

**Skagit County Planning Commission  
Work Session and Deliberations: 2021 Docket  
February 8, 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**

Chair Tim Raschko: Good evening. Welcome to the February 8<sup>th</sup>, 2022, meeting of the Skagit County Planning Commission. We'll have a roll call first. I have seen that we have Commissioner Henley, Commissioner Hughes, Commissioner Knutzen, and Commissioner Mitchell. I just got a text message from Commissioner Candler. She's having difficulties technically but will join us as soon as she can. So is Commissioner Rose present?

(silence)

Chair Raschko: I don't see her here. Commissioner Rose. Commissioner Woodmansee?

Commissioner Joe Woodmansee: Yes.

Chair Raschko: Hi! Great, Joe. Good to see you. All right, so we do have a quorum. So we move to Approval of Minutes. Is there a motion to approve the minutes of the last meeting?

Commissioner Vince Henley: I so move.

Commissioner Kathy Mitchell: Second.

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

(silence)

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

Multiple Commissioners: Aye.

Chair Raschko: Those opposed?

(silence)

Chair Raschko: And abstentions?

(silence)

Chair Raschko: So that passes unanimously. Okay, we'll begin the night with the 2021 Planning Docket Work Session. Mr. Gill, please.

Peter Gill: Thank you and good evening, Planning Commissioners, members of the public. Today we are here to discuss and follow up on some questions you all had on the 2021 Planning Docket. We'll move forward with tonight's meeting with the meeting materials. We did distribute a draft recorded motion that we can walk through if we get to deliberation. But before we do, we wanted to come back around to some questions that came up during the last work session at the last meeting on the 25<sup>th</sup> of January. And so if that works for the Chair, we will go ahead and get some slides up here.

Chair Raschko: \_\_\_ fine.

Mr. Gill: Okay. So this should be fairly familiar to you all at this point. This is the process, the docket review process wheel. It starts at the Board of Commissioners in May; went through a public hearing in spring of 2021; the Board established the docket with the petitions that we're here to discuss today; had some work sessions in July and then again in December; we published a staff report/SEPA notice; we had a public hearing as well. So tonight we are in this kind of top quadrant here, upper left quadrant, at the Planning Commission recommendation. And we're still in work sessions, but if you all get to deliberations tonight we can start with that process as well. So that's just a little background.

And I am going to skip this slide and jump straight to Small Scale Business Zone Use Modification. So the last meeting and some correspondence, we did get some feedback on questions with regard to the additional accessory use being added to the Small Scale Business zone. The proposal is to add restaurants as an accessory use to a permitted use. So an important part to remember about this is it's an *accessory* to another permitted use. And so an accessory use – and I'm taking from the definition here that's shown on the screen – as accessory as applied to a use, building, or structure means customarily subordinate or incidental to and located on the same lot with the principal use building or structure. And so that's just to give a little bit of background and foundation here. That's what we're talking about. Restaurants as an accessory use in the entire zone.

It's going to be important to discuss the existing uses that are allowed within the zone and how accessory fits in with that. There's been a lot of focus and a lot of public comments with regard to the Small Scale Business zone in Edison, the Terramar property, but we are really making sure we're reminding everyone we're looking at the entire zone, all the properties with that zone. And so some of the permitted uses within those properties – and I'm going on the left of this long list; I apologize for all the bullets but it is kind of important that we talk about it:

- Business/professional offices;
- Historic sites that are open to the public;
- The third bullet is small retail and service businesses, provided that retail sales are limited to products produced primarily onsite or which are accessory to products produced onsite;
- Fourth bullet is small-scale production or manufacture of products and goods, including food products, furniture, apparel, artwork, metal products, and wood products;

- Also nurseries/greenhouses;
- Maintenance or drainage facilities;
- Net meter systems and solar.

There's also some administrative special uses that already apply in Small Scale Business zone.

- That's public uses up to 3000 square feet;
- There's kennels;
- There's minor public uses, which you'll see as we go through some of the other sites;
- Minor utility developments;
- There's retail nurseries/greenhouses;
- There's temporary events, and these are allowed through administrative special use.

And I want to kind of circle back and correct something I said at the last meeting when I was kind of speaking off-cuff on this, is that with temporary events under administrative special uses I think I said that there would be a public hearing. There is not a public hearing. There is a public notice that would go out to the neighbors of the property if a temporary use were to be proposed – or a temporary event, I should say, were to be proposed. And then there would be a comment period where people would have a chance to submit comments regarding any proposal. Now if that proposal – if the decision on that proposal were appealed, then it would go to the hearing examiner and there would be a public hearing. And so I just wanted to make sure I get that in the record and that it's not a public hearing automatically on the administrative special use for temporary events.

- The last one on the list there is trails and primary and secondary trailheads are allowed as a special use.

Accessory:

- They currently allow for an owner operator quarters or caretaker quarters on the property as accessory;
- And the proposal, as shown in blue there, would add restaurants as accessory.

So that is the proposal and some of the uses allowed in the zone, and I am going to turn it over to Jennifer Rogers, who has done the work to provide a zoning map and an aerial photo of each of those sites, just so that we can all see what's on those zones currently.

Jennifer Rogers: Okay. In Skagit County there are eight properties zoned as Small Scale Business outside of the Terramar property in Edison. Next slide.

The first property I'll talk about is Farm to Market and Ovenell Road, which is zoned as Small Scale Business and it's currently being used for commercial use – an auto repair shop – and it's surrounded by Ag-NRL land, Bayview Ridge Heavy Industrial, and Rural Reserve zones.

