

**Skagit County Planning Commission  
Election of Officers  
Public Hearing: 2021 Docket  
January 11, 2022**

**Planning**

**Commissioners:** Kathy Mitchell  
Mark Knutzen  
Vince Henley  
Amy Hughes  
Tim Raschko, Chair  
Joe Woodmansee  
Tammy Candler, Vice Chair  
Martha Rose

**Staff:** Hal Hart, Planning Director  
Peter Gill, Long Range Planning Manager  
Jenn Rogers, Assistant Long-Range Planner

**Public**

**Commenters:** **LR20-02**  
Chris Barker, Proponent  
Randolph King  
Ken Deering  
Bernie Alonzo  
Blake Vanfield

**LR19-0419**  
Darcy Nielsen, Proponent

**LR20-05**  
Rob Burrows, Proponent

**LR20-07**  
Rob Burrows, Proponent

**LR21-04**  
Phil Shephard, Proponent

**LR21-1**  
John Semrau, Proponent

Chair Tim Raschko: Good evening and welcome to the January 11<sup>th</sup>, 2022, meeting of the Skagit County Planning Commission. Now we'll do a roll call. Tammy Candler, are you – please?

Vice Chair Tammy Candler: I am present.

Chair Raschko: And Vincent Henley?

Commissioner Vince Henley: Present.

Chair Raschko: Amy Hughes?

Commissioner Amy Hughes: Present.

Chair Raschko: Mark Knutzen?

Commissioner Mark Knutzen: Present.

Chair Raschko: Kathy Mitchell?

Commissioner Kathy Mitchell: Here.

Chair Raschko: Martha Rose?

Commissioner Martha Rose: Here.

Chair Raschko: And Joe Woodmansee.

Commissioner Joe Woodmansee: Here.

Chair Raschko: That's great. We got everybody. I hope everybody had a very wonderful holiday season and a happy new year. But we'll move on to Approval of Minutes. Anybody care to make a motion to approve the minutes from, I believe, 12/14/21?

Commissioner Henley: I so move.

Commissioner Mitchell: I'll second.

Chair Raschko: It's been moved and been seconded to approve the minutes. Is there any discussion of the minutes?

(silence)

Chair Raschko: All in favor, please say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Those against?

(silence)

Chair Raschko: And abstentions?

(silence)

Chair Raschko: So that is approved unanimously. Thank you. Our next item on the agenda is a fun one. It's the Nomination and Election of Officers. The floor is now open for nominations for chairman of the Planning Commission.

Commissioner Mitchell: I have a motion, Chair.

Chair Raschko: Please go ahead.

Commissioner Mitchell: This is Mitchell. Can I move names for both chair and vice chair?

Chair Raschko: You can, but is this a motion or is this a nomination?

Commissioner Mitchell: Oh, I'm sorry! Nomination – I meant nomination. Excuse me.

Chair Raschko: Okay, thank you.

Commissioner Mitchell: Thank you. Nomination. I move Tim Raschko for chair and Tammy Candler for vice chair – nominate.

Commissioner Henley: I second that.

Chair Raschko: Okay. We don't need to. I don't believe we need to. It's just nominations rather than a motion. But are there further nominations?

Commissioner Woodmansee: This is Woodmansee. I would support those nominations.

(silence)

Chair Raschko: Oh, come on! Okay, \_\_\_\_ one last time: Are there any further nominations for chair or vice chair?

Commissioner Henley: I move that the nominations be closed.

Chair Raschko: Is there a second?

Commissioner Mitchell: Second.

Chair Raschko: It's been moved and seconded that nominations be closed. All in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: All right. All those in favor of Commissioner Raschko for chair and Commissioner Candler for vice chair, please say "aye."

Multiple Commissioners: Aye.

Chair Raschko: All opposed?

(silence)

Chair Raschko: Somebody's abstaining?

(silence)

Chair Raschko: Wow. Congratulations, Tammy.

Vice Chair Candler: You too! Thank you, Chairman.

Chair Raschko: Okay, that will conclude the Nomination and Election of Officers. We'll move on to the main topic for tonight – is the 2021 Planning Docket Public Hearing.

In compliance with state guidance around COVID-19, the County is conducting this public hearing virtually. The purpose of this hearing is to receive testimony on Skagit County's 2021 Docket of Proposed Policy, Code and Map Amendments. The order of the hearing is as shown in the Notice of Availability, starting with the public amendments and following with the County-initiated amendments. This is also an opportunity for the petition applicants to provide the Planning Commission testimony in regards to their petition. We will start testimony on each petition with comments from the applicants. The hearing does not include LR20-04, Fully Contained Communities. Before we begin, we'll hear a brief presentation on the proposal from staff. Mr. Gill?

Peter Gill: Thank you, Chair. I do have a few slides to go through to discuss kind of what we've done so far and how to comment – written comments – after tonight's hearing.

So you're probably familiar with the pinwheel here. This is the process that the annual docket goes through. The public and the County is able to submit petitions to be considered by the Board of County Commissioners every year if they submit applications by July to be considered that following year. So this year the Board of Commissioners entertained 18 petitions. That typically happens at the top of the calendar in January-February timespan. We heard comments from the petitioners. We had a public hearing. And then in May the Board of County Commission established this year's docket, in which there were 12 petitions on the final docket. And that's what we're here discussing tonight, those 12 petitions.

You've had four work sessions with the Planning Commission to hear about the petitions themselves. This December, December 23<sup>rd</sup>, we published the staff report, the SEPA, the Commerce notice, and put out our public notice on the open public comment period. And tonight we're over here in the red box for the public hearing, so tonight we're hearing oral testimony from the public and others on the petitions. Following tonight's meeting, staff will summarize the written comments, as well as the verbal comments we get tonight, for the Planning Commission and we will discuss those at coming meetings. So that is our process for the public.

