

**TESTIMONY AND WRITTEN COMMENTS:  
DOCKETING OF 2014 COMPREHENSIVE PLAN AMENDMENTS  
RECEIVED 11/27/14 – 12/17/14**

Proposal Key

*NC-1: City of Sedro-Woolley petition to change the City's Urban Growth Area*

*NC-2: Wilfred Voigt, redesignate land from Rural Reserve to Small-Scale Recreation and Tourism or Small-Scale Business*

*C-1: Skagit County proposal to incorporate Transfer of Development Rights program goals, objectives and policies*

<i>Name</i>	<i>Organization</i>	<i>Method</i>	<i>Proposal</i>
Adams, David		Email (12/4/14)	NC-2
Alexandra, Kathryn		Email (12/15/14)	C-1
Anderson, John		Email (12/14/14)	NC-2
Bynum, Ellen	Friends of Skagit Co.	Testimony + email (12/17/14)	C-1 + NC-1
Coffey, Robert		Email (12/12/14)	NC-2
Coleman, John	Sedro-Woolley Planning Dept.	Testimony	NC-1
Doran, Molly	Skagit Land Trust	Testimony	C-1
Freethy, Diane	Skagit Citizens Alliance for Rural Preservation	Emails (12/15 & 12/17/14)	C-1
Galbreath, Luther		Email (12/16/14)	NC-2
Getsic, Rodleen		Email (12/3/14)	NC-2
Giecek, Ed		Email (12/3/14)	NC-2
Giecek, Pam		Email (12/2/14)	NC-2
Good, Randy		Testimony	C-1
Good, Randy and Aileen		Letter (12/15/14)	C-1
Hulbert, Mike		Testimony	C-1
Jepperson, Christina		Email (12/4/14)	NC-2 and C-1
Jepperson, Ryan		Email (12/3/14)	NC-2 and C-1
Jordan, Linda		Email (12/8/14)	NC-2
Keane, Michael		Email (12/4/14)	NC-2
Koltweit, Eric		Email (12/7/14)	NC-2
Kyritsis, Ginger	Concrete Town Council	Email (12/3/14)	NC-2
Lagerlund, Nels	Ag Advisory Board	Email (12/16/14)	C-1
Lahr, Bob		Email (12/3/14)	NC-2
Lyon, Rachael and Goedl,		Email (12/12/14)	NC-2

**TESTIMONY AND WRITTEN COMMENTS:  
DOCKETING OF 2014 COMPREHENSIVE PLAN AMENDMENTS  
RECEIVED 11/27/14 – 12/17/14**

Proposal Key

*NC-1: City of Sedro-Woolley petition to change the City's Urban Growth Area*

*NC-2: Wilfred Voigt, redesignate land from Rural Reserve to Small-Scale Recreation and Tourism or Small-Scale Business*

*C-1: Skagit County proposal to incorporate Transfer of Development Rights program goals, objectives and policies*

Jacob			
Maas, Kevin		Email (12/16/14)	C-1
Manns, Timothy	Skagit Audubon Society	Testimony	C-1
Manns, Timothy and Wright, Phillip	Skagit Audubon Society	Letter (12/15/14)	C-1
Mattingly, Jessie		Email (12/16/14)	NC-2
Mitchell, Roger		Email (12/17/14)	C-1
Morgan, Bruce		Email (12/4/14)	NC-2
Movassaghi, Greta		Email (12/16/14)	NC-2
Osborn, Ken		Email (12/15/14)	C-1
Owens, Jim		Testimony	C-1
Radharani, G. (Mary)		Email (12/17/14)	NC-2
Rosenhan, Tim		Testimony	C-1
Rozema, Allen	Skagitonians to Preserve Farmland	Testimony + email (12/17/14)	NC-1 + C-1
Scott, Lori		Email (12/14/14)	C-1
Sherman, David	Valley High Investments, Inc.	Testimony + email (12/17/14)	NC-1
Sill, Roy		Email (12/2/14)	NC-2
Stauffer, Ed		Testimony + email (12/17/14)	C-1
Stave, Brian		Email (12/2/14)	NC-2
Wagoner, Keith	Sedro-Woolley City Council	Testimony	NC-1
Xaver, Andrea		Emails (12/16 & 12/17/14)	C-1

**From:** [Dave Adams](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewing  
**Date:** Thursday, December 04, 2014 8:10:38 AM

---

I am writing in support of the rezoning at The Birdsvew Brewery.

I believe the county should do everything possible to support and help small family owned and operated businesses not just survive but to thrive.

East of Sedro-Woolley there are very few places to go out to eat or have a beer that are family friendly. The Birdsvew Brewery is the only one I care to go into. I want to see them succeed and to be there for a good many years to come. I believe a rezone to commercial and the benefits, to their business that go along with that status will help to ensure that outcome.

Thank you.  
David Adams  
Rockport

**From:** [Kalexandra@comcast.net](mailto:Kalexandra@comcast.net)  
**To:** [PDS comments](#)  
**Subject:** TDR program  
**Date:** Monday, December 15, 2014 5:47:00 PM

---

**Please REMOVE AG-NRL FROM ANY PROPOSED  
TDR PROGRAM.**

The idea of TDRs seems simple, but it is a very complex program requiring planning staff and legal costs to manage the program.

**We can continue to conserve farms and  
forests and increase density without the  
TDR program.**

**Sincerely, Kathryn Alexandra  
4311 ginnett rd  
anacortes, wa 98221**



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

**From:** [john\\_anderson@comcast.net](mailto:john_anderson@comcast.net)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewery  
**Date:** Sunday, December 14, 2014 10:31:58 PM

---

Please allow the Birdsvew Brewing Company commercial designation so they can expand their kitchen.

It's a wonderful family owned business that brings the community together. They have wonderful beer but we'd all like to see them expand their food menu.

Thank you for your consideration.

John Anderson

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: FOSC comments on 2014 proposed Comp Plan ammendments - Sedro Woolley proposed UGA changes  
**Date:** Wednesday, December 17, 2014 3:47:49 PM  
**Attachments:** [FOSC comments 2014 CP amends SW UGA expansion 121614.pdf](#)

---

From Dept Email

---

**From:** Ellen Bynum [mailto:skye@cnw.com]  
**Sent:** Wednesday, December 17, 2014 1:23 PM  
**To:** PDS comments  
**Cc:** KenDahlstedt; Sharon D. Dillon; Ron Wesen  
**Subject:** FOSC comments on 2014 proposed Comp Plan ammendments - Sedro Woolley proposed UGA changes

Ellen Bynum, Executive Director  
Friends of Skagit County  
110 N. First St. #C  
P.O. Box 2632 (mailing)  
Mount Vernon, WA 98273-2632  
360-419-0988

[friends@fidalgo.net](mailto:friends@fidalgo.net)

[www.friendsofskagitcounty.org](http://www.friendsofskagitcounty.org)

"A valley needs **FRIENDS**"

20th Anniversary ●Common Goals ●Common Ground ●Common Good●

[DONATE NOW](#) at Network for Good

 [Please consider the environment before printing this email](#)

# *Friends of Skagit County*

PO Box 2632

Mount Vernon WA 98273-2632

• Common Good • Common Goals • Common Ground •

December 17, 2014

Ron Wesen, Chairperson  
Ken Dahlstedt, Commissioner  
Sharon Dillon, Commissioner  
Board of Skagit County Commissioners  
County Admin. Bldg. #100  
1800 Continental Place  
Mount Vernon WA 98273

RE: 2014 Comprehensive Plan Proposed Amendments – Sedro Woolley’s proposed UGA changes

Dear Commissioners:

The Growth Management Act (GMA) outlines the purpose of Urban Growth Areas as well as the requirements for establishing, sizing and modifying the UGAs to ensure compliance with the GMA. The Growth Management Hearings Board has reviewed many proposals to expand UGAs and found them lacking. The Board has been clear that criteria such as an updated or adequate inventory, estimates of current and future needs or adoption of methodologies to finance such needs for infrastructure is required, as well as analysis in the county’s capital facilities planning. The Board has also ruled that the proper sizing of an UGA is not simply a density calculation. We saw none of this information provided in the original and current application.

