

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, JANUARY 8, 2002**

8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/Road District Maintenance Supervisors

***T** 9:00 a.m. – 10:00 a.m. **Public Works Department – Chal Martin, Director**

1. Public Hearing – Consideration of Vacation of Unopened County Right-of-Way Known as Sunrise Street
2. Public Hearing – Consideration of Revising the Six-Year Transportation Improvement Program 2002 – 2007
3. Discussion – Agricultural Buffers
4. Miscellaneous

***T** 10:00 a.m. – 11:00 a.m. **Planning & Permit Center – Tom Karsh, Director**

1. Public Hearing – Renewal of Interim Ordinance Adopting Concrete Development Regulations within the Urban Growth Area
2. Set Date & Time for the Closed Record Hearing for the Port of Skagit County Binding Site Plan – Phase 2 Master Plan and Division 1 of Phase 2
3. Set Date & Time for Consideration of the Planning Commission’s Recommendation on Skagit County Code 14.16.820 Signs
4. Deliberations and Decision following Public Hearing to Consider Recommendation of the Planning Commission regarding Adoption of Open Space Corridors and Greenbelts within and between Urban Growth Areas
5. Miscellaneous

***T** 11:00 a.m. – 11:30 a.m. Presentation – Skagit Bald Eagle Festival

The Skagit County Board of Commissioners met in regular session on Tuesday, January 8, 2002, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson’s absence was excused.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director

1. Public Hearing – Consideration of Vacation of Unopened County Right-of-Way Known as Sunrise Street.

Steve Flude, Assistant Director, reviewed the exact location of the proposed vacation of the unopened County right-of-way known as known as Sunrise Street in Mount Vernon. The Department recommended that the vacation of the unopened right-of-way be approved as presented. He showed a photograph of the area in question.

There being no public testimony forthcoming, Commissioner Dahlstedt moved to close the public hearing. Chairman Munks seconded the motion, and it carried unanimously. The public hearing was closed.

Commissioner Dahlstedt moved to concur with the Public Works Department recommendation and allow the vacation of the unopened County Right-of-Way known as Sunrise Street. The motion was seconded by Chairman Munks and passed unanimously. **(Resolution to be provided by Staff at a later date)**

2. Public Hearing – Consideration of Revising the Six-Year Transportation Improvement Program 2002 – 2007.

Mr. Flude outlined the proposed revisions to the 2002-2007 Six-Year Transportation Improvement Program, explaining that this is a program put together annually, which gives a six-year rolling snapshot of construction projects to be built. He reviewed the particulars of the three revisions to the Six-Year TIP, which are proposed for the Board’s consideration. These consist of changes to No. 24, Guemes Ferry/Anacortes Parking Lot, changing the funding status to reflect project status, to No. 23, State

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Route/Collins Signal, adding State Route 20/Collins signal project, to Item No.. 23, Guemes Ferry Fare Collection system, deleting it from the Six-Year TIP.

There being no public testimony forthcoming, Commissioner Dahlstedt moved to close the public hearing. The motion was seconded by Commissioner Munks and passed unanimously. The public hearing was closed.

Commissioner Dahlstedt moved to accept the revisions as presented by the Public Works Department on the three different projects as explained by Mr. Flude. The motion was seconded by Chairman Munks and passed with a unanimous vote. **(Resolution No. R20020006)**

3. Discussion – Agricultural Buffers.

Ric Boge, Natural Resources Project Manager, gave an update on matters pertaining to the County's effort to maximize landowner participation in CREP. They are:

- 122 landowners have submitted documentation for selecting this option. Estimated maximum total cost of payments to landowners is \$660,000 for 1100 acres eligible for the county-funded CREP signing bonus.
- 13 landowners enrolled in CREP prior to the initiation of the County-funded CREP signing bonus and they may choose to participate in a County-conducted CREP monitoring program in exchange for compensation from the County. The estimated maximum total cost of compensation to landowners is \$54,000 for 90 acres eligible to participate in this monitoring program.
- Of the \$100,000 promised to the Skagit Conservation District in support of staffing and equipment costs resulting from a high number of CREP applications, \$47,500 has been paid.