So the notice went out December 23<sup>rd</sup>. We had Notice of Availability went out in the *Skagit Valley Herald*. We sent notice to everyone on our listserv. We posted the materials to the website. We mailed notice to property owners where there was a rezone within 300 feet. And we sent the SEPA checklist and the determination to all the agencies and districts and special purposes on the contact list.

Tonight and submitted to the Planning Commission December 14<sup>th</sup> was a staff report. This is available on our website. In there you'll see a petition summary of the petitions discussed tonight. There's some analysis of those petitions, there's a Department recommendation, and there's a consistency review related to our Comprehensive Plan, Countywide Planning Policies, Growth Management Act, and other things. Attachment A of that staff report contains the actual code changes and Comp Plan changes that would go forward if approved.

There are – tonight we're here to discuss or get public testimony on six public-initiated, or citizen-initiated, amendments. This does not include LR20-04, which is the Fully Contained Communities petition. That is on a separate track. And we are also here to get testimony on five petitions that were brought by the County.

And lastly, for additional written comments the public can submit comments to the email address there on the screen, [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us). The existing memos from previous work sessions with the Planning Commission are all on the Planning Commission Agenda and Archive page, as well as the docket website. And there's memos and presentations there if people would like to see more information. We are taking written comment until this Thursday, the 13<sup>th</sup>, until 4:30 p.m. And the next meeting of the Planning Commission, which will include discussion of the docket items and the public comments, is scheduled for January 25<sup>th</sup>, if the public would like to tune in to that next meeting as well. And I did not mention, but you can also mail hard copy comments to the address below that's at Planning and Development Services, 1800 Continental Place, Mount Vernon, WA 98273.

Thank you for the time. That is all I have.

Chair Raschko: Thank you, Mr. Gill. Everyone will have an opportunity to speak, but if the hearing extends beyond 10 o'clock, it will be continued to a later date and time. I believe we should be able to finish well before that.

Staff has a signup sheet for those who wish to speak. Those who have not signed in ahead of time will nevertheless be given an opportunity to speak following those who have registered. Each person will have three minutes to address the Planning Commission. You'll be notified when your time is expired. I'm asking the Planning Commissioners to hold any questions until everybody is done. In fairness to those who had more to say but are unable to say within the allotted three minutes, all will be expected to faithfully observe the time limit. I thank you in advance for doing so.

This is a time for testimony, not debate. Please address all comments to the Planning Commission. Written comments on this proposal are not limited in length and will be accepted until January 13<sup>th</sup> at 4:30 p.m. Comments will be recorded in the meeting transcript.

Thank you for taking the time to participate. The public hearing is now open.

We'll call the first speaker for PL19-0419, Nielsen Brothers Comprehensive Plan and Zoning Map Amendment. Before you testify, clearly state your name, spell your last name for the record, and indicate where you reside.

So first on the sign-in list we have Darcy Nielsen. So, Darcy Nielsen, please go ahead.

(silence)

Chair Raschko: Do you see Darcy Nielsen present, Mr. Gill?

Mr. Gill: I do. I do see her. It looks like she's muted. We might give her a second to unmute. Darcy, if you can hear us, please unmute yourself. There's a button, if it's on your screen, bottom left corner of your screen. If you hit that, that should unmute you.

Chair Raschko: Peter, you might let her know that she needs to scroll her pointer down to the bottom for it to appear.

Mr. Gill: Yes, that's a good point. You do need to move your pointer around on the screen in order to see those control buttons if you're on a computer screen. If you're calling in on a phone, sometimes hitting star6 will unmute you and \_\_\_. Or I know at least that works in Microsoft Teams. So you might try that too, Darcy, if you are calling in on a phone.

Chair Raschko: In the interest of time, I would suggest that we move on to LR20-02, let those people speak, and come back to PL19-0419.

Vice Chair Candler: It looks like Ms. Nielsen is unmuted, Chair, at least from the screen.

Commissioner Henley: Yeah, she just did that.

Chair Raschko: Okay. Go ahead, Darcy, if you're out there.

Commissioner Henley: I hear nothing.

Chair Raschko: Okay, we will come back to PL19-0419 in a moment, but at this time we'll move to LR20-02, Small Scale Business Zone Use Amendment. Again, before you testify, clearly state your name, spell your last name for the record, and indicate where you reside. So we'll start with Chris Barker.

Chris Barker: All right. I think I'm ready here. So hi, this is Chris Barker, b-a-r-k-e-r. My wife and I – Jen – own and operate Terramar in Edison. We'd like to thank the Commissioners and staff for the opportunity to provide comment today regarding LR20-02, a Small Scale Business Zone use amendment to include restaurants as a permitted use.

Terramar's a small community-based brewstillery creating beer, cider, spirits and wood-fired pizza from Skagit-grown and produced ingredients. We're in the former Samish meat packer/slaughterhouse site in the oxbow of the Edison Slough. While we've been working on Terramar since 2013, we had the unfortunate timing of not opening our doors until August of 2019. The challenges of starting a new business, along with the burden of trying to operate during a global pandemic has been grueling. By allowing restaurant as a permitted use, we would be able to offer dine-in table service and it would allow us the opportunity for outdoor dining. This amendment is important to us because it would give us a fighting chance to survive as a hospitality-based business operating within a pandemic. People are still very hesitant to dine indoors because of the corona virus, but having the ability to provide a safe outdoor dining option would give these folks a place to go. Skagit County has become an ag tourism destination, and by allowing access to our outdoor areas we'd be able to continue to support our community and Skagit farmers and producers we source from, and, most of all, keep our amazing staff employed.

