

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 12, 2006**

- *T 9:30 a.m. – 10:00 a.m. Public Hearing - To Consider Testimony Regarding a Resolution Authorizing Skagit County to Increase Property Tax Revenues, in Excess of Increases in the Value of State-Assessed Property, New Construction and Improvements to Property for the 2007 Budget Year
- *T 10:00 a.m. – 11:00 a.m. Planning and Development Services – Gary Christensen, Director
1. Discussion/Possible Action – Skagit County Planning and Development Services Permit and Development Fee Proposal for 2007
2. Discussion/Possible Action – Consideration of the Planning Commission’s Recorded Motion on the WJY Associates Western Washington Growth Management Hearings Board (WWGMHB) Compliance Proposal
3. Miscellaneous
- *T 11:00 a.m. – 11:30 a.m. Adoption of the 2007 Emergency Medical Services Budget
- *T 11:30 a.m. – 12:00 p.m. Public Hearing - To Consider Testimony Regarding a Resolution Authorizing Skagit County to Increase Emergency Medical Services (EMS) Property Tax Revenues, in Excess of Increases in the Value of State-Assessed Property, New Construction and Improvements to Property for the 2007 Budget Year
- *T 1:30 p.m. – 2:30 p.m. Public Hearing –To Consider Testimony Regarding Which of Six Applications to Amend the Skagit County Comprehensive Plan Land Use/Zoning Map Should be Placed on the Docket of Annual Amendment Proposals

The Skagit County Board of Commissioners met in regular session on Tuesday, December 12, 2006, with Commissioners Kenneth A. Dahlstedt and Don Munks present. Commissioner Ted W. Anderson’s absence was excused.

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING A RESOLUTION AUTHORIZING SKAGIT COUNTY TO INCREASE PROPERTY TAX REVENUES, IN EXCESS OF INCREASES IN THE VALUE OF STATE-ASSESSED PROPERTY, NEW CONSTRUCTION AND IMPROVEMENTS TO PROPERTY FOR THE 2007 BUDGET YEAR.

Following an introduction by Skagit County Administrator Gary Rowe, Chairman Dahlstedt opened the public hearing.

Tony Splane, Sedro-Woolley, spoke in opposition of any new taxes. He said the senior citizens of Skagit County are struggling to remain in their homes as it is. Mr. Splane asked if there was a way to increase the senior citizen exemption or give those citizens over 70 an exemption from paying school taxes.

There being no further public comment forthcoming, Commissioner Munks motioned to close the public hearing. Chairman Dahlstedt seconded the motion, which passed. The public hearing was closed.

Commissioner Munks motioned to approve a resolution authorizing a property tax increase for the 2007 General Levy. The motion was seconded by Chairman Dahlstedt and carried. **(Resolution No. R20060428)**

Commissioner Munks motioned and Chairman Dahlstedt seconded to approve a resolution authorizing the property tax limit factor increase for the 2007 General Levy. **(Resolution No. R20060429)**

A motion was made by Commissioner Munks and seconded by Chairman Dahlstedt authorizing a property tax increase for the 2007 Road Levy. **(Resolution No. R20060430)**

Commissioner Munks motioned to approve a resolution authorizing the property tax limit factor increase for the 2007 Road Levy. Chairman Dahlstedt seconded the motion, which passed. **(Resolution No. R20060431)**

A motion was moved and seconded by Commissioners Munks and Dahlstedt to approve a resolution authorizing the property tax increase for the 2007 Conservation Futures Levy. **(Resolution No. R20060432)**

Commissioner Munks and Chairman Dahlstedt moved and seconded a resolution authorizing the property tax limit factor increase for the 2007 Conservation Futures Levy. **(Resolution No. R20060433)**

PLANNING AND DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR

1. Discussion/Possible Action – Skagit County Planning and Development Services Permit and Development Fee Proposal for 2007.

Commissioner Munks motioned to adopt the proposed 2007 Planning and Development Services Fee Schedule, which will go into effect April 1, 2007. Chairman Dahlstedt seconded the motion, which carried.

2. Discussion/Possible Action – Consideration of the Planning Commission’s Recorded Motion on the WJY Associates Western Washington Growth Management Hearings Board (WWGMHB) Compliance Proposal.

Kirk Johnson, Senior Planner, outlined the history of this issue, beginning with the removal of the six-acre WJY Associates property from the Agricultural-Natural Resource Land (Ag-NRL) designation and include it in the Mount Vernon Urban Growth Area (UGA). The WWGMHB’s Final Decision and Order upheld the County’s decision to remove the land from Ag-NRL designation. However, it found the property’s inclusion in the Mount Vernon UGA non-compliant, citing insufficient analysis and justification for an expanded UGA. The WWGMHB most recently extended the deadline to December 20, 2006, due to the recent flood event in Skagit County.