The Sedro Woolley 2012 application states that “This project began at the request of the property owners north of SW city and UGA limits.” While requests of individual property owners may be one reason that a municipality would initiate a review of its UGA there are many other actions needed to determine whether the request should be brought forward to the County for consideration. One requirement would be an update of the city’s comprehensive plan and development regulations as required by RCW 36.70A.130 that would reflect, among other things, the parcels in question. In addition the city has not explained how the parcels to be added in the proposed UGA expansion meet the requirement that they be adjacent to land characterized by urban growth.

A review of a UGA is to determine that the UGA and the densities in them are appropriately accommodating urban growth. No such review was completed for this proposal, nor were measurements that would allow the county to determine if the city had met or not met its targets and goals for the UGA. The size of any UGA must be based upon the projected population growth allocated to that UGA and the Board has been clear about UGAs which exceed the projected demands for such lands over the 20-year planning term are not in compliance with RCW 36.70A.70A.110.

The proposed change of the UGA boundaries for the city of Sedro Woolley in the proposed items listed in 2014 Skagit County Annual Comprehensive Plan Amendments was carried forward from an earlier year’s proposal. There have been changes in the amount of acreage that is being proposed in the 2014 proposal with no reasons given for the changes. The city stated “Therefore, since the amount of land being swapped is equal, and the allowed density of residential development is equal in both areas, there will be no net effect on the UGA land allocation as sized for the city’s 2025 population forecast.” The county must use factors that are required for

## *Friends of Skagit County*

PO Box 2632

Mount Vernon WA 98273-2632

• Common Good • Common Goals • Common Ground •

the county to approve changes in the UGA including whether services are available and sized properly for the UGA. The count cannot make a decision based solely on whether the UGA size stays the same.

The city states “The Swap of UGA properties is intended to allow the City of Sedro-Woolley to better meet the goals of the GMA by accommodating growth in areas where services are available.” As we understand it there are currently no services available for the northerly parcels, although the City cites a nearby fire station and its availability services. The services for these parcels have not been discussed or analyzed as to need, cost or reason.

The application further states “ The city’s review process will not result in any changes to the city’s UGA.” This process appears to us to be backward. The city’s review for the need to change the UGA should have preceeded the request. The applicant states “Future growth in the city of SW logically will be to the north of city limits. This is exactly where the 27.73 acre UGA expansion in Part 1 of this application is requested. The city sewer already extends to the northerly city limit and can be extended northward without the need for a sewer pump station.” While this may be so, the need for the expansion to comply with the GMA has not been shown.

“The city is planning for growth in the north of the city, and this UGA configuration is vital to the city’s plan for accommodating residential growth in accordance with the GMA and the population allocations in the CPP adopted by Skagit County.” While the GMA and the Board has acknowledged that reconfiguration of UGAs is permitted in limited cases, the Board expects that the cities and counties will have sized the UGA to match the population projected and adjust the configuration based on the actual population that has come into the UGA. There is no information that would show this is the case.

In the original proposal the city stated “The UGA expansion proposed in Part 2 of this application is to include OS and public zoned properties that are owned by the city into the UGA. The city did not own these parcels when the UGA was designated, but now that the city owns them, they belong under city control for OS and public use.” While the city may have all good intentions in acquiring land in advance of needing the land, the fact that the land is owned by the city is not reason enough to expand the UGA.

For the above reasons we recommend that the County reject the proposed UGA changes proposed by Sedro Woolley as the City has not provided evidence that such an exchange is needed under the GMA.

Yours sincerely,

Ms. Ellen Bynum  
Executive Director

EB/

cc: FOSC Board

**From:** [LoriAnderson](#) on behalf of [Planning & Development Services](#)  
**To:** [Debra L. Nicholson](#)  
**Subject:** FW: PDS Comments  
**Date:** Friday, December 12, 2014 10:53:26 AM

---

Hi Deb... do you get these as well? I already forwarded to Kirk...

-----Original Message-----

From: [website@co.skagit.wa.us](mailto:website@co.skagit.wa.us) [<mailto:website@co.skagit.wa.us>]  
Sent: Friday, December 12, 2014 9:20 AM  
To: Planning & Development Services  
Subject: PDS Comments

Name : Robert Coffey MD  
Address : 21636 Swan Road  
City : Mount Vernon  
State : WA  
Zip : 98273  
email : [robcoffey@comcast.net](mailto:robcoffey@comcast.net)  
Phone : 360 428-6915

PermitProposal : Birdsvew Brewing Company expansion Comments : Skagit County Planning Staff and County Commissioners:

I believe that the Birdsvew Brewery Company and brewpub are real assets to the Skagit County upriver community. The brewpub provides a very convivial center for social interaction and local entertainment. It also draws business to the area and provides significant employment. I support their application for rezoning to allow expansion of this very beneficial small business.

Robert Coffey

From Host Address: 67.183.70.207

Date and time received: 12/12/2014 9:18:15 AM

**From:** [Diane](#)  
**To:** [Janicki, Lisa \(campaign\)](#); [prosecutor](#); [Ryan R. Walters](#); [Will W. Honea](#); [Dale Pernula](#)  
**Cc:** [AdministrativeServices](#); [KirkJohnson](#); [GaryChristensen](#)  
**Subject:** Fw: ALERT: TDR Discussion | Dec 15, 2014 - Comments  
**Date:** Monday, December 15, 2014 7:54:24 AM  
**Attachments:** [SCARP Memo to BoCC re TDRs 12.15.14.doc](#)  
**Importance:** High

---

FYI

----- Original Message -----

**From:** [Diane](#)  
**To:** [Dillon, Sharon](#) ; [Dahlstedt, Ken](#) ; [Wesen, Ron](#)  
**Sent:** Monday, December 15, 2014 7:39 AM  
**Subject:** ALERT: TDR Discussion | Dec 15, 2014 - Comments

Commissioners:

We are opposed to any type of TDR program being initiated in Skagit County for many reasons, some of which are spelled out in our memo (attached).

Thank you for considering our concerns.

Diane Freethy, *President*

*SKAGIT CITIZENS ALLIANCE for RURAL PRESERVATION*  
PO Box 762, Sedro-Woolley WA 98284  
360-856-2290

# SCARP

**Skagit Citizens Alliance  
for Rural Preservation**

PO Box 762, Sedro-Woolley WA 98284 | 360-856-2290

## — EMAIL MEMO —

TO: Skagit Board of County Commissioners      DATE: December 15, 2014  
TOPIC: Transfer of Development Rights      POSITION: **Opposed**

Once again you are asking Skagit County Citizens to give you carte-blanche approval for a land-use gimmick that provides no benefits to the majority of the population and threatens to undermine the Farmland Legacy Program.

The TDR program "marketed" by the Department of Commerce and The TDR Alliance\* was created for the communities in Central Puget Sound. It was never intended for rural areas such as Skagit County. Moreover, consultants and land-use experts have demonstrated time and time again that, owing to a lack of legitimate "receiving areas," Skagit County cannot possibly support a viable TDR program. Even TDR Committee member Bruce Lissner of Lissner & Associates, who supports TDRs, recently told the Skagit Valley Herald that such a program "may not see much use" in Skagit County.

### **So, what's the hurry?**

We see this as one more "government-by-grant" proposal designed to benefit developers at the expense of local citizens and the rural industries that are so important to the local economy.

SCARP has studied this issue to death over the years and we have yet to find one good reason to continue the TDR conversation.

The Planning Department must focus on the Comp Plan Update in coming months to ensure that deadlines are met. For that reason alone, we are requesting that you order PDS to cease all activities related to TDRs and remove any and all reference to TDRs from Comp Plan Update materials, future Comp Plan Dockets and the County Code.

Respectfully,

Diane Freethy, President

\* The TDR Alliance is headed up by Heather Ballash. She previously assisted the Department of Ecology in its quest to approve Wetland Mitigation Banks in Skagit County. Surely you haven't forgotten the outcome of that fiasco.

cc: Rich Weyrich, Will Honea, Ryan Walters, Dale Pernula, Planning Commission,  
Lisa Janicki, et al

~ SKAGIT CITIZENS ALLIANCE FOR RURAL PRESERVATION ~  
*A Nonprofit Corporation Dedicated to Preserving the  
Country Way of Life in Rural Skagit County*

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: OPPOSED to TDR inclusion on the Comp Plan Docket  
**Date:** Wednesday, December 17, 2014 3:49:27 PM  
**Attachments:** [SCARP Memo to BoCC re TDRs 12.15.14.doc](#)  
**Importance:** High

---

From Dept Email

---

**From:** Diane [mailto:freeprss@wavecable.com]  
**Sent:** Wednesday, December 17, 2014 11:21 AM  
**To:** PDS comments  
**Subject:** OPPOSED to TDR inclusion on the Comp Plan Docket  
**Importance:** High

To Whomever ...

The attached comments were read aloud at the Commissioners' hearing on Dec. 15th.

Please record our OBJECTION to the inclusion of TDR's on the Comp Plan Docket. The Comp Plan Update will require much time and effort by County planners and, for numerous other reasons, we feel any further review of TDR's at this time is inappropriate.

Respectfully,  
Diane Freethy, President  
SKAGIT CITIZENS ALLIANCE for RURAL PRESERVATION  
PO Box 762, Sedro-Woolley WA 98284  
360-856-2290

**From:** [Luther Galbreath](#)  
**To:** [PDS comments](#)  
**Subject:** We support our local Birdsvie Brewery and hope they can expand their kitchen!  
**Date:** Tuesday, December 16, 2014 7:02:10 AM

---

Good morning! We hope for the continued success of the Birdsvie Brewing Company. Their whole Family work so hard to provide all of our East Valley Communities with a wholesome, family friendly place for community to gather!

As well as voted for having Best Beer and Music Bands, they do Fundraisers for Birdsvie Fire Dept, Hospitals, Wounded Warriors, etc! The Firemen and their Families all come out and help with the Fundraisers. It is so heartwarming to see a small community pull together this way!

We support our Local Birdsvie Brewery and hope they can expand their kitchen and wish them continued success !!

Thank you from Luther and Deb

**From:** [Rodleen Getsic](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvie is Our Favorite Restaurant  
**Date:** Wednesday, December 03, 2014 12:35:08 PM

---

Dear Skagit County:

Please re-zone the Birdsvie Brewery to a **Commercial Designation** so they will be able to expand their kitchen!!! We eat there all the time! Their food is great, but it is limited right now... Please allow them to meet the need the our community by expanding their kitchen options.

Thank you from a devoted patron of Birdsvie Brewing Company,

Warmest Regards,

Ms. Rodleen Getsic  
P.O. Box 37  
[Concrete WA 98223](#)

**RODLEEN GETSiC**

**From:** [Ed Giecek](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewing Company  
**Date:** Wednesday, December 03, 2014 1:01:46 AM

---

Dear Skagit County Zoning Committee,

I understand that you are considering a request by the Birdsvew Brewing Company to expand their kitchen. I highly recommend expansion of their kitchen. The Birdsvew Brewpub / Eatery is highly thought of in our community. It is operated by a wonderful family who are excellent ambassadors for the many visitors that pass through Skagit County on Highway 20. Improving their capacity for quantity and quality of service will greatly benefit all of the many Skagit County residents as well as out of County visitors to our area!

Sincerely,

Edward P. Giecek  
7609 Pressentin CT  
Concrete, WA 98237

**From:** [Pam](#)  
**To:** [PDS comments](#)  
**Subject:** Re-Zone Birdsvew Brewery  
**Date:** Tuesday, December 02, 2014 4:44:33 PM

---

Re-sent EMAIL with corrections (sorry my enthusiasm made my fingers click SEND before I read my mistakes)

Skagit County:

Please re-zone the Birdsvew Brewery to a commercial designation so they will be able to expand their kitchen!!!  
Their food is great, but it is limited right now... Please allow them to meet the needs of our community by expanding their kitchen options.

Thank you from a devoted patron of Birdsvew Brewing Company,  
Pam Giecek  
7609 Pressentin Court  
Concrete WA 98223

To: Pdscomments@co.skagit.wa.us

Sent from my iPad

Skagit County Commissioners  
1800 Continental Place  
Mount Vernon, Wa. 98284



December 14, 2014

Re: 2014 Comp Plan Amendments,

I am one of the founding members of the Skagit County Farmland Legacy Program (FLP). December 1996. We had 7 voting members all with agriculture background and interests and knowledge on how these committees, boards should properly function.


At the very first committee meeting the committee took charge contrary to the then county administrators goal for the Farmland Legacy which was in a different direction. We elected a chairman, a vice chairman, minutes were taken during each meeting. Committee chairman had complete control of proceedings and outcomes not staff or consultants. We approved previous minutes at start of each meeting. The committee members, not county staff or administrator, then crafted and developed the existing Legacy Program. Goal was to preserve farmland and keep funding available for that. 10,000 acres has been preserved so far.

Compare the Farmland Legacy development and it's success to this TDR. TDR group had no chairperson, no vice chairperson, no proper minutes taken during meetings only notes by staff Kirk Johnson, no previous minutes approved during next meeting, sometimes Johnson talked about his notes at next meeting, no votes taken just consensus. County staff Johnson and consultants had total control of the group's proceedings and it's outcome, with consultants promoting their known agenda. Sadly the dysfunctional TDR group was used as a rubber stamp.

We know that TDR programs are not and never have been meant for rural counties. That fact, was never allowed to be discussed at meetings properly. So, what we have here is a not a county citizens TDR proposal, but a proposal crafted by staff Johnson and consultants with a different agenda.

Implementation of this TDR program will kill our now successful Farmland Legacy Program. We encourage commissioners to remove the AG-NRL zone from any proposed TDR program.

Thank you

Handwritten signature of Randy Good in black ink.Handwritten signature of Aileen Good in black ink.

Randy Good & Aileen Good

35482 SR 20

Sedro Woolley Wa. 98284

360-856-1199

**From:** [Christina Jepperson](#)  
**Cc:** [PDS comments](#); [KirkJohnson](#); [Dale Pernula](#); [birdsviewbrewing@aol.com](mailto:birdsviewbrewing@aol.com)  
**Subject:** Re: 2014 Comprehensive Plan Amendment docket comments  
**Date:** Thursday, December 04, 2014 8:20:03 AM

---

Dear Board of County Commissioners,

I am writing to urge you to support the following 2014 Comprehensive Plan Amendments:

- <!--[if !supportLists]-->• <!--[endif]-->**NC-2:** Wilfred Voight, redesignate an approximate 12 acre parcel from Rural Reserve (RRv) to Small-Scale Recreation and Tourism (SRT), or as an alternative, Small-Scale Business (SSB)
- <!--[if !supportLists]-->• <!--[endif]-->**C-1:** Proposal to amend the Skagit County Comprehensive Plan to incorporate Transfer of Development Rights (TDR) program goals, objectives and policies; and, establish Skagit County Code implementing measures

I support redesignating the Voight property to a more appropriate zoning designation for a restaurant. Like many in this region of the county, I am a loyal patron of the Birdsvew Brewing Company. My family eats dinner there regularly and we wish the establishment could be approved to construct a full restaurant style kitchen.

I also support the incorporation of the TDR program into the Comprehensive Plan. The TDR program is an important opportunity for Skagit County land owners to voluntarily preserve critical forestry, agricultural, and wildlife lands while at the same time providing an opportunity for higher density development. I think this TDR program could definitely be useful for small forest land owners who want to keep their forests in forestry, for farmers who want to keep their farmland in farming, for wildlife, and for developers who want more development density. As a small forest landowner myself, I would definitely consider participating in the TDR program.

Sincerely,  
Christina Jepperson  
Secondary Forest Land Owner (P40897)

**From:** [Ryan](#)  
**To:** [PDS comments](#)  
**Cc:** [KirkJohnson](#); [Dale Pernula](#); [birdsviebrewing@aol.com](mailto:birdsviebrewing@aol.com)  
**Subject:** 2014 Comprehensive Plan Amendment docket comments  
**Date:** Wednesday, December 03, 2014 11:12:36 PM

---

Dear Board of County Commissioners,

I am writing to urge you to support the following 2014 Comprehensive Plan Amendments:

- **NC-2:** Wilfred Voight, redesignate an approximate 12 acre parcel from Rural Reserve (RRv) to Small-Scale Recreation and Tourism (SRT), or as an alternative, Small-Scale Business (SSB)
- **C-1:** Proposal to amend the Skagit County Comprehensive Plan to incorporate Transfer of Development Rights (TDR) program goals, objectives and policies; and, establish Skagit County Code implementing measures

I support redesignating the Voight property to a more appropriate zoning designation for a restaurant. Like many in this region of the county, I am a loyal patron of the Birdsvie Brewing Company. My family eats dinner there regularly and we wish the establishment could be approved to construct a full restaurant style kitchen.

I also support the incorporation of the TDR program into the Comprehensive Plan. The TDR program is an important opportunity for Skagit County land owners to voluntarily preserve critical forestry, agricultural, and wildlife lands while at the same time providing an opportunity for higher density development. I think this TDR program could definitely be useful for small forest land owners who want to keep their forests in forestry, for farmers who want to keep their farmland in farming, for wildlife, and for developers who want more development density. As a small forest landowner myself, I would definitely consider participating in the TDR program.

Sincerely,  
Ryan Jepperson  
Secondary Forest Land Owner (P40897)

**From:** [Linda G. Jordan](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewery  
**Date:** Monday, December 08, 2014 10:34:24 AM

---

To Whom It May Concern:

I am writing in support of the application by Bill and Kris for an expansion of their existing building. The Brewery is such a wonderful community resource. Kris and Bill are very active in their community often holding special fund raising events to give back to the community. I play in a band that performs there frequently. I love the fact that the brewery closes at 9 pm, so they are not contributing to problems on the highway like many of the taverns that stay open late into the night. They try to serve food there, and they do a fine job of it, but the kitchen is really small and hampers their ability to do a fuller menu that would certainly be more financially advantageous. I encourage the commission to allow a hearing on their petition.

Thanks for your consideration

Linda Jordan  
60793 Dexter Lane  
Marblemount, WA  
360-873-4201

**From:** [Michael Keane](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewrey Kitchen Expansion  
**Date:** Thursday, December 04, 2014 11:57:04 AM

---

I would like to voice my support for the kitchen expansion at the Birdsvew Brewery. I have lived in the Marblemount area since 2000. While I do like the rural setting of the area I had expected the area to move towards prosperity as time went by. It, unfortunately, seems to going in the opposite direction, businesses are failing and houses are being abandoned due to the failing local economy. My home is surrounded by abandoned houses that were occupied when I moved here. The houses are so dilapidated that they are now obvious teardowns.

The area will not prosper unless the community can be served by a viable business infrastructure. The Birdsvew Brewing Company is an asset to the community. The brewery was constructed in an astatically appealing way that enhances the area. They are currently lacking the ability to serve good palatable food due to the lack of a functional kitchen. If allowed, a restaurant would offer the area another viable location that I could visit for a good meal in an above average venue.

I would urge you to either allow the Brewery to be rezoned as a commercial entity or allow a variance so that a kitchen can be constructed.

Thank you,

Michael Keane  
59630 SR 20  
Marblemount, Wa

**From:** [Eric Koltweit](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewing Company Kitchen  
**Date:** Sunday, December 07, 2014 11:50:16 AM

---

To Whom It May Concern:

My name is Eric Koltweit and I write to you in effort to support Birdsvew Brewing Company. As you know they would like to "upgrade" the kitchen area of their establishment. I support them 100% and would like you to grant them permission to move forward.

This family owned operation is bringing in revenue to Skagit County. An establishment with a focus on beer should be complemented on wanting to serve better food. There is a direct correlation that eating food with beer consumption will make for a **safer highway 20.**

Thank you in advance,

Eric Koltweit  
Concrete WA / Lake Tyee summer address  
Palm Desert, CA winter address

**From:** [Ginger Kyritsis](#)  
**To:** [PDS comments](#)  
**Subject:** RE: Birdsvie Brewery  
**Date:** Wednesday, December 03, 2014 7:49:46 PM

---

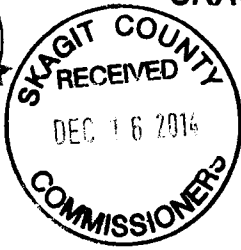
Ladies/Gentlemen,

I am writing this letter in support of the Birdsvie Brewery's petition asking for the re-zoning to commercial designation so that they may expand their kitchen.

Birdsvie Brewery is a vibrant part of our local community. The Voigt family opens their hearts and their doors frequently to contribute time and energy in support of local organizations, fire departments, victims of disasters/fires/floods, veterans, musicians, artisans etc. They are a substantial and vibrant part of this "Upper River" community.

I see the addition to their already thriving business as nothing but a positive step in the right direction for economic growth. Please consider how much this means to all of us that live and work here.

Ginger Kyritsis  
Concrete Town Council



**SKAGIT COUNTY AGRICULTURAL ADVISORY BOARD**

**1800 Continental Place  
Mount Vernon, WA 98273  
Phone (360) 336-3303  
Fax (360) 336-9478**

*CC: Debra Nicholson*

December 16, 2014

Skagit County Board of Commissioners  
1800 Continental Place  
Mount Vernon, WA 98273

RE: Docketing of the 2014 Comprehensive Plan Amendments.  
C-1, Proposal to amend the Skagit County Comprehensive Plan to incorporate  
Transfer of Development Rights.

Dear Commissioners,

As stated in the past, the Agricultural Advisory Board (AAB) does not support the implementation of the Transfer of Development Rights (TDR) program on those lands designated Ag-NRL. This position has not changed.

Furthermore, the AAB recommends that no further funding or time be spent on the implementation of a TDR program as it relates to Ag NRL zoned property.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Nels Lagerlund".

Nels Lagerlund  
AAB Chair

*Skagit County Agricultural Advisory Board Members:  
Nels Lagerlund (Chair), Kraig Knutzen (Vice Chair), Murray Benjamin, Jim Carstens, Ty Clark, Barbara Cleave,  
Brian Duquaine, Michael Hughes, Mike Hulbert, Greg Lee, Bill McMoran*

**From:** [Bob Lahr](#)  
**To:** [PDS comments](#)  
**Subject:** Commercial rezoning for Birdsvie brewery company  
**Date:** Wednesday, December 03, 2014 8:21:15 AM

---

To whom it may concern. I am sending this email on behalf of the Birdsvie Brewing Company in Birdsvie Washington. As a local resident and frequenter of the brewery I can't think of anything better then to allow them to expand to better serve our community. The Birdsvie Brewery has been a great place for many people of all ages to get together to socialize, play music, sing, and enjoy each others company. Wishing nothing but the best for this family operated business in these hard economic times. Great people. I hope you will deeply consider rezoning for them. Thank you for your time. Robert Lahr

**From:** [LoriAnderson](#) on behalf of [Planning & Development Services](#)  
**To:** [Debra L. Nicholson](#)  
**Subject:** FW: REZONE Birdsvie Brewing Co  
**Date:** Monday, December 15, 2014 8:27:15 AM

---

From Dept Email... can't remember if I sent it to you or not... I know there were only this one and the one you already got from Dr. Coffey.

Thanks,

Lori

**From:** Rachael Lyon [mailto:rlyon0991@mysvc.skagit.edu]  
**Sent:** Friday, December 12, 2014 10:47 AM  
**To:** PDS comments  
**Subject:** REZONE Birdsvie Brewing Co

We understand you are considering a request from the Birdsvie Brewing Company, we would highly recommend them for the granting of said inquiry. Please support the success of this budding business of Skagit County. They have worked so hard to provide the upriver community with a wholesome environment for community gathering. Approving the expansion of their kitchen will only enhance their ability to reach out to our community as well as passersby; which ultimately benefits our tourism commerce and economy. We support the BBC whole-heartedly, as someone who grew up in the Birdsvie community - the BBC is a place of homecoming, embracing with wide-open arms in a return to our roots.

Thank you,

Rachael Lyon & Jacob Goedl

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: Proposed Comprehensive Plan amendments, including Transfer of Development Rights program  
**Date:** Wednesday, December 17, 2014 8:29:15 AM

---

From Dept Email

---

**From:** Kevin Maas [mailto:kevin@farmpower.com]  
**Sent:** Tuesday, December 16, 2014 3:08 PM  
**To:** PDS comments  
**Subject:** Proposed Comprehensive Plan amendments, including Transfer of Development Rights program

Dear Skagit Board of County Commissioners:

I support all effective tools that preserve farmland, so I write today in favor of the proposed Skagit Transfer of Development Rights (TDR) program. I commend Skagit County and its advisory committee for all the time spent over the past several years researching TDR, resulting in the recommendation to develop a program.

I support increased density in Skagit urban areas, I depend on successful farming of preserved farmland for my livelihood, and TDR programs lead to both these outcomes. Many people in the Puget Sound region live in counties with working TDR programs; when development pressure from the south hits Skagit County again, I want to have every tool available to direct it away from farmland—whether that is Farmland Legacy purchases, state money, privately-funded preservation easements, or TDRs.

Sincerely,

Kevin Maas

Farm Power Northwest  
1934 South Wall St  
Mount Vernon, WA 98273  
360.424.4519 (office)  
360.770.9212 (mobile)



**Skagit Audubon Society**  
P.O. Box 1101  
Mount Vernon, WA 98273



December 15, 2014

Director Dale Permala  
Skagit County Planning & Development Services  
1800 Continental Place  
Mount Vernon, Washington 98273

Re: Docketing of the 2014 Comprehensive Plan Amendments

Dear Mr. Permala:

We are writing on behalf of the board and membership of Skagit Audubon Society to support item C-1 in the docketing of the 2014 Skagit County Comprehensive Plan Amendments.

Skagit Audubon Society is the chapter of National Audubon centered in Skagit County. Our 204 member families share our organization's mission to conserve and restore natural ecosystems, focusing on birds, other wildlife and their habitats for the benefit of humanity and the earth's biological diversity. We have read enough of the extensive material about Transfer of Development Rights (TDR) programs on your department's website to see that a TDR program would support our mission. For this reason, we urge that the Skagit County Commissioners accept proposal C-1 to amend the Skagit County Comprehensive Plan to incorporate Transfer of Development Rights (TDR) program goals, objectives and policies; and establish the necessary Skagit County Code implementing measures.

Wildlife in Skagit County, including birds, depends on a diversity of natural resource lands. Trumpeter Swans, for example, wintering in Skagit County in greater numbers than anywhere else in the contiguous states, require harvested farm fields for foraging in addition to protected wetlands for feeding and as night roosts. Areas of forest or brush support a wide variety of other resident and migratory species. A TDR program would provide landowners another voluntary means of supporting conservation of such natural resource lands if they so choose. We believe it important that a variety of conservation mechanisms be in place to give landowners options to do as they choose with their property in support of their values and goals. This would both benefit our members in deciding what they want to do with their property and would provide other Skagit County residents the same opportunity.

We appreciate the work of Planning & Development Services in investigating the potential for a TDR and Density Credit program, and we urge our County Commissioners to support the addition of such a program to the county's Comprehensive Plan.

Thank you for the opportunity to comment.

Sincerely,

*141*  
Phillip Wright  
President  
Skagit Audubon Society

Timothy Manns  
Conservation Chair  
Skagit Audubon Society

*for the Skagit Audubon  
Board + Pres. Phillip Wright*

**From:** [Jessie Mattingly](#)  
**To:** [PDS comments](#)  
**Subject:** Comp Plan Petition NC-2  
**Date:** Tuesday, December 16, 2014 12:04:32 PM

---

To whom it may concern,

I write today to urge the Commissioners to please include petition NC-2 by Wilfred Voigt on the Docket for consideration. The parcel of land and Birdsvew Brewing Company is owned by my parents, Bill and Kris Voigt. I've seen all the work they have put into the business over the last 8 years, and all the obstacles they have overcome. The business would greatly benefit from the kitchen expansion, as would the upriver community. The brewery is an asset to the upper valley, and we would love for it to grow to realize it's full potential. Please include this petition on the Docket.

Thank you,  
Jessie Mattingly  
432 Rohrer Loop  
Sedro Woolley, WA 98294  
(360) 708-4349

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: Written comment on potential docketing of TDR proposal  
**Date:** Wednesday, December 17, 2014 3:47:19 PM  
**Attachments:** [Written comments on docketing of TDR proposal by Roger Mitchell 17 December 2014.pdf](#)

---

---

**From:** Roger Mitchell [mailto:[rmsendit@startouch.net](mailto:rmsendit@startouch.net)]  
**Sent:** Wednesday, December 17, 2014 2:10 PM  
**To:** PDS comments  
**Cc:** KenDahlstedt; Ron Wesen  
**Subject:** Written comment on potential docketing of TDR proposal

Please see attached written comments.

Thank you

Roger Mitchell  
Bow

ROGER H. MITCHELL  
1155 Chuckanut Ridge Drive  
Bow, Washington 98232

sent via email to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) and to  
[ronw@co.skagit.wa.us](mailto:ronw@co.skagit.wa.us) and [kend@co.skagit.wa.us](mailto:kend@co.skagit.wa.us)

Please confirm receipt of this message

Dear Planning and Development Services, Commissioner Wesen, and Commissioner Dahlstedt,

I strongly oppose the addition of any proposed Transfer of Development Rights (TDR) proposal to any current or future docket for the Skagit County Comprehensive Plan annual update or 7-year update. My opinions follow:

1. **The Third Time is NOT the "Charm".**

- In the 1990's the group that wrote the Rural Element portion of the Skagit Comprehensive Plan considered and then rejected TDR's as unnecessary and inappropriate. Nothing has changed to make TDR's viable now. If anything, conditions are more inappropriate now.
- A 2006 study showed TDR's were not appropriate for Skagit County. Nothing has changed – TDR's still aren't necessary or appropriate today.
- This third attempt is yet another unnecessary, grant-driven, planner-driven proposal that citizens never requested

1. **Sabotages the Farmland Legacy Program.** TDR's would sabotage existing, highly successful Skagit County programs (eg. Farmland Legacy)

2. **Existing Options Provide the Same Results.** Everyone (including the TDR project director) admits zoning and/or density credits can achieve the same results (ie. allowing increased density for development in cities)

3. **Adverse Court Rulings Limit Number of Potential "Senders".** Most parcels in key "Sending areas" no longer have a development right to "transfer" due to adverse effects of the 2013 Swinomish Tribe v. DoE and the 2014 Fox v. Skagit County private water well court rulings. If the Fox's can't get a building permit because they have no water then they also don't have a "development" right to "transfer" in a TDR transaction.

4. **Failed Market Analysis.** TDR Project's "market" analysis failed because *there was no market to analyze*. The "market" analysis performed was incomplete, lacked detail, and lacked credibility.

5. **Lack of Economic and Cost Benefit Analysis.** Proper evaluation of the TDR Project fails for lack of fundamental, *credible*, economic evaluation or cost/benefit analysis. Neither analysis was ever performed.

6. **Skagit is a Rural County.** TDR's are an urban development tool not appropriate for our rural county

7. **TDR's Will Increase Property Taxes.** TDR's will decrease participating "sending" (rural) parcel valuations and increase taxes for all other Skagit property owners who have to make up the subsequent revenue shortfall

8. **Potential Conflict of Interest ?** What future role might the TDR consulting organizations, Forterra and/or Heartland have in administering and approved TDR program in Skagit County ? Is there any potential conflict of interest between their advice to the current TDR project and their potential future roles ?

9. **Who Gets Hurt When TDR's Fail?** When the TDR program inevitably fails how do you compensate those folks that *permanently* lost their property rights in a TDR transaction ?
10. **No Public Benefit. *TDR's have failed almost everywhere they have been tried across the nation.*** It appears that TDR programs have *many disadvantages* and few, if any, advantages to taxpayers. What actual, tangible benefit is there to the average property owner/taxpayer in Skagit County to having a TDR program ?

Given all the detrimental and negative aspects of TDR's, and no demonstrable public benefit, I respectfully request that the Board of County Commissioners and Skagit County spend no further taxpayer dollars and no further County employee time in the consideration of the current or any future Transfer of Development Rights proposal.

Thank you

A handwritten signature in blue ink, appearing to read "Roger Mitchell", with a long horizontal flourish extending to the right.

Roger Mitchell  
Bow

**From:** [Bruce Morgan](#)  
**To:** [PDS comments](#)  
**Cc:** [Jessie Voigt](#)  
**Subject:** rezoning of P42797  
**Date:** Thursday, December 04, 2014 9:53:43 AM

---

## Planning & Zoning,

I would like to express my support for the rezoning of P42797, owned by VOIGT WILFRED J, containing the Birdsvie Brewing Co. I have watched, and patronized, this business since its beginning. Over the years it has grown to become a major influence in this area. It provides much needed and desired services to this area.

I have also watched the county administration's repeated attempts to stifle and even close this business. In an area where the economy is severely depressed, this attitude is inexcusable. The Skagit County administration should be actively supporting new business and the area's economic health, not trying to eliminate it. I urge you to support this zoning change and expedite its implementation.

Bruce R. Morgan  
P.O. Box 111  
Sedro Woolley, WA 98284

**From:** [Greta Movassaghi](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewery  
**Date:** Tuesday, December 16, 2014 12:25:26 PM

---

I support the expansion of the Brewery to include a kitchen. This establishment is one of the few year-round viable businesses in the upper valley, that offers a family dining atmosphere. The expansion of the menu offerings would further encourage patronage. The county should be doing everything it can to support and maintain viable businesses in eastern Skagit County.

Sincerely,

--

**Greta** Movassaghi  
PO Box 2013  
Concrete, WA 98237

**From:** [kennethosborn](#)  
**To:** [PDS comments](#)  
**Cc:** [KirkJohnson](#)  
**Subject:** TDR"s  
**Date:** Monday, December 15, 2014 2:21:17 PM

---

To Whom It May Concern,

I was on the Planning Commission 1992-1997 during which time TDR's were discussed & forwarded TDR's as one mechanism to reduce low density urban sprawl. While it may not be a panacea I believe it should remain 'in the tool chest' of options to mitigate large lot development.

I don't believe arguments suggesting the size of population is important. You simply need to balance the 'give & take' sites to have agitation in the marketplace.

Regards,  
Ken Osborn

**From:** [Radharani G](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewery  
**Date:** Wednesday, December 17, 2014 1:09:52 PM

---

Dear County,

Please allow the Birdsvew Brewery to have a bigger kitchen. It is the only restaurant our family likes to go to and Kris needs a bigger kitchen.

Thank you.

Concrete Resident

**Mary**

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: Docketing of the 2014 Comprehensive Plan Amendments  
**Date:** Wednesday, December 17, 2014 3:50:02 PM  
**Attachments:** [2014 Comprehensive Plan Amendments - Comments.pdf](#)

---

From Dept Email

---

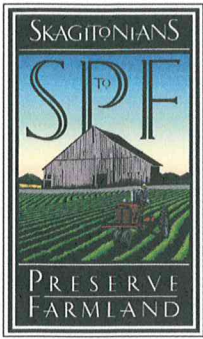
**From:** Allen Rozema [mailto:[allenr@skagitonians.org](mailto:allenr@skagitonians.org)]  
**Sent:** Wednesday, December 17, 2014 9:45 AM  
**To:** PDS comments  
**Subject:** Docketing of the 2014 Comprehensive Plan Amendments

Please find attached written comments on the Docketing of the 2014 Comprehensive Plan Amendments.

Thank you and best wishes,

Allen

Allen Rozema  
Executive Director  
Skagitonians to Preserve Farmland  
p 360-336-3974  
<http://www.skagitonians.org/>



**Tuesday, December 16, 2014**

Mr. Dale Pernula, AICP, Director  
Skagit County Planning and Development Services  
1800 Continental Place  
Mount Vernon, WA 98273

**BOARD OF DIRECTORS**

Darrin Morrison  
*President*

Alan Mesman  
*Vice President*

Wendy Pare  
*Treasurer*

John Roozen  
*Secretary*

Steve Sakuma  
*Past President*

John Anderson

Julie Blazek

Dave Hedlin

Stephen Jones

Tim Knue

Kevin Maas

Amy Wilcox

**RE: Docketing of the 2014 Comprehensive Plan Amendments: NC-1 and C-1**

Dear Mr. Pernula:

Thank you for the opportunity to comment on the proposed 2014 Comprehensive Plan Amendments. Skagitonians to Preserve Farmland's (SPF) Comments are narrowly focused on the items NC-1 and C-1 of the proposed Docket.

Regarding proposed docket item NC-1, the City of Sedro-Woolley, Urban Growth Area Boundary Proposal (PL13-0299)(Continuance): SPF concurs with Skagit County staff analysis that the proposal to bring 35 acres of farmland inside the City's UGA does not comply with RCW 36.70A.060 and subsection (4) adopted therein. We would like to express our support of the staff recommendation detailed in your memorandum to the Board of County Commissioners dated December 2, 2014.

Regarding proposed docket item C-1, Proposal to Draft Transfer of Development Rights (TDR)/Density Credit Policies and Code: We again would like to express our support of the Staff Recommendation detailed in your memorandum to the Board of County Commissioners dated December 2, 2014.

Thank you again for allowing us this opportunity to provide public comment. If you have any questions about our comments please do not hesitate to contact me by phone at 360-336-3974 or by e-mail at [allenr@skagitonians.org](mailto:allenr@skagitonians.org).

**STAFF**

Allen Rozema  
*Executive Director*

Linda Tyler  
*Development Director*

Elisa Minerich  
*Development Assistant*

Barbara Martin  
*Bookkeeper*

Sincerely,

Allen Rozema  
Executive Director

**From:** [srsracing@frontier.com](mailto:srsracing@frontier.com)  
**To:** [PDS comments](#)  
**Subject:** Removal of Ag-NRL from any proposed TDR Program  
**Date:** Sunday, December 14, 2014 6:04:13 PM

---

We are writing to request that AG-NRL be removed from any proposed TDR program.

We believe including the AG-NRL land in the TDR is unnecessary as saving our farmland can be handled without inclusion in any TDR.

Thank you,  
John and Lori Scott  
3351 Old Hwy 99N  
Burlington WA  
360-724-3124

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: CPA Docketing Comments Letter  
**Date:** Wednesday, December 17, 2014 3:49:46 PM  
**Attachments:** [NC-1 Public Comments.pdf](#)

---

From Dept Email

---

**From:** David Sherman [mailto:[islandassociates@comcast.net](mailto:islandassociates@comcast.net)]  
**Sent:** Wednesday, December 17, 2014 10:52 AM  
**To:** KirkJohnson; PDS comments  
**Cc:** John Coleman  
**Subject:** CPA Docketing Comments Letter

Please find attached, our written public comments to the CPA Docketing Public Hearings.

***Regards,***

**David Sherman**

Island Associates, LLC  
P.O. Box 911  
Oak Harbor, WA 98277  
Ph: 360-675-6800  
Fax: 360-675-6881  
[islandassociates@comcast.net](mailto:islandassociates@comcast.net)

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database  
10892 (20141217) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



P.O. Box 911  
Oak Harbor, WA 98277  
360-675-6800 FAX: 360-675-6881

Board of County Commissioners  
1800 Continental Place, Suite 100  
Mount Vernon, WA 98273

December 17, 2014

**Subject: 2014 Petition (NC-1) – Public Hearing 2014 Comp. Plan Amendments**

**Owner:**

Valley High Investments, Inc.  
41 N.E. Midway Blvd, Ste. 101  
Oak Harbor, WA 98277

**Authorized Representative (Agent):**

David Sherman, DBA-Island Associated, LLC  
P.O. Box 911  
Oak Harbor, WA 98277

We are the co-applicant with the City of Sedro Woolley, and the majority property owner north of town @ 27 plus acres. We are writing comments supporting the City's position of keeping this petition on the 2014 docket, and not altered from its original writings; without the modifications recommended by the County staff memo dated December 2, 2014.

This is essentially a land swap. Our property is north of town, out of flood plain, just north of a newly built City fire station, and can easily be serviced by all utilities. The "swapping" properties requested to be removed from the UGA are either not considering being brought into the City limits, or, are adamantly opposed to being brought into the City limits, and cannot easily be served by city utilities.

We believe this petition is ready to be heard by the planning commission. The information, somewhat complex, deserves to be heard and explained to the commission and discussed in public; as originally applied for (and accepted in 2013, then pushed to the 2014 docket) without being dropped at a pre-docketing stage, or being modified.

Regards,  
Island Associates, LLC

A handwritten signature in black ink, appearing to read 'David Sherman', is written over a light blue horizontal line.

David Sherman

**From:** [Pete Sill](#)  
**To:** [PDS comments](#)  
**Subject:** Rezoning of the Birdsvew Brewery  
**Date:** Tuesday, December 02, 2014 7:13:22 PM

---

I would like to take this opportunity to offer my support for the rezoning of the Birdsvew Brewery so that they are able to expand their business. The current building doesn't afford them the luxury of being able to serve more clientele and offer more food options.

Respectfully

Roy Sill  
8740 Pinelli Rd  
Sedro Woolley  
360-399-1624

**From:** [Alger Watershed](#)  
**To:** [PDS comments](#)  
**Subject:** TDR Written comment: 12/15/14  
**Date:** Wednesday, December 17, 2014 4:12:14 PM

---

December 17, 2014.

Comissioner Wesen, Chairman

Comisoner Dahlstedt

Comissioner Dillon

Commissioner Elect Janicki

Dear Commissioners: I heed the advice given me by your Board that comments should be narrowly focused and brief to be of use to you. I intent to comply even at the risk of bluntness.

Pursuant to your resolution #20120276, I participated in a program initiated by you to, yet again, ". . . evaluate possible development of a transfer of development rights (TDR) program . . . ". During the course of my participation as a citizen at large representative of the Rural Skagit County Citizens on the TDR Citizen Advisory Committee, created by the above cited resolution, I assure you that I complied with your directives to the very best of my abilities. Within this long and difficult process, the Board of County Commissioners, in it's wisdom, created milestones at which public process allowed the Board to consider whether or not to consider the extension of the project and grant; On each occasion, I presented a majority opinion of those submitting public testimony, that you **do not** authorize, for cause, continuation of this project.

I find that monitoring of the public process to represent the Commissioners' agenda is broken. As I testified last Monday, it is unclear how, what, and why is open to testimony at this time. I surmise that at issue is the formal step of "docketing" under the 2014 Comprehensive Plan, of the project initiated for the condition of evaluating possible development. I cannot say that I see any direct link from prior resolutions to moving this project onto the docket, Therefore I recommend that at this opportunity, the Board of County Commissioner, in response to the Final Report tendered under the name of the Citizen Advisory Committee and force of majority of public testimony. **DO NOT DOCKET THIS PROPOSAL AS PRESENTED IN THIS RESOLUTION; you are being asked, out of normal due process sequence, to authorize docketing a proposal which has not been written or developed and thus is devoid of meaning or content. This proposal is the ultimate blank check to buy a pig in a poke.**

Reassign the responsibility of preparing your agenda and schedule from whoever is currently obfuscating public process to your BoCC staff led, I presume, by Ms. Linda Hammonds and Amber Kloggieri, who have an impeccable record of conducting your affairs.

**End your policy by which public comment is managed by Department Staff.** It would appear from experience that your present policy for dealing with both verbal and written material from you constituents goes first to Department Staff which then rebuts, rather than internalizes, comment and suggestion, then presents a biased and self-serving Department Staff Report to the Board. I address my public comments to the Members of the Board and deeply resent the name-calling, stereotyping, and dismissive, treatment repeatedly suffered by the good Citizens of Skagit County at public testimony; I should think that staff engaged in reading someone else's (your) mail in a self-serving exercise of rebuttal would suffer embarrassment, at least. It is a travesty that staff determines its own agenda, and initiates policy as is the case of this TDR project.

**Your Resolution #20120276 defines the work to be done by the Advisory Committee and I asked that you review your resolution for content at the Dec 15 public hearing. From this document, I highlight your mandate to us, the Committee:**

**"Whereas the purpose of the TDR advisory committee is to review and provide input on key policy and technical issues, and . . . ". and "Whereas the TDR Committee is not a decision making body and is not expected to vote on recommendations or achieve consensus . . . ". The final report presentation and report is serially in violation of this mandate as evidenced in the Final Report and the public participation. The Comments of the members of the Board Celebrating the "Vote", and "Consensus" of Committee Members as promoted by staff, is insidious and inappropriate.**

**On the basis this violation of the cited mandate of Board, I recommend that in fairness to the members of the Advisory Committee as well as the public and the Board itself, that the record be purged of any reference to majority opinion or vote.**

Also in this resolution under item 2.c.I you will find "All members are expected and encouraged to participate."

**You will find that attendance, and predictability of scheduled committee meetings dropped precipitously after meeting number three. The need for a reliable market study before proceeding was made clear at the first two meetings and those not interested in being exposed to packaged program "guidelines" ad nauseum, stopped attending. For the integrity of the Committee, the Board should request from staff for review a roster of meeting attendance, complete with a calendar of rescheduled and scheduled meeting dates.**

The Committee, in spite of its request of staff, was not informed of or allowed to participate in the selection nor work program for the market consultant. We never had an opportunity with the market consultant for any in depth dialog or instruction.

The same goes for the "Three Stakeholders" presentations done by staff and consultants. Committee was not allowed to participate in the scheduling, content, invitations, or presence at these meetings conducted by staff and consultants, I found out about one of the Stakeholder meetings by an inadvertent copy on an email circulated by one committee member who *was invited* to one of these sessions. I recommend that the Board write offer an apology to the members of the community who were good enough to participate for what appears to many to be a total misrepresentation if not outright fabrication of their individual responses to these presentations as characterized by staff.