We know there have been concerns raised about noise and parking with the proposed change. The site at which Terramar resides has always been an industrial site so noise levels would not exceed those historic levels or those prescribed by Skagit County Code. County-prescribed noise restrictions that occur between 10 p.m. and 7 a.m. would not be an issue since Terramar always closes at 9. Terramar has ample parking and does not require street parking for its patrons. Parking is an issue in Edison, but Terramar is not contributing to that. In fact, the opposite is true, where our parking lot has become a town resource. Edison \_\_\_, the Edison Farmers Market, Chicken Parade, and Oyster Run, to name a few events, and have been able to accommodate parking for them before Terramar has ever existed. We've always openly shared our plans with Terramar with community members when asked and have held community meetings to discuss concerns. We've made great efforts to be good neighbors and part of the Edison community and we're always open to answer questions to address concerns, so I strongly encourage anyone to contact me directly and I'll be happy to discuss. And finally I want to thank all the folks who've supported us through all of this. And if it was not for them we would not be here, and for that we're truly grateful. Thank you.

Chair Raschko: Thank you. Next we have Randall King.

**(dead air for about 50 seconds)**

Randall King: ...capacity. You have that many people with libation and recreation and relaxation and the accident rate will go up. We moved here in the late '90s to the suburbs of Edison and then found out that around here they call them farms. A few years ago we put in one of those bioswale raingardens and found out that around here they call them ditches. The unwritten rules of rural life, when you see somebody who's working and needs a hand you don't ask if they can use you. You just start working and it's their responsibility to then stop you. You don't leave gates open. You don't lie. You don't pollute your neighbor's well. We all like country music, but just not all the same country. We keep our noise to ourself. We respect nature and what makes this place unique. To be kind. We chose to live here because it is rural, and what makes it special are the bonds of community, the wildlife, the peace, the dark skies, the quiet. This is what Terramar will overwhelm with outdoor events. A rock concert – Gorge Amphitheater in the middle of a Rural Village of 120 people would be a moral crime. I'm very disappointed. We want our lives to stay rural, and if you can't crank up the quiet, it ain't rural. Vote no on LR20-02. Thank you.

But when Skagit County voted in a noise ordinance and the gavel fell, I was standing right in front of the Commissioners and I got a phone call from New York, a group of organizations that are fighting to make people realize that noise is pollution and you should keep it to yourself. This is an issue of dark skies and quiet that will be a very good PR campaign to keep them good to their word. They promised us to have a restaurant indoors, to have music indoors, and as soon as they got everything in a row they wanted to change it for their benefit and Edison's detriment. When the County turned a blind eye to what was going on at the Longhorn under a previous owner and he put an outdoor event on his back porch across the slough from us, they were listening to it over on Samish Island. When he put a rock concert, a music concert, on the dike, they were listening to it up at Merritt's Apple Farm. That's rudely loud. And we suspect the same thing will eventually \_\_\_\_\_. When you let the nose of a camel under the tent, you know what they say.

I want to thank you very much for listening and I truly hope that being a creative, forgiving community we can work this out. Because if there's one thing about Edison, it's a true functioning democracy and in a democracy one person doesn't get to decide what everybody listens to all day long. Thank you.

Chair Raschko: Thank you. Next is Jan Davis, please.

Mr. King: I think Jan is submitting a letter in writing and it will be there shortly, before the deadline of the day after tomorrow – I believe? Thank you.

Chair Raschko: Is Jan not there?

Mr. King: No, she is not.

Chair Raschko: Thank you. Ken Deering.

Ken Deering: Yes, Ken Deering, d-e-e-r-i-n-g, Edison resident. Thank you to the Planning Commission for providing this opportunity.

I reviewed over a thousand pages of Skagit County and Washington Liquor Control Board records and can substantiate by documentation my full-on commentary about Skagit County Planning and the LCB. What we all have to remember is the village of Edison is only two blocks by three blocks, about 60 homes, and about 120 residents surrounded by miles of Ag-zoned farmland. And I ask

you to please keep this in mind for the rest of my presentation. I make no apology for my passionate defense of Edison's highly desirable quality of life.

So here's what it comes down to, and I'll draw a linkage for you. And my written submission provided the five steps that are going to lead to this appalling end result unless this is voted down. Chris Barker applied in 2021 and received approval in August 2021 from the Liquor Control Board for an outdoor service area exceeding 84 – I'm talking 84,000 square feet or two acres. This is 40 times Terramar's indoor seating area. It is 30 times larger than the combined outdoor seating area for the three other Edison food and alcohol establishments. It's the equivalent of having a Walmart being dropped into Edison with the same highly desirable – *undesirable* impact on our tiny village of Edison. As I expect, this Planning Commission would never approve zoning that would allow a Walmart in Edison, so recommend no to the Skagit Commissioners on this docket.

You ask, How do I connect a restaurant accessory use of this docket to this outdoor event operation? Well, this is how it *is* connected. The LCB approval that was a given and is an – I provided it in my written submission – provided by LCB in August 2021 to Terramar is connected to this docket and that the outdoor service area of 84,000 square feet is contingent on Terramar, one, operating as a restaurant and, two, being granted outdoor activity permission from Skagit County. As I documented in my written submission, a yes vote by this committee leads to the inevitable approval by Skagit Planning Services for outdoor activities. Please read my written submission for the supporting documentation from the Liquor Control Board. Chris Barker confirmed in a January 5<sup>th</sup>, 2022 meeting with 12 Edison residents, including myself, that he will utilize his outdoor service area for customer seating *plus* – and this is the concern we have – he will have outdoor events including musical concerts. For everyone's understanding, if you have a – if you're able to offer an outdoor – sorry, an outdoor country wedding, you can \_\_\_\_ \$30,000.

You have a very simple and stark choice to make regarding this docket. You can agree that adding an 80,000-square foot outdoor event operation in Edison is not good policy – land use policy, and therefore vote no on this docket. You can be applauded in the *Skagit Herald* and Skagit Scoop for standing up for good land use policy that is relevant to the impacted neighborhood or simply be called out for supporting the imposition of a Walmart-scale outdoor event operation the village of Edison –

Chair Raschko: Mr. Deering, your time is up. Thank you. Bernie Alonzo.