The next property's on Fruitdale Road and Brandon Lane. It is also being used for commercial use and it is completely surrounded by the Rural Reserve zone.

On Beaver Marsh Road and McLean Road there is also another commercial use Small Scale Business zone. It looks like it's a slab company that is using that parcel there, and it is surrounded by the Rural Center zone and Ag-NRL as well.

On Highway 20 and Deception Road, one property is being used for Fire Station 11 – public uses are allowed under Small Scale Business – and it is surrounded by Rural Center and Rural Intermediate zones.

Just down Highway 20 a little bit further south on Tibble Lane is another Small Scale Business use. It looks residential but residential properties can also have a home business. We just can't tell from the public information we can access. And it is surrounded by Rural Reserve zone.

On Highway 9, there are two parcels next to each other and they are being used for a commercial use for a rock pit and two small businesses there. It is surrounded by Ag-NRL and Rural Reserve zones.

On La Conner-Whitney Road, there's a small parcel that is being used for commercial use. It's a gas station right to the left. So you can see that the gas station is on the Rural Business zone. The Small Scale Business is just to the right in that photo. That spot is the Small Business zone parcel. And it is surrounded by Ag-NRL, Rural Business, Natural Resource Industrial, and Rural Reserve zones.

And the last property's on Bennett Road and it is being used for commercial purposes – an electric company – and it is surrounded by Ag-NRL, Rural Business, Natural Resource Industrial, and Rural Reserve.

Mr. Gill: Thank you, Jennifer. That's helpful to kind of know what else is potentially affected by a potential change in this zone. And I guess I would just bring up that Commissioner Candler asked at the last meeting a little bit more about the other properties that would be affected and so we pulled those together.

Vice Chair Tammy Candler: Thank you very much.

Mr. Gill: Sorry, go ahead.

Vice Chair Candler: Thank you very much. It was helpful.

Mr. Gill: Okay, good. Another Commissioner comment from the last meeting had to do with noise. I think Commissioner Hughes asked about the noise ordinance. And so that is under Skagit County Code 9.50, and that is enforced through the police department but that does have standards for noise levels and the time of day in which certain loud activities can happen. So I did want to put that in there.

And I also wanted to include this part of our code, 14.16.140. That is the Small Scale Business zone. Under (7)(a) it has additional requirements for any business that's proposed under the Small Scale Business that has to do with noise. So the first one under the first small (i):

- All structures and outside activities shall be located or screened from adjacent properties to avoid the disturbance through glare, shading, noise, dirt or other nuisance or hazards.
- The petroleum pumps. I won't read that one; that one's not as relevant at this point.
- But under (iii) it says, All development proposals within the Small Scale Business district shall include a plan, which shall be reviewed by and acceptable to Planning and Development Services. This plan shall diagram and explain how open areas will be maintained during and after construction to avoid sewage, drainage, dust and nuisances to adjacent properties, uses and critical areas. The plan shall also demonstrate how

existing easement rights or other property ownership interests in the property are also protected.

So the few relevant points that get to some of the concern over potential noise.

One of the things that's also important to remember about this proposal is we are simply talking about restaurants. We're not talking about outdoor events, and there was a lot of comments with regard to those large potential events that would occur. And those would have to occur under a separate permit. Adding restaurants as an accessory use to this zone would not change their ability to have or not to have those outdoor events. So I just want to make sure we're focused on that issue.

So I'm moving on to the Mineral Resource Extraction petition. This is LR20-05. And Commissioner Henley had a comment about that with regard to the public notice distance. And I just wanted to bring that up and mention the proposal that the applicant is requesting is for mineral extraction activities and notice must be provided within a mile and be posted at any post offices of nearby communities. And so I just want to put this slide out there in case Commissioner Henley or anybody else had any additional information they wanted us to address.

Commissioner Henley: I don't have any additional information. I don't really see the need to change the notification distance.

Mr. Gill: Okay. There's nothing else on that one. The other one that we had some questions about was the Accessory Dwelling Unit Amendment. And this proposal would relax the family member occupancy requirement for the primary or the accessory dwelling unit. And it would remove the size restrictions for any ADU – or accessory dwelling unit – that was in an existing structure that's already on the property. So there was also a question about whether accessory dwelling units or ADUs are allowed in the Ag-NRL zone, and the short answer is yes, they are allowed. But they're allowed when a residential structure is allowed as an accessory to agriculture. So any primary residence is also accessory to use and one of the accessories to residence as an accessory is an ADU. And so, therefore, it is allowed in the Ag-NRL zone, and I think, Commissioner Hughes, you had a question about that that I wanted to follow up on.

And, Commissioner Henley, you also had a comment on that. So I don't know if there was anything else on that one?

Commissioner Henley: I think we should approve ADUs. I'd like to see the maximum size expanded to 1200 square feet, though. And I think the familial relationship requirement should be removed.

Mr. Gill: Okay. And so that's all I had on the slides. There's obviously all the background material and memos and staff reports are all there on the [www.skagitcounty.net/2021cpa](http://www.skagitcounty.net/2021cpa) website, if anybody wants to get more information than they have right now – and tonight's meeting materials as well.

Chair Raschko: Okay, are there any questions for Mr. Gill?

(silence)

Chair Raschko: Okay. Well, thank you, Peter.

Commissioner Henley: Tammy had her hand up.