As part of the compliance process, the City has submitted several new studies to substantiate the need for UGA expansion to include the WJY Associates property. Based on this new information, the Department released for public review and comment a compliance proposal to retain the 6-acre WJY Associates property in the Mount Vernon UGA.

The Planning Commission held a public hearing and conducted its deliberations. They recommended retaining within the UGA the northern 4.8-acre portion of the property, located north of Old Highway 99, east of Interstate 5, and west of Cedardale Road. A majority of the Planning Commission was not able to agree under what conditions the southern 1.2-acre portion of the WJY Associates property should be retained in the UGA.

Commissioner Munks stated that he has reviewed the record as provided to the Planning Commission, including the written comments submitted during the public comment period and the transcripts of the Planning Commission’s public hearing on October 24, 2006.

Commissioner Munks said he finds the supplemented record supports the inclusion of both the northeast and southeast WJY lots in the Mount Vernon UGA, as adopted by Ordinance O20050001 and currently shown on the Skagit County Comprehensive Plan/Zoning Map. He doesn’t find that the Planning

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Commission's recorded motion, or the record, support deleting either property from the Mount Vernon UGA.

For the reasons stated above, Commissioner Munks moved that the Board resolve that:

- (1) The supplemented record supports the UGA expansion identified in Ordinance No. 20050001 as it pertains to the WJY properties; and
- (2) The issue regarding the continued inclusion of the WJY properties in the Mount Vernon UGA be returned to the Western Washington Growth Management Hearings Board for a compliance hearing on the supplemental record.

Chairman Dahlstedt seconded the motion, which passed.

3. Miscellaneous.

Planning and Development Services Director Gary Christensen announced that Planner Carly Ruacho and Leah Forbes recently passed the American Institute of Certified Planners qualifications and are now members. Guy McNally, Kirk Johnson, Betsy Stevenson and Mr. Christensen are also members of AICP.

The Commissioners congratulated Ms. Forbes and Ms. Ruacho.

ADOPTION OF THE 2007 EMERGENCY MEDICAL SERVICES BUDGET.

Commissioner Munks motioned to approve a resolution adopting the Emergency Medical Services (EMS) budget for 2007. Chairman Dahlstedt seconded the motion, which carried. **(Resolution No. R20060434)**

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING A RESOLUTION AUTHORIZING SKAGIT COUNTY TO INCREASE EMERGENCY MEDICAL SERVICES (EMS) PROPERTY TAX REVENUES, IN EXCESS OF INCREASES IN THE VALUE OF STATE ASSESSED PROPERTY, NEW CONSTRUCTION AND IMPROVEMENTS TO PROPERTY FOR THE 2007 BUDGET YEAR.

Mr. Rowe outlined the property tax forecast for 2007, as it relates to the EMS budget. He said the EMS levy is a 6-year levy authorized by the voters of Skagit County. A 25-cent increase was well supported by the citizens, with an approval rate of 65%. This is the amount that was originally set six years ago.

Chairman Dahlstedt opened the public hearing. There being no public testimony forthcoming, Commissioner Munks motioned to close the public hearing. Chairman Dahlstedt seconded and the public hearing was closed.

Commissioner Munks motioned to approve a resolution authorizing the property tax increase for the 2007 EMS Levy. The motion was seconded by Chairman Dahlstedt and passed. **(Resolution No. R20060435)**

PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING WHICH OF SIX APPLICATIONS TO AMEND THE SKAGIT COUNTY COMPREHENSIVE PLAN LAND USE/ZONING MAP SHOULD BE PLACED ON THE DOCKET OF ANNUAL AMENDMENT PROPOSALS.

Senior Planner Guy McNally provided opening remarks, including materials and correspondence received. The Board received the Department's recommendations on September 25, 2006, and held a study session to review the amendment applications on October 17, 2006.

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If placed on the docket, a proposed amendment will undergo public, agency and environmental review, one or more public hearings before the Planning Commission, and possible final adoption by the Board of County Commissioners.

If the Board does not place an amendment proposal on the docket, review will stop, and the unused portion of the application fee will be refunded in accordance with the adopted fee schedule. The applicant will be free to re-apply during the future amendment cycle.

Chairman Dahlstedt opened the public hearing.

Maryann Manville-Ailles, Skagit Surveyors and Engineers, Sedro-Woolley, said she was representing Stephen Burgess – PL06-0710. The applicant requests the re-designation of two parcels of land, approximately 24 acres, from Ag-NRL to Clear Lake Rural Village. The subject properties generally lie between Beaver Lake Road and the southeast shore of Clear Lake. One of the two parcels consists of seven platted lots, recently certified as lot of record, that are not shown as separate lots on the Assessor's parcel map.

Ms. Manville-Ailles believes there was a mapping error on the first parcel, not an expansion of the rural village. The second parcel is largely critical area so the applicant requests removal from the Ag designation and to bring it into the rural village so it can be afforded the critical area protection. Ms. Manville-Ailles favors docketing these two requests for consideration.