Bernie Alonzo: Good evening, Commissioners. My name's Bernie Alonzo, a-l-o-n-z-o. I'm a resident of Edison, Washington. And I thank you for your time – the time and due diligence you've taken to consider LR20-02, the amendment of Small Scale Business Zoning to include the accessory use of restaurant.

I am concerned that there are impacts from adding restaurant use to as many as nine sites throughout Skagit County. The sites' areas, totaling over 30 acres so – Terramar, of course, occupying several of those acres. That's not to minimize the number of acres situated in farmland and other critical areas throughout the county. The analysis of any of those impacts, based on the SEPA checklist prepared by Planning staff, kicks all of the evaluation of all of the impacts downstream to the applicants of project-specific applications, which in turn puts a tremendous burden on Planning staff to, one, be able to fully see the impacts of the project and to be able to fairly and appropriately apply all of the planning and regulatory tools in place. We're frankly here largely because the Planning staff early on in the Terramar process failed to see adding a pizza kitchen as a substantial change of use when the previous uses were fully industrial and not restaurant-related at all. I think that burden is an unfair burden on staff and it's a challenge for

staff, particularly an overtaxed staff, to be able to see all of the implications downstream. There are economic implications. There are environmental implications. And this is a significant upzone to these nine sites, providing significant value to the owners over the long term without considering the impacts on the neighboring land uses. There are examples in Hamilton of taverns having been started and adding a septic system that failed and caused all sorts of downstream problems. There are other examples where it's just not possible with an overtaxed staff to be able to catch all of the problems. And I truly request that you reject the proposal to add restaurant to the accessory use of Small Scale Business and require that there be further evaluation of the impacts across all nine parcels. Thank you for your time.

Chair Raschko: Thank you. Next is Sara Nuckolls, please.

(silence)

Chair Raschko: Is Sara Nuckolls present?

(silence)

Chair Raschko: Okay, scrolling through, I do not see her name in people online. That being the case, that concludes the list of speakers who wish to address LR20-02. If there's anybody who has called in and is not on the list, you're free now to speak up and make your statement.

(silence)

Chair Raschko: Hearing nobody –

Unidentified female voice: Oh, I'm sorry. I was just unmuting.

Chair Raschko: Okay.

Blake Vanfield: My name is Blake Vanfield. I am a resident of Edison and last name is v-a-n-f-i-e-l-d. And I'd just like to make a comment as a resident in support of Terramar and their initiative to include indoor and outdoor seating.

In 2017 and 2018 I co-founded the Edison Farmers Market and our community provided a very welcome reception to that as an outdoor activity, as well as one that included live music on a weekly basis. We hosted around 400 to 800 people at the market on a weekly basis and were able to accommodate them with parking. We did not receive any complaints from the community and really did, again, just welcome the reception that we did have. So I did want to comment in regards to that, as well as Terramar has provided support for our community in many ways, not only with employment but also for our makers, our crafters, as well as our local farming community. Though I am here as a resident, I do want to highlight how much they do work within our agricultural community and appreciate that support. Thank you.

Chair Raschko: Thank you. Is there anybody else who wishes to speak to LR20-02?

(silence)

Chair Raschko: Okay, so we will then move on to – or move back, I should say, to PL19-0419. That's the Nielsen Brothers Comprehensive Plan and Zoning Map Amendment. Darcy Nielsen, are you able to speak?

Darcy Nielsen: I think I'm here now. Can you hear me and see me?

Chair Raschko: / can.

Ms. Nielsen: Okay. So sorry about that little technical glitch between my laptop and this \_\_\_\_\_. Anyway, so I'm glad to be here. Thank you so much for your time tonight. I'm sitting here with my brother, Robert Nielsen, who's the CEO of the company as well.

I think most of you know or have heard that Nielsen Brothers has been in the logging industry for over 30 years. Our main business office is actually up here in Bellingham, where we're calling from, but our shop facility down there just east of Sedro-Woolley, we've been down there for over 20 years. This site has proved to be ideal because it has direct access to Highway 20 and nearby access to Highway 9. It proved ideal because it's basically sort of in the middle between the major forestlands that we work in and the lumber mills where the logs are delivered.

This whole process started back in early 2019 when we were trying to – or hoping to make some improvements to the site and we were told by the County that we couldn't make any changes or do much of anything because it was a nonconforming use. So that was when we started this whole petition process and here we are almost four years later. You've seen the staff report. The Planning Department recommends approval. We appreciate their diligence and review of this proposal. As explained in the report, the property does not meet any of the criteria for agricultural resource lands and the proposed change is consistent with the Plan and the policies and the Growth Management Act regarding resource lands.

I just wanted to highlight some of our key points. As I stated, the property doesn't meet the current criteria for agricultural resource lands and, in fact, there is a very significant non-farm investment on the property. The facility is our main shop and storage yard for over 20 million dollars' worth of logging-related equipment and vehicles and fire trucks. Just about everything that's associated with our work in the forest is stored and repaired and maintained on that piece of property. It's also the deployment base for most of our employees who live in Skagit County. The property is not in a category for agricultural tax category for agricultural lands. It's in a tax category for lumber and wood products. Probably one of the most significant restoration projects in Skagit County is occurring right next door to this property. And, in fact, Nielsen Brothers actually sold property that's part of this – the Hansen Creek Restoration Project, which encompasses nearly 200 acres. I think most of you are aware this is a multimillion-dollar, non-farm investment for the restoration of critical salmon habitat in the area.

Of the 60 million board feet of timber we harvest annually, three-quarters of it is processed in Skagit County. Without this change we're not able to make the significant improvements that we want there to be able to be positive impacts for the property and the neighbors and for the County. So we urge the Planning Commission to recommend approval of this change, and we thank you for your time and we're here to answer any questions if you have any. Thank you.

Chair Raschko: Thank you, Ms. Nielsen. We have nobody else signed up to speak to this issue. Is there anybody who has logged in and is not signed up that wishes to speak to PL19-0419?