Chair Raschko: Well, okay. First of all, I was going to make an announcement as we moved towards deliberations. I'd appreciate it – it's hard to think and look at the materials and see hands waving at the same time, so if you could use the Chat Box it would make life a lot easier for me and I'd appreciate it much! So who had their hand up?

Commissioner Henley: I thought I saw Tammy with her hand up.

Chair Raschko: Well, first of all, for the record, could we show that Commissioner Candler's here? Welcome, Tammy. So go ahead, please.

Vice Chair Candler: Thank you. Peter, I'm just trying to be clear. What areas in the county would allow these ADUs? What areas right now, as far as zoning, like Rural Reserve – like, where are ADUs allowed right now?

Mr. Gill: Pretty much anywhere that residential is allowed, with the exception of Similk Beach. And I would have to doublecheck about Guemes Island. But pretty much wherever there's a residential zone where it's allowed, ADUs are allowed as accessory.

Vice Chair Candler: Thank you.

Chair Raschko: Any other questions for staff?

(silence)

Chair Raschko: Okay. Looks to me then that we are ready to enter the deliberation stage of this process. And once again, please use the Chat Box. We'll start out with item PL19-0419, which is Nielsen Brothers Comprehensive Plan and Zoning Map Amendment. The Department recommends that the proposed amendment to the Comprehensive Plan be approved. So the floor is open.

Commissioner Mitchell: Martha Rose has her hand up.

Chair Raschko: Is Martha here?

Commissioner Mitchell: Yes.

Chair Raschko: Okay, we show for the record that Martha is in attendance. Thank you. Martha, please go ahead.

Commissioner Martha Rose: Thank you. Part of the reason I raised my hand was to call attention to the fact that I *did* show up. I was about five minutes late because my computer froze up on me so I'm on my cell phone. But on the Nielsen Brothers thing, it seems pretty straightforward that it should be approved. That's my humble opinion. But it's been there, it's not offensive, and I'm in favor of approving that one. Thank you.

Chair Raschko: Do you wish to make a motion to that effect?

Commissioner Rose: Sure. I'll move that we accept the Department's recommendation for the Nielsen Brothers site.

Commissioner Mitchell: I'll second that.

Commissioner Henley: I second it.

Chair Raschko: Okay, we had several seconds, it looks like. Who was first?

Commissioner Mitchell: Mitchell.

Chair Raschko: Okay. It's been moved and seconded to approve –

Commissioner Mitchell: By one word!

Chair Raschko: You'll have to be quicker, Vince! PL19-0419. Is there further discussion?

(silence)

Chair Raschko: All right. Then all those in favor of – or maybe we better do this by roll call. Tammy, how do you vote?

Vice Chair Candler: Aye.

Chair Raschko: Kathy?

Commissioner Mitchell: Aye.

Chair Raschko: Vince?

Commissioner Henley: Aye.

Chair Raschko: Mark?

Commissioner Mark Knutzen: Aye.

Chair Raschko: Amy?

Commissioner Amy Hughes: Aye.

Chair Raschko: Martha?

Commissioner Rose: Aye.

Chair Raschko: Of course; you made the motion. Joe?

(silence)

Chair Raschko: Are you there, Joe?

(silence)

Chair Raschko: Hmm.

Commissioner Henley: I don't see him. He was off in the corner there.

Mr. Gill: There you are, Joe.

Chair Raschko: Okay, well, I vote as well. So let me see here.

Mr. Gill: Maybe if Commissioner Woodmansee could give us a thumbs up or a thumbs down, that would be good.

Chair Raschko: He's a thumbs up, I see. Okay. Great. So that passes. We're doing well so far! We'll turn then to item LR20-02, Small Scale Business Zone Use Amendment. The Department recommends the proposed amendment to the Comprehensive Plan be approved. So the floor's open on LR20-02.

Commissioner Mitchell: This is Commissioner Mitchell. I'd like to make a motion.

Chair Raschko: Please do so.

Commissioner Mitchell: I move that we approve LR20-02.

Chair Raschko: Is there a second?

Commissioner Henley: I second it.

Chair Raschko: That's Commissioner Henley?

Commissioner Henley: Yes.

Chair Raschko: Okay, it's been moved and seconded to approve or recommend for approval of LR20-02. Is there discussion?

(silence)

Chair Raschko: Wow. Nobody? All right. In that case, Commissioner Candler, how do you vote?

Vice Chair Candler: Aye.

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: Aye.

Chair Raschko: Vince?

Commissioner Henley: Aye.

Chair Raschko: Mark?

Commissioner Knutzen: Aye.

Chair Raschko: Amy?



Commissioner Hughes: Aye.

Chair Raschko: Martha?

(silence)

Chair Raschko: Is Martha –

Commissioner Rose: I apologize. I'm not familiar with doing this on the phone. Aye.

Chair Raschko: Joe?

Commissioner Woodmansee: Aye.

Chair Raschko: And I vote aye. Wow. All right, let's move next to item LR20-05, Public Notice Amendment for Mineral Resource Extraction Areas. The Department recommends the proposed amendment to the Comprehensive Plan be approved to potential modifications. Option A would be increase notification requirements to 1,000 feet, which is consistent with current marijuana farm notice requirements and surrounding County requirements. Option B, adopt citizen-proposed change to the modification requirements of 5,280 feet; or Option C, increase notification requirements to 1,320 feet, which is one-quarter mile, a setback distance for housing density to Mineral Resource Overlays. So have we discussion? The floor's open.

Commissioner Mitchell: I'd like to make a motion. This is Commissioner Mitchell.

Chair Raschko: Please do so.

Commissioner Mitchell: I'd like to move for Option D, which is to not change.

Commissioner Henley: Second.

Chair Raschko: Option *what*?

Commissioner Mitchell: D.

Chair Raschko: Okay. I understand, but as far as – I don't see an Option D anywhere.

Commissioner Mitchell: Well, that's because it's implied. Staff always has the option for us for no change. Technically I'd like to see it on the paperwork but we do have that option.

Mr. Gill: If I could: There's also the recommendation to deny the petition if you want no change, as well.

Commissioner Mitchell: That's good. Okay. Is that a better wording?

Mr. Gill: It would be helpful probably to explain to the Board.

Chair Raschko: So do you wish to change your motion?

Commissioner Mitchell: Yes, I do. I'd like to change the motion to deny.

Chair Raschko: Do you want to state it again, please?

Commissioner Mitchell: I would like to make the motion to deny the application.

Chair Raschko: Is there a –

Commissioner Henley: I second it.

Chair Raschko: And that's Mr. Henley. Okay. It's been moved and seconded to deny the application for LR20-05. Is there comment?

Commissioner Mitchell: I do have comment.

Chair Raschko: Okay.

Commissioner Mitchell: The main reason is I've delved into a lot of the history about this and aside from mining being in Skagit County since the late 1800s and GMA making changes around 1990, the County has had mineral overlays that they started around 1997 and then they went into in-depth work – and I'm talking *extensive* in-depth work – with the Planning Commission, the Ag Advisory Board, the Forest Advisory Board, the mineral people. They had consultants, a lot of help on it, and they came back and made the new maps and the recommendations for the mineral overlays. And they were conservative on those for the distance. There is a quarter-mile buffer on those already. There's already a 300-foot notice in place, and that has been working for a very long time. And I think that the mining industry has been taxed so heavily with restrictions the same as the other two main ones in the county and the state that laying an extra layer on for more noticing when it's really not necessary is not called for, especially from 300 feet to a mile. That's – what is that? 5,280 feet? Yeah, that's way overreach. Thank you.

Chair Raschko: Are there any further comments?

Commissioner Henley: Yes.

Chair Raschko: Commissioner Henley?

Commissioner Henley: Yeah, I don't – I agree with Kathy on this. I don't see a compelling reason to change the distance. The fact that other counties have changed theirs shouldn't necessarily be a guide for Skagit County. I think unless there's a compelling reason – and I don't see one – I think we should leave it unchanged and that means as Kathy has moved: We should deny the petition.

Chair Raschko: Thank you. Further comments?

Commissioner Woodmansee: Well, I have a comment.

Chair Raschko: Commissioner Woodmansee?

Commissioner Woodmansee: Yeah, I concur with the two previous Commissioners. One of the issues that I see in our industry – in the building industry – is some of our pit \_\_\_ are running out of gravel in Skagit County right now. And the need for – or the burden of this extra notice and potential delays and stuff for opening up or expanding existing pits is just something that adds more to the cost of housing. So anything that adds to the cost of housing is something that I view

negatively for the most part, although it's not 100%. So I do think that the 300-foot notice – which can be expanded per the information we were given tonight to 500 feet – is adequate, and so I would support this motion.

Chair Raschko: Thank you. Any other comments?

Commissioner Hughes: Amy Hughes.

Chair Raschko: Okay.

Commissioner Hughes: I'd like to support the motion in that when we have allowed a business through GMA it has survived. I think that we need to keep supporting these businesses. In Skagit County we need to be more than just natural resource or natural grounds and residential. We need to make sure that we keep our business sector of our economy going and this is one thing that we had agreed on in the past as part of our footprint as far as our economy. And so just a little bit of a conversation about supporting business.

Chair Raschko: Okay, thank you, Amy. Other comments?

Vice Chair Candler: I think I want –

Chair Raschko: Who's this?

Vice Chair Candler: This is Commissioner Candler.

Chair Raschko: Oh, please go ahead.

Vice Chair Candler: Nothing lengthy, but just for the reasons stated by Commissioner Mitchell, I will support the motion – and others, as well.

Chair Raschko: Looks like almost everybody's had the chance. Anybody else?

(silence)

Chair Raschko: I would just like to add my thoughts that with recent history it appears that the present distance of 300 feet is more than adequate when you look at the amount of awareness that existed both in Marblemount with mining proposals as well as Grip Road and other places around the county. It seems like nothing is broken. People are well notified and able to express their doubts about a project or whatsoever, so I think we should just leave it as it is. Okay. With no further comment, we'll come to a vote. Commissioner Candler?

Vice Chair Candler: Aye.

Chair Raschko: Commissioner Mitchell?

Vice Chair Candler: You're muted.

Commissioner Henley: She sure is.

Commissioner Mitchell: Sorry. Aye.

Chair Raschko: Henley?

Commissioner Henley: Aye.

Chair Raschko: Commissioner Knutzen?

Commissioner Knutzen: Aye.

Chair Raschko: Commissioner Hughes?

Commissioner Hughes: Aye.

Chair Raschko: Commissioner Rose?

Commissioner Rose: Aye.

Chair Raschko: Commissioner Woodmansee?

Commissioner Woodmansee: Aye.

Chair Raschko: And I vote aye as well. Thank you, everybody.

Mr. Gill: Chair? This is Peter. I am trying to take some notes that I'm hoping to turn into some findings. But also I'm editing the recorded motion, the draft that was distributed. Would it be helpful to view that in your deliberations as we go here? Or do you want to just continue on and come back to findings at a later time, later date?

Chair Raschko: I think it was wise to bring this up. We're moving right along. It wouldn't hurt as we're making comments and hearing them to, you know, build our facts and findings. How do the other Commissioners feel about that? Any comments, opinions?

Commissioner Mitchell: Chair? This is Commissioner Mitchell. I can add a couple of findings for RCW or WAC or policies, if that would help. Is that what you're looking for at this point or can we do that later?

Chair Raschko: To look at what?

Commissioner Mitchell: The policies or WACs or RCWs. Do you want that now or would you like that later?

Chair Raschko: This would be part of the Findings of Facts?

Commissioner Mitchell: Yes.

Chair Raschko: Well, that's what I'm asking, is whether while everything is fresh in our mind we go back to the first issue and fill in our Findings of Facts and do it now. And if that's the case, if that is the wishes of the group, then I would say yes.

Mr. Gill: Would it be helpful for me to capture the reasons for the recommendation as we go through the recommendations? As far as the technical findings, I certainly would like to have those as well. I'm not sure if those are going to be as critical at this point for me to try and type out

exactly all the WACs and things. We can do that, but for me at least the reasons you all came to the conclusions or the recommendations that you are is the piece that I would like to try to get.

Chair Raschko: My opinion is we should do that. I don't believe that it would be a final thing. It would be a start and we could come back to it at a later time to add as we see fit.

Commissioner Mitchell: Excuse me, Chair. Can I – this is Commissioner Mitchell. May I call a point of order, please?

Chair Raschko: What is that? I was going to say the same one. Go ahead.

Commissioner Mitchell: Were you? I'll yield the floor to you. You know what it is.

Chair Raschko: Well, I think what it is – I was going to say at a break in the action that the Chat Room is for use by the people participating in the meeting and anybody who enters the Chat Room who is not is doing the equivalent of standing up in the middle of the public meeting in person and disrupting with a statement, and that is unwelcome. And I think that if that kind of thing happens we'll have to maybe eliminate the person from the feed. So please cooperate if you are watching. Did I get it?

Commissioner Mitchell: Yes, sir.

Chair Raschko: Okay, thank you. All right, well, hearing no objections, I'd like to go back then to item PL19-049, which is the Nielsen Brothers Comprehensive Plan, and we can give our thoughts on Findings. So who would like to begin?

Commissioner Mitchell: Commissioner Henley has a comment up for you.

Commissioner Henley: I remove that because I think we want to go back. I didn't realize we were going all the way back to the beginning so just ignore the Chat Room comment at the moment.

Chair Raschko: Okay. Thank you. Well, I'll start if nobody else has anything. And these are random thoughts, not necessarily things that should be included. But I believe there was no opposition to this from the Ag Advisory Board.

Vice Chair Candler: Can I suggest that that might be a reason for action rather than a finding? I mean you could put it either place.

Chair Raschko: Well, that's fine. I mean, we can put both now and put them under whatever category they go in, if that's okay?

Commissioner Mitchell: I do have a comment, Chair, if that would help for a finding.

Chair Raschko: Please.

Commissioner Mitchell: This is Mitchell.

Chair Raschko: Yes?

Commissioner Mitchell: As far as the Nielsen thing, they've had that business for a long time and it makes sense to allow them to be able to operate their business efficiently and well, and this allows that business to continue to do that.

Chair Raschko: Thank you.

Commissioner Woodmansee: I have a comment.

Chair Raschko: And this is Joe?

Commissioner Woodmansee: Yes. Another what I believe can be a finding is that in doing this change it allows the business to make necessary improvements for the protection of the environment in the area. And so the existing use is there and this will allow the existing use to be updated and better serve the environment in the area.

Commissioner Mitchell: It looks like Martha Rose has a comment.

Mr. Gill: Excuse me. Commissioner Woodmansee, is that close?

Commissioner Woodmansee: Yeah, and maybe we would put "improvements to the *protection* of the environment." My point is that it's going to better protect the environment when these improvements that they would like to do could be permitted.

Mr. Gill: Right.

Chair Raschko: Martha?

Commissioner Rose: I just wanted to add that locationally it's close to Highway 20 and other businesses, not even that far off where other businesses are, and I actually ride my bike past there whenever I'm on the bike trail and I've never found it disruptive or – in fact, I've never encountered a vehicle crossing the bike path. You know what I'm saying? Like, it just seems like it's a low impact situation that's close to the highway, and that's justification to allow them to carry on and improve. That's all.

Chair Raschko: Okay, does that embody it?

Mr. Gill: Yeah, sorry. I'm jotting it down and this will be a draft that everybody can look and fix and adjust as they go.

Commissioner Rose: Yeah, it captures what I had in mind.

Chair Raschko: Anything else on 0419?

(silence)

Chair Raschko: Okay. We shall move on then to LR20-05. Well, wait a minute. Excuse me, LR20-02. And let's see, I see nobody in the Chat Box.

Commissioner Mitchell: How's that?

Chair Raschko: Oh, Commissioner Mitchell.

Commissioner Mitchell: Right, thank you. Since this is really just allowing for that zone to have that accessory use, it seems logical and makes sense. So from that standpoint I think that's a good reason to approve it. Oop, I'm sorry. That is 02, the small business, right?

Chair Raschko: Right.