Current issues surrounding the County's effort to maximize landowner participation in CREP include:

- Reluctance by some landowners to allow Skagit Conservation District to begin acting on their CREP applications.
- State and Federal funding for CREP.
- Position by the Farm Services Agency that CREP is not available to row croplands, once those row croplands become subject to a standard buffer requirement. It may be best resolved at the local level by somehow modifying County ordinances pertaining to buffer requirements, rather than seeking changes to the CREP rules and guidelines at the National level.

Chal Martin, Public Works Director, spoke about an article he read about the State of Wisconsin that was dealing with a similar issue. A required standard buffer was proposed. They decided to pull back and take the standard requirement off the table in order to access the State and Federal programs.

Commissioner Munks found it to be very encouraging that Wisconsin pulled out. Because Skagit County was the first County selected to put the Ag Buffer Program together, he feels the County is living a nightmare.

Carolyn Kelly, Skagit Conservation District, said funding is a major concern for the next fiscal year. She said that Skagit County is the only one in the State who has put forth technical assistance money. Ms. Kelly said landowners have been very willing to work with the Conservation District and are happy for the payments they are receiving.

4. Miscellaneous:

There were no Public Works Department items for discussion.

PLANNING & PERMIT CENTER – Tom Karsh, Director

1. Public Hearing – Renewal of Interim Ordinance Adopting Concrete Development Regulations within the Urban Growth Area.

Kirk Johnson, Community Planning, explained that Interim Ordinance No. 18338, the most recent renewal of the provisions of Ordinance No. 17945, was adopted on July 23, 2001. R.C.W. 36.70A. 390 allows an Interim Ordinance to remain in effect for a period of up to six months. Therefore, the provisions of Interim Ordinance No. 17945 must be renewed or replaced by January 23, 2002. The Planning and Permit Center is recommending renewal of the provisions of Interim Ordinance No. 17945 for another six-month period. The

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Department anticipates that permanent regulations for the Town of Concrete Urban Growth Area will be available for adoption before the next 6-month renewal requirement.

There being no public testimony forthcoming, Commissioner Dahlstedt moved to close the public hearing. Commissioner Munks seconded the motion, and it carried unanimously. The public hearing was closed.

Commissioner Dahlstedt moved to renew an Interim Ordinance readopting and renewing the provisions of Interim Ordinance No. 17945, which adopted Town of Concrete Development Standards on an interim basis for the unincorporated portion of the Town's Urban Growth Area. The motion was seconded by Commissioner Munks and passed unanimously. **(Resolution to be provided by Staff at a later date)**

2. Set Date & Time for the Closed Record Hearing for the Port of Skagit County Binding Site Plan – Phase 2 Master Plan and Division 1 of Phase 2

Commissioner Munks announced that the board will hear the closed record hearing for the Port of Skagit County Binding Site Plan on Tuesday, January 15, 2002, at 11:00 a.m.

3. Set Date & Time for Consideration of the Planning Commission's Recommendation on Skagit County Code 14.16.820 Signs

Linda Kuller, Senior Planner, stated that the Planning Commission's recorded motion and supplemental findings related to the Skagit County Code, 14.16.820 Signs in Western Washington Growth Management Hearings Board compliance, Case No. 046C, was forwarded to the Board.

As noted in the recorded motion, the Planning Commission considered the public comments, had lengthy discussions and made multiple recommendations regarding the sign code provisions. However, the final motion to recommend the changes to the Board of Commissioners was not approved. Instead, for reasons stated in the motion, the Planning Commission did not recommend the changes to the Board.

Ms. Kuller said according to Skagit County code 14.08.090(3)(b), since there is no recommendation, the Board can decide to refer the item back to the Planning Commission for further public comment and consideration or can conduct their own public hearing.