(silence)

Chair Raschko: Okay, thank you. Hearing none, we will then move on to LR20-05, which is Public Notice Amendment for Mineral Resource Extraction Area. We have Rob Burrows signed up to speak. I believe he is the proponent.

Rob Burrows: Yes. Excuse me. I'll start my video here and scroll back to the document here. Yeah, so LR5 is the – bear with me, okay – is a public notice amendment for mineral resource extraction areas. Basically the proposal is to change the notification distance when there's mineral extraction activities proposed. And so the current – I believe the current distance is a few hundred feet. I see that the County has added some options here so I wanted to speak to the options for the distance – of what that should be. Option A: Increase the notification requirement to 1000 feet, which is the same as for marijuana notice. I'm not in favor of that. Gravel pit, rock quarry, mining is not marijuana production. It's a whole much noisier animal and much more disruptive, dust-producing. It's noise and dust producing traffic. I recommended a mile or 5,280 feet. I am still very much in favor of that maximum distance. I mean, I thought one mile is reasonable, given rural communities. I mean, you know, it's possible in some areas that no one would live within a mile of a mineral extraction area, and then what? I mean, I guess we're probably densely populated enough that somebody would be within a mile that would care. And then the Option C I'm also not in favor of one-quarter mile or 1,320 feet, which I understand, quote, corresponds with the setback distance for mineral resource overlays, but just because it still may not reach residents that live nearby. You know, you could easily have residences outside of a quarter-of-a-mile \_\_\_\_\_ mineral extraction area.

That's all my comments on that one.

Chair Raschko: Okay, thank you. You'll have a chance to speak again on the next proposal that you have made. Are there other – we have no other signed-up people to speak to LR20-07. Is there anybody who has dialed in who wishes to speak to LR20-07?

Mr. Gill: Chair? This is staff. I believe that's LR20-05, the Public Notice Amendment.

Chair Raschko: I'm sorry. LR20-05. I misspoke.

(silence)

Chair Raschko: Hearing none, we will then move on to LR20-07, Accessory Dwelling Unit Code Amendment. Once again, the proponent is Rob Burrows, and being the proponent – normally we wouldn't allow people to speak beyond three minutes, but being the proponent, please, Mr. Burrows, go ahead and take your three minutes to address *this* issue.

Mr. Burrows: Okay. Thank you. This is an adjustment – a proposed adjustment – to the Skagit County Code related to the building codes and structures. And this grew out of our own experience with wanting to convert a garage shop into an ADU. And so basically the proposal is to increase the allowable ADU square footage and remove the requirement that the resident of the ADU be family. You know, the requirement that someone be family sort of removes the options of renting it out to bring in income and it frankly just seems a little bit silly when we have a housing shortage in Skagit County.

So the size recommendation, that came out of \_\_\_\_, so what we're looking for is just more flexibility. This isn't going to help us now. I advanced this just in hopes of helping some other residents in the future. We followed, you know, what we were supposed to do to fit the current code and we did our project and it's done and my wife is actually using the space as a childcare for the area, which is really important for Marblemount.

So I see that there's three options added here so I'll also speak to those. Basically I like Option C, I favor Option C – I support that – which would remove the familial relation requirement as well

as increase the new accessory dwelling unit size limitation feet from 900 feet to 1200 feet, as well as my proposal of not exceeding the primary residence on square footage. So that would allow you to – so the way that would have helped us is our building was greater than – would have been greater than half the square footage of our house, which is the current rule. And so as a result, we had to reduce that square footage, so we had to – on the first floor we had to construct a new wall, an outside insulated wall, and put a door – an outside door – in the corner of the building that leads to the stairs –

Vice Chair Candler: Point of order, Chair. Time is up.

Mr. Burrows: And so that turned out to be too expensive.

Chair Raschko: Thank you, Mr. Burrows.

Mr. Burrows: Yep.

Chair Raschko: Okay. Is there anybody else who wishes to speak to LR20-07?

(silence)

Chair Raschko: Okay, I've heard nobody so we will move on then to LR21-02, which is to Clarify the CaRD Land Divisions and the "Reserve" Function. We have nobody signed up to speak to that issue. Is there anybody who is online that wishes to do so?

(silence)

Chair Raschko: Okay, hearing none, we'll move on to LR21-04, Agricultural Processing Facilities in BR Light Industrial. We have Mr. Phil Shephard who wishes to speak. I believe he is the proponent. So if you would please go ahead, Mr. Shephard.

Phil Shephard: Hi, my name's Phil Shephard. I'm the board president of Island Grown Farmers Cooperative, and my last name is spelled s-h-e-p-h-a-r-d. I actually reside in San Juan County. Our business – the co-op is based in Skagit County and it's been based in Bow for the last 20 years. We have 75 members, farm members, in the co-op. We process livestock – cattle, hogs, sheep and goats – and we currently process about 2500 animals a year. We use a mobile slaughter unit that goes to the farm and processes – you know, slaughters the animals at the farm and brings the carcasses to a cut and wrap facility on D'Arcy Road. And we've actually just completed a new cut and wrap facility at the Port of Skagit and it is in Bayview Ridge Light Industrial. And what we'd like to do now is to propose a clarification to one of the permitted uses in Bayview Ridge Light Industrial, which is agricultural and food processing storage and transportation by adding agricultural slaughtering facilities as an accessory use incidental to agricultural and food processing storage and transportation facilities. The two clarifying complements of that is that the premises that would be dedicated to slaughtering would be entirely enclosed within the interior of the facility – and we're happy with that – and that it's less than 5000 square feet of the total processing facility, and we're totally fine with that.

It's really difficult to get livestock processed in – well, actually, as you can tell when you go to the grocery store, it's really hard to keep up with the supply, and COVID's made it even harder. So what IGFC is doing is helping local farmers get their animals processed, get them USDA-inspected so that they can capture a greater value from that, and it keeps these farms in business and it allows the locals a chance to purchase, you know, really high quality local foods. We have

this mobile slaughter truck, as I mentioned, but we – for, you know, a stable, long term business, we need to have some redundancy in that because everything depends on this truck. And so if there's bad roads like we had and freezing weather, we can't operate. So having a small slaughter facility adjacent to our current plants would be a huge help to our business and allow us to have more members and process more livestock. Again, it's very small. We are classified as a very small, cut and wrap or processing facility by USDA. You know, we're talking – we only process, you know, 10 to 20 cattle per day, so it's a very small operation.

Chair Raschko: Okay. Mr. Shephard, you're out of time.

Mr. Shephard: Okay.

Chair Raschko: Thank you very much. There is nobody signed up to speak to LR21-04. If there is anybody online who wishes to, please speak up.

(silence)

Chair Raschko: I see Phil and Angie. Do you wish to speak?

Mr. Shephard: That was me. I just –

Chair Raschko: Oh, that's you. Phil and Angie Shephard.

Mr. Shephard: Yeah!

Chair Raschko: All right. Thank you. Okay, well, hearing nobody else, then we will move on to C21-1, 2020 Comprehensive Parks & Recreation Plan. And for that, we will have John Semrau of the Parks Board. Please go ahead, John.

John Semrau: Yes, good evening. So before you is the Comprehensive Park and Recreation Plan adopted by Skagit County Parks Board and the Board of County Commissioners in January of 2020. This is a process that we go through every six years to keep ourselves eligible for most of our funding. Revision of this Comprehensive Plan began with four community meetings, starting with Anacortes in April, 2018; Mount Vernon and Marblemount in May; and Sedro-Woolley in June of 2018. An online survey was also conducted with more than 800 respondents in November of 2018. So the plan before you is the compilation of about 20 months of work by the Parks Department, Parks Board and our consultant, Ecos Design. This was a comprehensive process and we feel we put together a sound plan to guide us over the next few years.

So in our county we have 2200 acres in 34 parks. Most of these parks were already in the County system prior to the Growth Management Act. Fifteen of these parks are in zones that do not support parks as a use. The pre-existing park uses may continue but cannot be expanded. Almost any work in these parks requires review by the hearing examiner. This zoning inconsistency needs to be corrected. You've got two options before you in the staff report. Both Option A and B – but in my opinion, both can be pretty limited as presented. Option A pretty much limits us to larger regional parks and recreation open space. This leaves out the community parks, the neighborhood parks, trailheads, or river and beach access. Option B is probably preferable but will likely continue with the hearing examiner and higher permitting costs we already have today.

Public-managed parks need to be an acceptable use in some form in all the County zones. These are not just parks that we don't pay attention to. These are managed facilities with a staff well

planned out. Skagitonians love their parks. They continue to ask us to acquire trail access; each river, lake access; and provide for additional recreation opportunities. We look forward to your attention to these issues. Parks Director Brian Adams and consultant Patrik Dylan are also here this evening, if you have any questions.

Chair Raschko: Thank you, Mr. Semrau. We have nobody signed up in advance to speak to this issue. Is there anybody online who wishes to do so?

(silence)

Chair Raschko: Okay, hearing none, we move on to C21-2. That's the SEPA Determination Review Timing. We have nobody signed up for C21-2. Is there anybody who does wish to speak?

(silence)

Chair Raschko: Okay, we'll then move on to C21-3, which is the Hamilton Zoning & Comprehensive Plan Updates. Once again, we have nobody signed up. Is there anybody who wishes to speak?

(silence)

Chair Raschko: Okay, then we will move to C21-4, Reduced Front Setback to Include Class 19 Roads. Nobody again is signed up to speak. Is there anybody who wishes to do so?

(silence)

Chair Raschko: Then that will bring us finally to C21-5, Pre-Application Requirements. We have nobody signed up to speak. Does anybody wish to?

(silence)

Chair Raschko: Okay. Hearing none, I want to thank everybody for their testimony. Do any Planning Commissioners have a question of any of the speakers or staff? Commissioner Hughes?

Commissioner Hughes: I'd like clarification of the recent staff report. We had an addition in there on page – the new page 25, Option B. Was that just inserted? Could you catch me up on what that's all about, Peter or staff?

Mr. Gill: Yes, I think I can. Let me catch up to you, though. You said page 25?

Commissioner Hughes: Yeah, the new staff report. It's the only new thing that I noticed. That's the other thing I wanted to check. Were there other new things? But on page 25, there's an Option B and it's boldly put "SCC 14.04, Public Uses, Government or Quasi-Government-Owned and Operated Facilities." It has to – I don't know. I don't really know how it fits.

Mr. Gill: So yes. This was in the staff report that was distributed for the December 14<sup>th</sup> meeting as well, but we did not have the actual code amendment at that time. And so that was an addition to the most recent staff report that was distributed, along with the units on the mineral extraction noticing that the Planning Commission requested that we fix. That was the other thing, as well as we improved and filled out some of the findings in the staff report regarding dates and how to comment and things like that.

But to explain the Option B, which had to do with – this is on CaRDs? Sorry, I'm still trying to catch up here. I'm almost there though. Yeah, so this is a use that is in many of our zones. It's called a public use. And this is an option for Parks to add parks as a public use wherever it is currently found in the zoning code. And so some of the other public uses that are described as a public use is primary and secondary schools; libraries; postal offices; offices; training facilities; fire/police stations; courts. And then so the amendment would be to add parks to that.

Commissioner Hughes: Thank you.

Mr. Gill: That was described previously but it was not captured in the code and what that amendment would look like and where.

Commissioner Hughes: Okay, thank you. You lifted my fog. I was really not following, so thank you.

Mr. Gill: Okay.

Chair Raschko: Thank you. Are there any other questions from members of the Planning Commission for any of the people who spoke at tonight's hearing or for staff?

Commissioner Woodmansee: I have a question.

Chair Raschko: Please go ahead, Commissioner Woodmansee.

Commissioner Woodmansee: My question is related to the parks issue and the zoning for parks. It makes perfect sense that any public-zoned property should be able to have a park in it, to me. But I also – Mr. Semrau said something that caught my ear, and that was about the comment that parks should be allowed in any zone. And I don't know if I can take it that far but I was just thinking that we might want to look into it a little bit more about where parks would be allowed and not, you know, during our deliberations on this. Because I generally would agree with a statement that parks should be allowed in any zone, but I can think of maybe an industrial zone that might not be a good idea. Anyway, so that's something that I'm interested in getting a little more information on as we move forward – how restrictive we're still going to be even if we approve something. So that's more of a comment than a question, I guess. But anyways, that's all I have.

Chair Raschko: Thank you, Joe. Are there any other questions by Commissioners for any of the speakers or staff?

(silence)

Chair Raschko: Okay, hearing none, once again I want to thank everybody that took the time and put in the effort and really cared about these issues to make a statement. If there's no objection from the Commission, I will hereby close the public hearing.

As a reminder, written comments on this proposal will be accepted through 4:30 p.m. on January 13<sup>th</sup>. The Planning Commission will meet to consider the comments and deliberate on a recommendation to the County Board of Commissioners beginning on January 25<sup>th</sup>. So that concludes the public hearing. Thank you, everybody.

So we'll move on to our Director's Update. Mr. Hart, are you present?

Hal Hart: Yes, I am. Thank you, Commissioners. I'll ask that Peter bring that up. And just a few quick comments, and part of it is that we're at the end of the year so I want to make sure we talk about that first one.

All right, so this is some of the larger projects this year. We have the distillery, which is continuing to build across the county. We have VanderYacht Propane and some other investments that are going to expand actually rail cargo storage at the industrial park. Then in the cities we are seeing a change, and I think it's a really important trend. We're seeing more and more housing units developed in these large blocks that you're seeing here and we're going to see more of that in the year ahead. So let's go to the next slide, Peter.

Overall, the building permit levels are approximately 25% above last year. I think that's the key thing. We did approximately 203 housing units in the county. That does include where we're replacing housing units too. So if somebody's house burns down or if somehow they're rebuilding it significantly on the site, I am including that. I didn't – I'll pull more data out; we're just starting to get to the data. But some 20% of those housing units are ADUs, and I think that's important for you to know. So that number has been growing for the last several years. An increasing number of housing units in the cities were expressed as "multi-family housing." That's another trend. We're seeing that across the state, especially in the west side. It has to do with affordability. And it also has to do with a lot of other things, which I'll mention in a minute. We've seen some new aviation products come to the county this past year, and Legends brand completed their expansion. Amazon began their Last Mile Facility project in the industrial park and we do expect land to be divided up in the industrial park, if not this year then next year, and then that will open the door for more investment in the region, because that'll make more land available to development. So as I mentioned, the distilleries – we've got two of the rack houses are completed. There's a third one under construction. There will be 11 more after that out there and other facilities will be added as well. It's also – I think it's the beer and the – or it's the distillery and the Kraken. So there's this tie to the Seattle area to the distillery here and so that might bring more tourism to Skagit County. Let's move on.

Here's the housing units by month. So last year you might remember when we were inundated as the Governor made a choice to – about what was going on with the state code. Everybody wanted to beat the new code so we had 41 homes come in in January alone. So about – it was pretty significant, and then lots of ADUs in addition to that – remodels and everything else came in too. So this housing is just a percentage of the overall building permits that come in and so, again, that was our peak, was in January. A very odd year. Let's move on.

So the next thing I want to bring to you, because the legislative session just kicked off. These are – if you were to go to the Association of Washington Counties website, we're all members of it – all 39 counties. These are the things they call out, and certainly we're talking about it here at Skagit County. One is a massive affordable housing shortage across the region. So it's being felt in many, many different ways. But the ability for young families to get into housing has been hampered, as well as – well, there's just lots of other impacts that that has on your economy.

The other issue – and you may have heard a lot about it – is behavioral health needs. And you're saying, Well, why is a planner talking about that stuff? Well, there's some connection between housing for the homeless, substance abuse, and mental health, and we are building more facilities as a County to deal with that as well. So think about it as a County capital facility issue that will continue to be an issue as the problem is just – so far it's getting worse. The fentanyl crisis, the other substance abuse crises seem to be ramping up with COVID and other issues right now. So it's a really big, long term mental health concern to Skagit County.

Planning issues: This is kind of a – there's a whole list of these, but Climate Change: There'll probably be a bill that will affect our Comp Plan.

Forest Health: This is a resilience issue for planners and probably for Growth Management. As the forests are subject to change, they need to be managed and so people are worried about forest fires and so I think that's how that manifests itself for us – probably east county.

Waste Management: The issue there is primarily everybody should have the same regulatory approach and so kind of consistency across counties.

Growth Management: Talk about flexibility.

Water Quality and Water Supply Issues: We know those very well so I won't say anything more about that. But those issues will continue to be important to the legislature even in the short session. Let's move on.

So Climate Change: So flexibility \_\_\_ that.

Salmon Recovery: That could be – again, salmon recovery is likely to become a required element of our Comprehensive Plan. So that would be something new. I mentioned these others already so we'll move on.

Okay. Watch City Units and Counts. Projects to Watch: So affordability issues and demographics. I think the key thing that I'm seeing around from Cities and Counties is that delay in family formation is a generational thing right now. The current generation is delaying when they get married and they are delaying when they have children. They also have one of the lowest birth rates in modern times. Retirees are also downsizing, and I had some very interesting conversations with developers lately and they are shifting their strategy to incorporate those trends as well. The success of firms like Weidner Apartment Homes is because they read the demographics and they said people will delay before they get into a house and they're going to live in one of these large boxes for apartments. And so they've done very well and they've positioned themselves in the market very well. There are others that are doing that. Sage Homes is here doing that as well and they are announcing a new project – Stephen's over in Burlington – and it's going to be on the other side of the freeway so it'll be the first one on the other side of the freeway coming in in the next couple of months. I mention that down below under Housing – Sage Homes.