Commissioner Mitchell: Yeah. Okay, that's the right one. Sorry.

Vice Chair Candler: I think Commissioner Woodmansee wanted to comment.

Chair Raschko: Right. I'm just waiting to finish the typing just to make sure it reflects what Commissioner Mitchell wishes.

Mr. Gill: Commissioner Mitchell, I'm not sure I quite captured that.

Commissioner Mitchell: Okay. I was so awkward with it.

Mr. Gill: Sorry, go ahead.

Commissioner Mitchell: That's all right. I'm sorry. That was so awkward. This allows the business to have that accessory use when it's adjacent to the other businesses operating in the same capacity. So it makes sense to allow this accessory use in that zone. That's good enough for now. Thank you, Peter.

Chair Raschko: Please bear in mind, everybody, we're going to come back at a later time to vote on these, so these are not set in stone. Commissioner Woodmansee?

Commissioner Woodmansee: So a finding of fact for me is that Skagit County has the necessary permit process and codes to ensure that an accessory use like this can be permitted properly and within the necessary restraints for this type of an activity.

Chair Raschko: Okay, Commissioner Rose?

Commissioner Rose: Actually I'm going to just ditto what Joe said. That was my sentiment exactly. The permit process is the guarantee that whatever accessory use is implemented – the restaurant – that it will follow all of the requirements that are needed – the parking, the Health Department, the – all of it – you know, the capacity. So at any rate, it's just a ditto. Thank you.

Chair Raschko: Okay. Thank you. Vince?

Commissioner Henley: Yes. I think embedded in the staff report is what I would consider to be a finding, and I'll quote. It says: "The proposal follows the Comprehensive Plan vision to support economic opportunities in rural areas." And I think that's the essence of this proposal.

Chair Raschko: So does that encapsulate it?

Commissioner Henley: That encapsulates it well enough.

Chair Raschko: All right, thank you. Amy?

Commissioner Hughes: Vince probably came up with the wording better than I would. My wording was going to be, "It's necessary to be supportive of appropriate business activities complementary to communities." I don't know if we want to add that one or not.

Vice Chair Candler: I like it.

Commissioner Hughes: "...important to be supportive of appropriate business activities complementary to communities."

Commissioner Mitchell: That's a good one.

Commissioner Hughes: Surrounding communities.

Mr. Gill: All right.

Chair Raschko: Okay, has anybody else something to add?

(silence)

Chair Raschko: All right, then we'll move on to LR20-05, the Public Notice Amendment for Mineral Resource Extraction Areas. Commissioner Mitchell, are you up first?

Commissioner Mitchell: Yes, it looks that way. Sorry, Peter.

Mr. Gill: I didn't quite capture – I'm sorry, too – I didn't quite capture what your sentiment there – I was going back after we started running through some of these issues. So –

Commissioner Mitchell: Thank you. The gist is is that mining's been going on in Skagit County since the late 1800s – somewhere around 1875-ish, so, late, you know, late. That's the first part. Number two, since the GMA came into being in the 1990s, the County has worked on the mineral overlays both around 1997 – is that correct, Peter?

Mr. Gill: Yes.

Commissioner Mitchell: Yeah, 1997. And then they did an in-depth update and overview by need from GMA from 2005 to 2007. And what I mean "in-depth," it's very in-depth. There was 15 pages *alone* in that comprehensive review that just applied to mineral overlay for findings of facts and reasons.

Mr. Gill: How's that?

Commissioner Mitchell: Yeah, "2007 Update" is probably a good thing to say. According to the State, mining is one of the basic resources and there's many different places where you can read where they encourage and support the use of the natural resources.

Mr. Gill: The primary?

Commissioner Mitchell: Yes, primary. Natural resource. Another thing is they already operate under stringent rules and regulations. And when they did the mapping around between 2005 and 2007 updates, the County, the Planning Commission, and everybody involved already cut back



on places where mining could be and they put the quarter-mile buffers in. So in essence, they were trying to accommodate between rural residential and mining activities.

Mr. Gill: I'm not sure I caught that last one correctly.

Commissioner Mitchell: That's pretty close. That's pretty close. Separate rural and mining activities through the zoning and overlays.

Chair Raschko: How about buffers as well?

Commissioner Mitchell: Yeah, thank you – buffers. Anybody jump in because I'm doing this off the top of my head now.

Commissioner Henley: It seems pretty comprehensive to me.

Commissioner Mitchell: Okay.

Chair Raschko: Are you done, Kathy?

Commissioner Mitchell: That's all I want to say right now. We can add later if we need to.

Chair Raschko: So Joe had a comment.

Commissioner Woodmansee: My comment is just in support of what Amy is saying. I mean, mining in Skagit County is an important industry and it's important to be able to keep that industry local so we don't have to in the future bring mineral resources in from outside counties. And so I believe it's an important part of our economic viability of our county.

Commissioner Hughes: To support what Joe just said, Peter, another way that we could put that or add to it is we need to support local business and economic activity in the county. That would have been my wording.

Mr. Gill: I tried to capture that in this one.

Commissioner Hughes: Yeah. So if we could just edit it just a bit –

Mr. Gill: Sure.

Commissioner Hughes: – “need to support local business and economic activity in Skagit County.” And that's it. The other could be edited out.

Mr. Gill: Okay. “Mining's important to Skagit County...” I'm sorry, Commissioner Woodmansee. Can you rehash that a little bit?