Staff recommends that the board hold their own public hearing and circulate both the last public hearing draft as well as the Planning Commission's revised draft for review and comment.

Commissioner Dahlstedt moved to approve holding a public hearing regarding this matter on February 4, 2002, at 10:00 a.m. Chairman Munks seconded the motion and it carried.

4. Deliberations and Decision following Public Hearing to Consider Recommendation of the Planning Commission regarding Adoption of Open Space Corridors and Greenbelts within and between Urban Growth Areas

Kendra Smith, Assistant Director, reviewed information concerning open space/greenbelts. Identifying open spaces and greenbelts is a requirement of GMA and is part of the comprehensive Plan. The County has attempted, unsuccessfully, to meet this requirement in the past. The Hearings Board found the County out of compliance. They said that the County only provided a "generalized discussion in the Comprehensive Plan, plus city maps and County parks plan maps do not adequately meet the requirements of R.C.W. 36.70A.110(2) and .160."

The R.C.W. states that each County shall prepare a comprehensive land use plan that identifies open space corridors within and between urban growth areas. It further states what lands shall be included: lands useful for recreation, wildlife habitat, trails and connection of critical areas.

Mr. Smith said the August 9th version attempted to provide all of these requirements in the map portfolio and text. One of the problems of the draft was the lack of clarity of what open space actually means in this instance and what can be implied. The Planning Commission feared that open space meant open to the public and therefore made major cuts to the August 9th proposal to come up with their own version.

Staff's recommendation is to reconsider the August 9th draft with the addition of a definition for open space, which would clearly state that open space and greenbelt corridors are only areas identified to remain in that state of being an open area versus an area for development. This will not constitute any inclusion of public

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access. The Hearings Board or GMA are not looking for trails and public access. They are concerned that there will always be lands that will not have development on them. Rather than to commit to purchasing more lands to satisfy the GMA requirement, the August 9th draft attempted to show how much land is already in open space and greenbelts within Skagit County. The County should get credit for this and map it accordingly.

Commissioner Dahlstedt said that whereas the Planning Commission voted 6-0 to amend the proposed open space corridor and greenbelt map and accompanying text to that contained in Attachment 1 and Attachment 2, respectively, he would move to follow the recommendation of the Planning Commission to amend the August 9, 2001 draft proposed open space corridors and greenbelts map and accompanying text to that attached as Attachment 1 and Attachment 2. Chairman Munks seconded the motion, which carried. **(Resolution will be provided by Staff at a later date)**

5. Miscellaneous

Ms. Smith informed the Board that a public hearing will be held on January 24, 2002, at 7:00 p.m. to allow public input for the Ag Buffer Interim Ordinance.

PRESENTATION – SKAGIT BALD EAGLE FESTIVAL:

Cheri Cook-Blodget, Representative of the Skagit Bald Eagle Festival, gave a presentation regarding the 15th annual Eagle Festival. The festival will take place February 2-3, 2002 in Concrete, WA. Activities will include entertainment, conservation displays, children's activities, guest speakers, a bus tour as well as food booths. The festival is free, except for the "Spirits of the River" production taking place on Saturday at 5:00 p.m., which costs \$4 per person, \$3 for seniors.

Ms. Cook-Blodget also encouraged everyone to visit the Interpretive Center located at the Rockport Fire Hall. This site is where the majority of eagles are available for viewing. A fun time is promised for all participants. For more information, you can log onto www.skagiteagle.org or call 360/853-7009.

MISCELLANEOUS:

1. On behalf of Emergency Management, Staff presented an emergency Resolution authorizing the expenditure of funds to repair roads, bridges, private roads, homes, businesses and farmlands due to the flooding caused by the Skagit and Sauk Rivers. Commissioner Dahlstedt moved to approve the Resolution and Chairman Munks seconded and the motion was carried. **(Resolution No. R20020007)**

ADJOURNMENT:

Commissioner Munks made a motion to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

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ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners