

Skagit County Board of Commissioners
Deliberations/Possible Action: 2019 CPA Docket
March 19, 2019

Commissioners: **Lisa Janicki, Chair**
 Ken Dahlstedt
 Ron Wesen

Staff: **Hal Hart, Planning Director**
 Nick Schmeck, Intern
 Andrew Graminski, Intern

Chair Lisa Janicki: (gavel) Good morning. I'd like to call to order the Board of County Commissioners. It is Tuesday, March 19th....

Well, welcome, everyone. We are here for – with our director of Planning and Development Services to talk about our 2019 docket for the Comprehensive Plan Amendments. Hal?

Hal Hart: Thank you, Commissioners. Again, my name is Hal Hart. I'm the Planning and Development Services director. And this is a really happy day for staff as well as it should be for those in the audience, I hope, because today is the day we figure out what we're going to be working on through the rest of the year. And so we've taken public comment on that a couple of times and today is deliberation. So if there's any additional questions the Commissioners would ask of us, we're here.

I have a short presentation which I'll do just to kind of reiterate where we are in that process. The first one is – you saw this at the last presentation, if you were there – goals, policies, and text amendments and map amendments are brought together and people that have good ideas say, Hey, we'd like to make some changes in your community Comprehensive Plan. Then – and they may want to make those code changes and there's a process for that that's stipulated in state law. The docket timeline started back in July 31st of 2018 and that was the deadline, so we'll have a deadline this year for next year as well coming up in July. We have gone through the process on March 11th. We had a second public hearing to determine petitions – what petitions should go on the docket, and we took additional public testimony on that and we had a couple of folks from Guemes Island to speak to us about that.

Today you are here on the red line over there, and the Commissioners deliberate and establish what goes on that docket so that the – we will then begin working with our Planning Commission, hold meetings with the Planning Commission, bring in all the parties to talk about this in greater depth. In the summer of 2019 the Planning Commission will host those public hearings to accept testimony on the proposed 2019 docket. In the fall of 2019 the Planning Commission deliberates, and winter the Commissioners deliberate to make their final decisions again. So it's this circular process.

Okay, another way of showing that is where we are here today – and that's the winter of 2019 – where we establish the docket by resolution. I have a resolution. If the Commissioners wish for me to read it out loud, I'll do that for you and for everybody. And we can make copies of that, as well.

A brief introduction of the items again just to – P-1 and 2: These were petitions – “P” stands for “petition.” So when we received the petition – Rainwater Catchment and Wells on Guemes Island. P-3, a Small Cell Technology. P-3 is driven by changes in federal law that we then have to conform with, but we do have some rights as a local government in conforming small cell technology to our needs as a community.

P-4 is Great Blue Heron – looking at greater protection or working with the community to find what those are. The next one is MRO Designation Removal, and then Avalon, PL-18-0405, was withdrawn.

The next slide: County-initiated. Generally the County initiates things because they see code issues that need streamlining or could be – we see redundant processes that are no longer – that are left over from an era when they were needed but we don’t need them because we have changed the rules in other places. And we find where we need those code changes to clean up the code, so usually that’s what we call it. But the Transportation Element Technical Appendix at Guemes Island – example of that is, Hey, if we were to get a ferry, what’s the level of service needed there? And so it has to be – LOS is something where we have to have consistency with your Comprehensive Plan and with the ferry system and the level of service we’re providing the community. Policy and code, drainage district collaboration – we want to improve that collaboration. The districts are coming to us and saying, Hey, what kind of growth is going on that we need to be coordinated out in the drainage district area? So with kind of collaboration, it’s important so we work on that to improve that.

Binding Site Plans for Skagit, Trails (in the) OSRSI, Habitat Restoration (as) Hearing Examiner Special Use Permit, Fire Consistency – again, that’s a technical appendix issue and I think the fire marshal is here to talk to us if there’s any need on that one. Building Permit Requirements for Signs. And again, citizen-initiated – all right, so just a quick presentation. You’ve seen some of that before. And then I’ll move over there unless you want me to stay here and read the –

Chair Janicki: Well, first of all, Commissioners, do you have any questions? Commissioner Dahlstedt?

Commissioner Ken Dahlstedt: No, I just – did you have any comments from anyone who felt they hadn’t had an opportunity to be heard or submit comments on these things?

Mr. Hart: Not to my knowledge. I’ll ask our team over here.

Nick Schmeck: No.

Commissioner Dahlstedt: Thanks. I think that’s important. You know, we want to get input on this process and then when it goes to – maybe when it goes – whatever decision we make, if it goes to the Planning Commission then what’s the next steps?

Mr. Hart: So at the Planning Commission, we’ll engage in – depending on the issue, we will have a – we’ll do some open houses or do some workshop sessions there. So that we’re teaching the Planning Commission more about the issue, we’ll have – bring the experts in, but we’ll also have an opportunity for the public at each of those stops as well. So the public can weigh in to see what we’re saying and, you know, staff is there to bring everybody up to the same level of understanding.

Commissioner Dahlstedt: A very open public process that everyone can participate in.

Mr. Hart: It *has* to be and we like that, as planners.

Commissioner Dahlstedt: Great. Thanks.

Chair Janicki: Commissioner Wesen?

Commissioner Ron Wesen: I agree with Commissioner Dahlstedt. It's making sure we understand how a process works, and so if we docket it that just means we want the Planning Commission and your staff to start working on it and we have no preconceived ideas of what the outcome will be because we don't know what all the input of going forward ___. But people will have the ability to come to the Planning Commission and discuss their concerns and what can be tweaked, and what we're trying to do is get what's best for the citizens here.

Mr. Hart: Absolutely correct and one of the reasons – and I feel badly we haven't had a Planning Commission meeting for a little while, but we want to set the docket. We're hiring up staff so that it'll help me go through that docket, and then we want you, our partners, in that process in the community. So we want to reach out to the community all the way through that process, and that's what staff and the interns are here to help us do.

Commissioner Wesen: And all these that the staff is recommending we include you feel that there's enough staff and time that you can get all these done. We don't want to pick a list that's 20 pages long and you'll only able to do 10. You're going to pick the ones you think you can get completed this year.

Mr. Hart: That's what we've done. We've got that pared down. We do have to fill the big hole from the shoes that Stacie left but we have – I can tell you that this morning that someone has accepted that position. Michael Cerbone will be here to help us, but he won't make it until the first or second week of May at this point. So we'll do our best to set up with the Planning Commission and get this process started before he arrives.

Commissioner Wesen: And once again (if) the public petitions, they have to put in the last business day of July and anybody can do that anytime. You just –

Chair Janicki: That's correct.

Commissioner Wesen: Those are the ones we take from them going forward. And there are several in here that different groups have put through that worked really hard over the years, and I think it's important that we go forward and start the process with them because they've got a lot of information that they've gathered and I think it's important that we go through and figure out what we can do for them.

Mr. Hart: Thank you. We – staff agrees.

Chair Janicki: Hal, one other question. So the resolution is brief. It pretty much outlines the dates and the process that we went through to get to this point in time. And I think your slide show also outlined those dates. But the Exhibit A that gives the staff recommendation for each of the ___ items, are there any items that Planning Commission and staff disagree on? Or is the Planning Commission's recommendations the same as staff?

Commissioner Wesen: The Planning Commission –

Commissioner Dahlstedt: They don't make recommendations.

Chair Janicki: Yeah, they didn't recommend. I'm looking at a Planning Commission –

Commissioner Dahlstedt: We make the decision and it goes to them and then they –

Chair Janicki: They review this at the onset, though. They review this whole list.

Mr. Hart: We're in agreement. I believe we're in agreement with the Planning Commission on this.

Chair Janicki: Okay. Yeah, because normally I get the Planning Commission –

Mr. Hart: Go ahead.

Chair Janicki: No, I was just thinking that they had already seen this. This process has stretched out longer than most for the docketing process.

Mr. Hart: Yes, that's correct.

Chair Janicki: And I had thought that they had already seen the Guemes petitioned requests.

Mr. Hart: Yes.

Chair Janicki: Okay. And so the recommendation is to include all of these except the Small Cell Technology, which will be deferred to a long range work plan, and then the Avalon one that's withdrawn. The rest of these items are recommended as included, per Exhibit A of the resolution.

Mr. Hart: Yes.

Chair Janicki: Okay. All right. Commissioners, do you have any other questions? Or what would you –

Commissioner Wesen: The other thing you mentioned, the Small Cell Technology, because the federal rules changed but if we had something done by – I think there's an April deadline. If we had something completed by then we're kind of grandfathered in, but there's no way we can get it done by then. I think that's right.

Mr. Hart: You want to speak to that one?

Mr. Schmeck: Repeat the question.

Commissioner Wesen: The Small Cell Technology? I think the federal rules have a date in April. If you had things approved by then, then you can grandfather in. I think there was an April date in there somewhere, but maybe I'm mistaken.

Mr. Schmeck: Commissioner, I did not come across that date. I actually got off the phone with MRSC about two days ago and it is certain that the – January 14th, 2019, is the day that it was issued and that we need to be following suit with regulation.

Commissioner Wesen: So some of the different towns have already done stuff before then that we haven't.

Mr. Schmeck: Correct.

Mr. Hart: We will bring forward a recommendation on that as soon as we can.

Chair Janicki: And figuring out if there's some federal deadline on that process, or –

Commissioner Wesen: I think we're past that _____.

Mr. Hart: We passed a deadline and we have to be acting consistently. But if there is room for local interpretation to some of those aspects we'll be looking at that.

Chair Janicki: Okay. Great.

Mr. Hart: All right.

Chair Janicki: Okay. Commissioners, what's your –

Commissioner Wesen: So I'd move to approve the resolution Establishing the 2019 Docket for Amendments to the Comprehensive Plan, Land Use Map, and/or Development Regulations, as presented.

Commissioner Dahlstedt: Second.

Chair Janicki: It's been moved and seconded to approve the resolution establishing the 2019 docket as outlined by Commissioner Wesen. All in favor, signify by – were you waiting –

Commissioner Wesen: Just – yeah, just a comment. So this is just everything you recommended and so we're not changing anything. Just so everybody here can realize that –

Mr. Hart: That's correct.

Commissioner Wesen: – these are everything that's recommended, and the Avalon one was pulled and so it's not included here.

Mr. Hart: That's correct, sir.

Commissioner Dahlstedt: Exhibit A.

Mr. Hart: Yes.

Chair Janicki: Okay. Any other comments?

(silence)

Chair Janicki: Okay, all those in favor of approving the resolution outlined by Commissioner Wesen, signify by saying "aye."

All Commissioners: Aye.

Chair Janicki: Opposed?

(silence)

Chair Janicki: Motion carries (gavel). You're docketed. Great. Thank you.

All right.... So with that, we stand adjourned (gavel).