And then other things that we are addressing: The County is addressing right now – we put County funding into it. And that's along College Way, 70 units of affordable housing for the homeless and other projects along College Way are forecasted. And there are another – there still are subdivisions in Sedro-Woolley going like gangbusters, I think, and there's a 49-unit subdivision for homes going in in Mount Vernon right now. So it's not that they've stopped but we're seeing a shift towards apartments right now, Commissioners.

And that's it. So thank you for your time. I appreciate your patience.

Chair Raschko: Thank you, Mr. Hart. That was very interesting. Have any Commissioners any questions for Mr. Hart or Mr. Gill?

Commissioner Mitchell: I do have a question.

Chair Raschko: Commissioner Mitchell.

Commissioner Mitchell: Yeah. Hal, do you mind posting that so we can look at that information again, please?

Mr. Hart: Yeah. We can send that to you, if that's what you want me to do, or would you like to see it again?

Commissioner Mitchell: Well, I don't know if you mind posting it on our website where we can access it anytime.

Mr. Hart: Yeah.

Commissioner Mitchell: Then the public can too.

Mr. Hart: Yes, absolutely. We'll do that.

Commissioner Mitchell: Thank you.

Commissioner Knutzen: Yes, I have a question too.

Mr. Hart: Yes?

Chair Raschko: Who is this?

Commissioner Knutzen: Director Hart, you mentioned Sedro-Woolley. There're several subdivisions plus an Urban Village. Can you explain the difference between subdivisions and Urban Village?

Mr. Hart: Sure. Typically in the old days an Urban Village might have been a couple of subdivisions and maybe it had a store around it or a store fed into it. In the modern parlance of an Urban Village, it's a mixed use so there may be a couple or three or four large buildings that have apartments and then down below you would have some retail maybe. Things could be over-retailed really. I mean, you can build too much retail these days. So it's all about services, so they have services for the residents that live within walking distance. That's another attribute. Typically you can walk an Urban Village. You park your car, you can walk around within a few square blocks and you have a number of services available to yourself. It may or may not have city services directly planted in there, but typically there's some retail, there's some sort of restaurant or some place to eat, and that would be an Urban Village by most city definitions these days, sir.

Commissioner Knutzen: I assume these need to either be in the city limits or in an Urban Growth Area?

Mr. Hart: Typically that's where we're finding them. That is correct. We are – sometimes – I think the City of Bellingham was planning on doing some of these at one point out in the Urban Growth Areas, but typically we're finding Cities are doing them as almost as a retro. Somebody gets together 15 or 20 acres and then they redevelop it. We're seeing that a lot as well.

Commissioner Knutzen: Thank you.

Mr. Hart: Mm-hmm.

Chair Raschko: Are there any more questions for staff?

(silence)

Chair Raschko: Okay. Well, thank you very much, Director Hart.

Mr. Hart: You bet.

Chair Raschko: And we will move on to Planning Commissioner's Comments and Announcements. Why don't we start with Commissioner Woodmansee? Go ahead, Joe.

Commissioner Woodmansee: I just was going to say thank you to the Chair and the Vice Chair for serving again this year and I look forward to working with you and the rest of the team this year again.

Chair Raschko: You are extremely welcome. Thank you. Commissioner Rose? Martha.

Commissioner Rose: I also want to thank you for taking on being chair again – and Tammy as well. Yeah, I don't really have any announcements, so thank you.

Chair Raschko: Thank you, Martha. Kathy Mitchell?

Commissioner Mitchell: Yes, the same. Thank you to you both and this is Tim's sixth year in a row volunteering to be chair, so kudos, sir. Thank you very much. We appreciate the leadership. It takes a lot of time behind the scenes sometimes that people don't know. And thank you for the (vice) chair as well, for being able to pop in at a moment's notice. Anyway, thanks a lot.

Chair Raschko: Thank you. Commissioner Knutzen? Mark.

Commissioner Knutzen: Yep, thank you. I just want to reiterate what the other ones have said. Thank you for what you've done and what you're going to be doing in the future.

Chair Raschko: Okay, thank you, Mark. Amy Hughes?

Commissioner Hughes: I'm following up, but thank you –

Commissioner Henley: You went muted.

Commissioner Hughes: Back to my sticky toggle. Thank you. But I want to add: In this year of Zooming, it's really difficult to be chair and vice chair and have these seamless meetings. We're actually, I think, getting really good at this Zooming. So thank you for your leadership, both of you, in providing that.

Chair Raschko: Well, thank you, Amy. I appreciate that. Vince?

Commissioner Henley: Yes, I'd just like to add my thanks for you guys volunteering once more to run this association. I appreciate that and I'm happy for the leadership. And as the new kid on the block, I'm learning a lot. So, anyway, thanks again.

Chair Raschko: Thank you. Tammy Candler. I agree with everybody. Thank you, particularly to our Chairman for agreeing to lead this group. It's a much bigger time commitment than vice chair,

fortunately for me. Not so fortunately for you, and you've done it a long time and I really appreciate the way you do it and I'm glad you were willing to do it again. Thank you.

Chair Raschko: Thank you, Tammy. I think it's going to be my fifth year and it's kind of embarrassing. But I want to thank everybody for the congratulations and the well wishes. I'd like to say about it that it's more difficult doing it by Zoom. I'd much rather see everybody. The one thing that has encouraged me to continue with this is basically I think staff does a really good job of getting these meetings really well organized. And also I think our Planning Commissioners all seem to be very much engaged and prepared and stuff and that just makes it a lot easier than it might otherwise be. I think if it was otherwise, I'd have taken the year off several years ago. So I do want to thank everybody involved for all the hard work and support and everything else.

So with that, I believe our business is concluded, so I wish everybody a happy good night and we'll stand adjourned.