Commissioner Woodmansee: Sure. And Amy and I are kind of on the same page here. I think it's – you know, the bottom line is is we don't want to have to import future materials from other counties, and so it's important that we're able to process and utilize the locations that we have in our county.

Mr. Gill: How's that?

Commissioner Woodmansee: Yeah, maybe just add “so that we don’t have to import from outside the county.”

Commissioner Mitchell: That’s an excellent point.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: Well, I would just add that – the comment made earlier – that recent events have shown that there has been no difficulty having people adequately informed to be able to react to proposed new mining ventures. Well, that’s not *exactly* what I meant. Having people adequately informed to react – so after “people,” “adequately informed.”

Mr. Gill: How’s that?

Chair Raschko: No, \_\_\_. I would say “adequately informed of new mining ventures to be able to adequately express their views.” Whatever. I guess I’m reflecting on the fact that looking at things that have happened in Marblemount and at Grip Road and others that I can’t recall offhand, that there seems to not be a problem with having people adequately informed that they can state their views and have their opposition adequately aired. Okay? Any which way you want to try to say that.

Mr. Gill: Mm-hmm. Do you want to keep, for instance, Grip Road or Marblemount?

Chair Raschko: Why don’t we don’t just leave it the way it is? I guess it doesn’t need to be – I like it just the way it is.

Commissioner Henley: I have a comment.

Chair Raschko: And who – this is Vince?

Commissioner Henley: Yeah. There’s an old engineering phrase that I think applies here: “And if it ain’t broke, don’t fix it.”

Chair Raschko: That’s sort of what I was trying to say. All right, do we have anything else?

(silence)

Chair Raschko: Okay, then we will move to LR20-07, the Accessory Dwelling Unit Code Amendment. Commissioner Mitchell, is that a new entry in the Chat Box?

Commissioner Mitchell: I was going to add something there but, you know, it’s really a moot point so it looks – just skip me and move on.

Chair Raschko: Okay. Commissioner Candler?

Vice Chair Candler: I am going to move that we recommend the Board of County Commissioners deny LR20-07.

Commissioner Mitchell: I’ll second that motion.

Chair Raschko: It's been moved and seconded to deny LR20-07. Did we not already do this?

Commissioner Mitchell: No. We were getting ready.

Chair Raschko: All right. Is there any discussion?

Vice Chair Candler: I have discussion if no one else wants to start.

Commissioner Henley: I'd like to hear the rationale.

Chair Raschko: Go ahead, Commissioner Candler.

Vice Chair Candler: Okay. I have some concerns and I'm certainly – I know Commissioner Henley's indicated some support earlier, so I'd certainly like to hear from him as to why and maybe some others, but I have concerns about this. I know that this code section was very specific to family members, and that's my main concern. I don't think I'm *that* concerned about the size. But this, I think, has the potential to change the landscape of the county a little bit in making this vast number of properties all of a sudden, you know, rental properties. But my secondary, or maybe even my primary concern is I don't – if we need housing and we need to increase density, I don't think this is a very equitable way to do it. I think that – like, for example, in my neighborhood it was rezoned to reduce the number of building lots a long, long time ago. And so this makes it an interesting situation where if you can afford to build a house and you want to be a landlord you can double your density, but it doesn't allow a person to say – who doesn't want to be a landlord – to break off a piece and sell it. And I just don't think that is necessarily desirable.

I did talk to a Planning Commission member earlier about this and I was trying to figure out the rationale \_\_\_\_, unfortunately, and I haven't had a lot of time to research why this is limited in the way that it is limited, but it was *clearly* designed for something *very* specific when it was made. It was designed to basically let, you know, aging grandparents or somebody to take care of them or maybe a younger family member who isn't supporting themselves. It was clearly – had a certain reason behind it that this would completely change, and I think that it really warrants some more consideration – not that we haven't given it consideration, but I think that it's a bigger change than I realized at first when I thought about it some more. So I was talking to a member of the Planning Commission who indicated that – I said, Well, why, what was the reason, some of the rationale for these limits the first time around? And I think one reason that came to mind off the top was that a situation where you could do some short term rentals, like Airbnbs and things like that, don't really do much to change the housing situation or shortage situation either presently or in the future. And so I'm just – I understand why the petitioner wanted to do this and I certainly think that's a business opportunity for that person, but it just seems like it would be very impactful and not necessarily in a good way. It seems to me we'd be better off thinking about *where* we want density and rezoning there and maybe including changes to the ADU situation *there*. But countywide just seems way overbroad at this point. I think it should be maintained with family members and I don't – I mean, I don't know that grandma needs to live in a shoebox, so I don't care about the size *that* much, but I do think it should be grandma or a family member living there. So....

Those were my thoughts, and I'd like to hear from other people as well.

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: Yes, thank you. When I first read this, I had very mixed feelings about it because I understand the familial need for us having the ADUs and things like that. I realize that we have a housing shortage everywhere. And then immediately went to thinking, Hey, this is a great thing to do – greatest thing since sliced bread – why not? Well, I've had a lot of time to think since then and it's ironic that Commissioner Candler just said what she did because the conclusion I came to is although allowing more ADUs to be around, taking off the familial thing, I think, is going to impact rural areas like forestry, a lot more than people realize, and I think that it's way overboard to do the whole – all the zoning like that, the county like that. I know that one of the things that – well, one of the reasons everybody stepped back from the fully contained communities was saying that we needed to do infill in the urban areas. Well, yes. And in that kind of sense I am going to apply that logic here as well and say, Look, ADUs are a good idea and perhaps changing what the percentage could be so they can be a little bit larger is great, but not across the board for the county. I think it'd be much wiser to put them in the more dense areas rather than just allowing it just countywide through all zones. Thank you.

