadden	X		
Dave Patterson	X		
Louie Requa	X		
Herb Goldston	X		
Totals:	7	0	2


 Dave Hughes, Chair


 Gary R. Christensen, AICP, Secretary