

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
WEDNESDAY, AUGUST 6, 2014**

The Skagit County Board of Commissioners met in regular session on Wednesday, August 6, 2014, with Chair Ron Wesen, Commissioner Kenneth A. Dahlstedt, and Commissioner Sharon D. Dillon present.

I. CALL TO ORDER:

Chair Wesen called the proceedings to order at 9:02 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Wesen led the gallery in the salute to the flag.

III. AGENDA:

a) 9:00 a.m. - 10:30 a.m. Board of County Commissioners Special Meeting:

1. Presentation/Discussion: Skagit County Transfer of Development Rights - Project Findings and Program Recommendations

Kirk Johnson, Senior Planner, provided a PowerPoint presentation and noted that the Transfer of Development Rights (TDR) project had been funded in part by the United States Environmental Protection Agency under Puget Sound Ecosystem Restoration and Protection Cooperative Agreement Grant PC-00J20101 with the Washington Department of Ecology, administered by the Washington Department of Commerce.

Mr. Johnson explained that at the direction of the Board of County Commissioners, Skagit County Planning and Development Services worked with a Board-appointed TDR Advisory Committee to consider the possible implementation of a TDR program in Skagit County. He explained that the TDR Advisory Committee addressed the following issues: What is TDR? Skagit County conservation goals and sending areas; Skagit County development goals and receiving areas; Local market for TDR; Successful TDR programs -elements and examples; Transaction mechanisms; Interactions with existing program such as Farmland Legacy, Burlington Density Credit, and Mount Vernon TDR. The TDR Project Findings and Program Recommendations

The following TDR Advisory Committee members were present and provided comments on the thoroughness of the process and spoke in support of implementing a combined TDR and density Credit program: Bruce Lisser, Lisser & Associates; Martha Bray, Skagit Land Trust; Allen Rozema, Skagitonians to Preserve Farmland; Paul Kriegel, Skagit County Forest Advisory Board.

Wayne Crider, Skagit Island Counties Builders Association; and Ed Stauffer, Skagit County Rural Resident, spoke in opposition to implementing a TDR Program and provided comments regarding the lack of receiving areas; too few cities participating; an inadequate demand for development; existing land conservation polices were working well; additional TDR tool was not necessary in Skagit County; concerns that a TDR program could harm the existing Farmland Legacy program.

Mr. Johnson read a letter from Margaret Fleek, City of Burlington Planner, supporting implementing a TDR Program in Skagit County.

Nicholas Bratton, Forterra Policy Project Manager, thanked the Commissioners for the

opportunity to comment on the Skagit County TDR process. He said that the County hired Forterra as a consultant to provide strategic guidance for designing a framework for a potential TDR program. Mr. Bratton went on to explain that Forterra had worked with Pierce, Snohomish, Kittas, and Clark Counties to design or update their TDR programs. He discussed the TDR Advisory Committee process, and said that the meetings were open to the public, inclusive of the diverse views, and rich with thoughtful contributions. He said that the recommendations from the TDR Advisory Committee emerged from a process of methodical evaluation and robust dialog.

Commissioner Dillon spoke about how much she appreciated how diverse the views and opinions of the TDR Advisory members were and that eight members were able to support implementing a TDR Program and only three were opposed to the program.

Commissioner Dahlstedt commented on the history and the implementation of the Growth Management Act; zoning changes; urban density areas; taxpayer dollars being used to buy back development rights. He said that the TDR program may be ahead of its time for Skagit County but it would be another useful tool.

Chair Wesen expressed support for the TDR Program. He said that it was a voluntary program and that if implemented, language could be changed to make it work for Skagit County.

There was a discussion about leadership, setting an example, impending growth; addressing sprawl; density levels; subdivision of rural lands; conversion of forest lands; incorporating the Bayview Ridge area with the TDR program.

The following members of the public provided comments in support of the Program; Mike Janicki of Janicki Industries; Ken Osborn, Forester; Jim Owens, Washington Farm Forestry Association member.

The following members of the public provided comments in opposition to the TDR Program; Ellen Bynum of Friends of Skagit County read and submitted a letter on behalf of the Friends of Skagit County; and Randy Good founding member of the Farmland Legacy Program and the Agricultural Advisory Board read and submitted a letter.

Mr. Johnson said that he would work with the Clerk to schedule a date and time for the Board of County Commissioners to meet in open session and to make a decision about implementing a TDR Program in Skagit County.

The Commissioners thanked the TDR Advisory Committee members for all their hard work and dedication.

Transfer of Development Rights comments can be viewed by selecting this link: <ftp://ftp.skagitcounty.net/countycommissioners/documentsa/gendapackets/08042014>

b) \*2:00 p.m. - 3:00 p.m. Executive Session Litigation - (RCW 42.30.110(1)(i))

Chair Ron Wesen; Commissioner Kenneth A. Dahlstedt; and Commissioner Sharon D. Dillon attended an executive session on Wednesday, August 6, 2014, from 2:08 p.m. to 3:21 p.m. The purpose of the executive session was Litigation – RCW 42.30.110(1)(i) (Matters relating to County enforcement actions, actual litigation, or potential litigation). The following attorneys were present and provided legal advice to the Commissioners: Prosecuting Attorney Richard Weyrich; Chief Civil Deputy Prosecuting Attorney Will Honea; and Deputy Prosecuting Attorney Melinda Miller. Other Attendees: County Administrator Tim Holloran; Budget and Finance Director Trisha Logue; County Treasurer Katie Jungquist; Deputy Assessor RC Cavazos; and Residential Appraiser Dave Thomas.

IV. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 10:38 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ron Wesen, Chair

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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Clerk of the Board