And, once again, the integrity, viability, and success of the citizens of Skagit County in creating a successful plan which, for decades, has maintained our high quality of life and protection of resources go totally unmentioned, even though, I can assure you, I brought up our successful model of a vital, sustainable plan for a rural community often, and this was totally overlooked in the project products.

I pointed out at the first Committee Meeting of the Whole, that under the GMA guided Skagit County Comprehensive Plan adopted in 1997 we have a successful resource protection plan already in place. it is characterized by low density five acre minimum lot size for unincorporated residential use further regulated by carrying capacity of the land (soil and water availability).

All resource lands, critical areas, etc. were meticulously inventoried, mapped, regulated, and set aside. No increased development can be initiated without approval of the Board under the annual Comp Plan Amendment process. Under this plan, the property owners under GMA become "the stewards of the land". Our success needs to be recognized and maintained.

Also no mention is made of the many programs already available to Skagit County property owners to divest themselves of their right to build homes on their properly zoned property.

The TDR concept is not complicated. All the elements are confusing because most of them are intangible. The only two tangibles are 1-A payment to a rural property owner with a piece of property on which a home can be legally be built, and 2 A substandard development in an urban jurisdiction which violates their existing code. The urban use can be accommodated in any number of conventional ways without TDRS.

We have a finite number of lots under our current plan which already protects over eighty percent of our rural lands from development. TDR proposes to take the right to realize the American Dream off these rural properties forever, for what? Urban Density, which they can achieve more simply and without enervating the rural community. The most common two

comments I have heard from the public over the last two years on this idea are "They wouldn't do that!" and "Tell them to go away and leave us alone." Not good government.

Let me put it this way: If you want to cut off your nose to spite your face by transferring the population and wealth, (aka tax base) off your revenue source in unincorporated Skagit County by enabling the permanent removal by your policy of buying the right to realize the American Dream of home ownership off you constituents you will have colluded in not only discrimination against rural property owners, but also genocide of the Rural Community. Not Happy.

I have seen a letter to you written on Dec. 4, 2014 by the new Mayor of Anacortes. You could do her a courtesy by letting her know that Skagit County is **not proposing to fund the Anacortes smartgrowth stack and pack urban renewal project with TDR revenues, in spite of what she may have been told by staff and her city council. Further, under no circumstances is this proposal intended to facilitate any working forest resource lands into high density residential development.**

If you ignore our heartfelt plea, buy one of those bells firemen use to memorialize their fallen brothers and put it on you dais next to the button and light device you use to abrogate dialog and comment at testimony. That way you could ring it each time we lose another rural homesite as you delve deeper into lost revenues. Please don't do this. This is not the sort of thing you want to bring into the public light of Public Hearing for Adoption by the Planning Commission. Ed Stauffer

**From:** [Brian Stave](#)  
**To:** [PDS comments](#)  
**Subject:** Birdsvew Brewing Re-Zone  
**Date:** Tuesday, December 02, 2014 8:59:51 PM

---

To whom it may concern,

I am writing in support of re-zoning to a commercial designation for Birdsvew Brewing Company in Birdsvew, Wa in order for the brewery to expand their kitchen facilities and bring more great food.

Birdsvew Brewing brings a lot to the community. It is a great meeting place for locals and brings in a great deal of tourist dollars to the county. Birdsvew also raises countless amounts of money for good causes and participates in toys for tots.

Birdsvew has encountered a "good" problem. They cannot serve its customers adequately without expanding their kitchen.

Once again I fully support the re-zoning to commercial designation for Birdsvew and the community and tourists it serves.

Sincerely,  
Brian Stave

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: Comp Plan - Agriculture Reserve Reinstatement - TDRs  
**Date:** Wednesday, December 17, 2014 8:28:56 AM  
**Attachments:** [Comp Plan - Ag. Reserve Reinstatement - TDR\(s\).htm](#)

---

From Dept Email

---

**From:** Andrea [mailto:[dancer@fidalgo.net](mailto:dancer@fidalgo.net)]  
**Sent:** Tuesday, December 16, 2014 4:27 PM  
**To:** PDS comments  
**Subject:** Comp Plan - Agriculture Reserve Reinstatement - TDRs

Please see the attached.

Please note that a shorter version was read for me today (12-16-14) at the County Commissioner's meeting, by Ellen Bynum. I was unable to attend as I am recovering from an illness. But, I wanted comments to come before the commissioners today. However, my addled brain made a mistake in the 1st sentence of the 3<sup>rd</sup> paragraph of the letter she read, re a zoning name.

Attached is the corrected letter.

**From:** [PDS comments](#)  
**To:** [Debra L. Nicholson](#); [KirkJohnson](#)  
**Subject:** FW: TDRs  
**Date:** Wednesday, December 17, 2014 3:49:06 PM

---

From Dept Email

---

**From:** Andrea [mailto:[dancer@fidalgo.net](mailto:dancer@fidalgo.net)]  
**Sent:** Wednesday, December 17, 2014 12:36 PM  
**To:** PDS comments  
**Subject:** TDRs

1. We do not "need" a TDR program to protect farmland here. The Skagit Farmland Legacy Program using Purchase of Development Rights (PDRs) has saved upwards of 10,000 acres of farmland so far. PDRs extinguish development rights. It's the only way to guarantee saving farmland under development pressures.

It's been said, by a local farmland "advocate" that anybody can take a case to court and challenge the PDR process on any given farm and that the court will favor the eradication of the farm; he further maintained that it would be easy to do. I have not heard of this happening at all; and it certainly would not be easy. Besides, there's a worry with TDRs, because can't they just be transferred around at will, unendingly, until the money and markets improve - and in the meantime, nothing is really saved? Farmland could still be at risk because one mayor and two county commissioners could extend an Urban Growth Area (UGA) to take over farmland near a town that had earlier "transferred" rights to a developer pushing to expand a town, so here the rights come back to the newly expanded UGA. ??

2. If TDRs were allowed, funders for the PDR program might not want to give to this county. TDRs could be funded with more money for the farmer than PDR sponsors - which then the farmers in need would love TDRs. But, that could all change with time - meaning less money in the TDR program at some point. Meanwhile, instead, as the PDR program would have some money from other sources, that money could be spent on critical areas (as is stated in Ordinances 16380 and 16766)- which around here, always seems to mean a "need" for MORE fish habitat, which has gotten millions and millions of dollars without any credible or consistent science to verify need or results. Some habitat has already impeded the drainage of certain farms, so there goes more farmland "down the drain" - and unfarmable. We need to keep the farms we have and not harm any more.

3. Skagit is a rural county with most residents liking it this way...even the "newcomers." High density urban areas should stay where they are. Increased population in cities and towns should build up, not out. TDRs are better suited for places like Seattle and other high density cities. An opinion poll of younger people, published in a recent Sunset magazine, indicated that they strongly favor living in these high density towns as there are more things to do and they don't have to waste a lot of precious time driving long distances to work.

4. TDRs can "fail" without high demand. To encourage TDRs could get developers to thinking that Skagit is THE best place to live and further infringe upon farmland by increasing the UGAs. But, if nobody in the younger crowd wants to move here, en masse, why encourage TDRs?

5. How much time and money will it cost to enact a TDR program here? Would the county be solely responsible? Would there be a need for a totally new tax- sponsored "county office" with yet more "administrators"? Would a TDR "bank" be brought into the realm of somebody's management - county or otherwise? Makes me wonder if someone, somewhere - who is "in the know" - is just waiting for these golden opportunities.

Thank you for the opportunity to comment.

Andrea Xaver

19814 State Route 9, Mount Vernon, WA 98274(360-422-8922)