David Pearson, 6389 Deer Lane, Anacortes, spoke to the request by Silver Lake Holdings – PL06-0705. The applicant in this case requests the re-designation of approximately 27 acres of Rural Reserve to Master Planned Resort. The property is located south of Anacortes, west of SR-20, along Miller Road. The current use of the site is the Pioneer Trails RV Resort and Campgrounds. The applicant proposes to build 150 residential units and on-site amenities. Mr. Pearson asked that this application not be approved for docketing as it incompatible with existing rural zoning of the surrounding area and is inconsistent with the vision of the majority of residents and landowners of south Fidalgo Island.

Dave Hough, representing Silver Lake Holdings, said he was surprised that Planning staff recommended that no action be taken. He feels the proposal is an existing resort, small scaled and can work through the system. The applicant is ready to proactively respond to staff and the community regarding any concerns.

Dave Wilcoxin, owner of Silver Lake Holdings, said if this project isn't put on the docket now, it will be held up for several years. He respectfully requests it be approved for docketing.

Stephen Burgess, 3508 96th Avenue SE, Mercer Island, spoke on behalf of his application and asked that it be approved for docketing.

Richard Pitt, said he was representing Thomas Hseuh – PL06-0689. The applicant proposes to change the designation of approximately half of a 212-acre parcel from Ag-NRL to Rural Marine Industrial (MRI). The subject property lies adjacent to Josh Green Lane, east of the twin bridges, and north of SR-20, along the southern shore of Padilla Bay. Plans are to construct a 15-slip luxury boat marine and channel, a boat storage area with associated boat maintenance, dry dock and painting facilities. Access through the proposed new channel would be through a planned lock. The applicant also asserts that due to brackish soils, the property is unsuitable for agricultural use.

The applicant also proposes to dedicate the remaining portion of the subject property (roughly half) to the creation of a wildlife sanctuary, and reports to have worked with and gained the support of various wildlife preservation groups.

Thomas Hseuh, applicant from Anacortes, spoke in detail about his plans for the property.

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Mick Donahue of Skagit Valley College indicated the college would like to relocate their Marine Maintenance Technology Program from Oak Harbor to an area closer to maintenance and boat building facilities. They are exploring the possibility of putting a training site at this proposal.

Don Wick, Director of the Economic Development Association of Skagit County (EDASC) said Bayview Edison Industries, which is owned by Mr. Hseuh, is suffering from growing pains. The marine industry has seen significant growth and additional land with launching facilities near the water is needed. This very unique proposal would provide great economic benefits for our community.

Mr. Pitt said the last marina project took 20 years to complete. He asked the Commissioners to approve this proposal for docketing. The project will take a great deal of time and effort on the part of Planning & Development Services; however, Mr. Pitt indicated that his firm has the resources and staff available to work with the Planning Department and would make funds available to the County to study these issues.

Mr. Hough spoke in support of Richard Johnson's proposal – PL06-0318. The applicant proposes to add approximately 20 acres of Rural Reserve land to the Sedro-Woolley UGA, at the southwest corner of the intersection of SR-9 and Bassett Road. To facilitate urban development on and access to the property, the applicant also proposes to re-route Bassett Road through the property, thus creating a new intersection with SR-9 and allowing the existing intersection to be closed.

The applicant states that due to poor site distance, the existing intersection is extremely dangerous and numerous accidents have occurred; however, he did not submit any substantiating information. The Department requested a formal recommendation from the Sedro-Woolley City Council, but the City did not submit such a recommendation; instead there is a letter of support from the City planner and City engineer. Although the City appears to support the proposal, City staff assert the City does not have the resources to prepare supporting rationale required by Comprehensive Plan policies and development regulations for UGA amendments, nor was any submitted. Likewise, the applicant did not submit any data or information to confirm consistency with the City's future plans.

Mr. Hough said this proposal will have substantial impacts for the future development of the northwest portion within the existing city limits. He reviewed discussions that have taken place with the City of Sedro-Woolley for several years and agreed that the development would be mixed commercial and industrial use designed to provide services to the northern portion of the City.

According to Mr. Hough, this proposal has an impact in the future for a substantial area of the existing city limits. The City has taken a comprehensive approach in reviewing and approving a transportation plan for the area. City support of the proposal was provided with the original application. Mr. Hough feels any delay in consideration of this request could impact future development in the existing portion of the city limits in the area for some time.

There being no further public testimony forthcoming, Commissioner Munks motioned to close the public hearing. Chairman Dahlstedt seconded the motion and the public hearing was closed.

Commissioner Munks motioned to set Monday, December 18, 2006, at 10:00 a.m. to decide the 2006 docket of annual amendments for public, agency and environmental review and a Planning Commission public hearing. The motion was seconded by Chairman Dahlstedt and carried.

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ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Ted W. Anderson, Commissioner

Don Munks, Commissioner

ATTEST:

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