Chair Raschko: Thank you. Commissioner Woodmansee. No, excuse me – got ahead of myself. I think it's Martha Rose's turn.

Commissioner Rose: Thank you. I am definitely in favor of getting most of our housing problems solved in the urban areas; however, I am supportive of removing the family, the strict blood family requirement from somebody living in an ADU because – for a lot of reasons, one being our definition of “family” has changed over the years, over the decades, and it's just not – there was a time when, you know, a typical family might have four to twelve people in it, and now they're one or two or three, and it may be that those bigger families help support the farm and the agriculture, and now maybe it's friends or even hired people or whatever. So I'm not too attached to this idea that it has to be a family member, nor am I attached too much to the exact size. I think that the size of the unit should be consistent, that there shouldn't be two different sizes – one for existing buildings and one for new. And I also don't agree with linking the size of the ADU to the size of the primary residence.

So I guess, in summary, I think that ADUs are fine, and I don't know if there's a way to keep them from being used as Airbnbs because that *is* a problem, but I can see how having an ADU could be a really helpful thing in an agricultural area. You could have, you know, people that actually help run the farm living there and maybe they aren't relatives, and maybe you only have one or two kids and they went off and live in the city now. So I just think that the times are different now and so that's why it warrants opening it up where it doesn't have to be a family member.

So I think that covers the comments. I don't know what the right size is, but linking it – I can see having a maximum size, period. But linking it to the size of the original house and saying 50% of the original house doesn't make any sense at all to me. I think that's it. Thank you.

Chair Raschko: Thank you. Joe?

Commissioner Woodmansee: Thank you. So there's a few points that I think are important. I agree with everything that Martha just said. I also believe that it's important to allow people to be able to stay in their houses for as long as possible, and I don't believe that it's always a family member who's the right person to take care of a certain person, and not every family is large like they were back in the day. And so I feel like that, you know, there's some people that, you know, could finish their years at their home if they could have an ADU that they could rent out, and so I think that's an important factor.

I also feel like housing's still losing ground, for sure, and the big fix, no doubt, is in the urban areas. But I don't believe that if this code is changed that there's going to be a wholesale run on ADUs because they can already do an ADU now if they want to put their child or a parent in the ADU. And not everybody's going to want an ADU and the vast majority of people will *not* have an ADU on their property, I'm sure of that. I do think it's an important tool for *affordable* housing. Affordable housing is definitely losing ground and this is one of the few tools that can and would create some affordable housing. And so I think that because of those reasons and the others that Martha stated, I just feel like that family member requirement could go away and that the ability to build up to 1200 square feet is a reasonable number. And so I would support those things in this amendment request.

Chair Raschko: Okay, Vince?

Commissioner Henley: Yes, let me just talk about this a little bit. I think the current requirements and current regulations for ADUs are completely and entirely arbitrary. And I'd have to ask the question: What Skagit County need is being fulfilled by those rules and regulations and the familial envelope requirement and the maximum size of 900 square feet? And I would submit to you I think you'd be hard-pressed to try to find a Skagit County need that's being fulfilled by those requirements. Now as someone's mentioned at one time – I think Martha mentioned this – these things used to be called “mother-in-law quarters,” and they were intended to be in the familial envelope and for people to care for aging relatives or relatives who had been widowed – a widower – those kinds of situations. But that has changed, and what has really changed is that there is a lack of housing in its entirety across Skagit County and there is certainly a lack of affordable housing. Now as Joe pointed out, not everyone is going to want an ADU and I don't think we're in any danger of having a plethora of bnbs or Airbnbs, but I do think that we could fulfill a substantial need in Skagit County by allowing ADUs outside of the familial envelope and also with a slight increase in size. I propose 1200 feet. I'm not wedded to that, but I think 1200 feet would make a reasonable starter home for many, many people. And I think that that is one of the major crises that Skagit County is facing as far as affordable housing is concerned.

So I would still propose, as I wrote in my note, a removal of the familial occupancy requirement and an increase in size to 1200 square feet. And we can debate that and argue about if those are the right numbers or not. But there are lots of other regulations and rules and setback requirements and so forth that would \_\_\_\_ ADUs in control. So I don't really think that we're in danger of having runaway ADUs in Skagit County, but I do think we could substantially increase the housing supply – and the affordable housing supply more particularly – for Skagit County by allowing this change that I proposed.

Chair Raschko: Thank you. Amy?

Commissioner Hughes: I'd like to defer to Mark, who's right after me, before I speak.

Chair Raschko: Okay. Mark, please?

Commissioner Knutzen: Okay, thank you. The first thing I'd like to address is the – what looks like to be confusion on my part from the petitioner when you look at his testimony from two weeks ago. He says removal of the requirement that the resident of the ADU be family. You know, the requirement that someone be family sort of removes the option of renting it out to bring in income. And also even on the Option A that's presented to us from the staff, removing the family relationship requirement for ADU is part of Option A. Actually it's part of all three options. But when you read the current regulations, either the principal unit of the single-family dwelling or the

ADU unit must be occupied by an immediate family member of the property owner. Not both. It's only one or the other. So currently under current regulations someone can build an ADU and rent it out. So that's not the issue on that.

The reason I bring that up: Two weeks ago the one letter in opposition was submitted by the Skagit County Agricultural Advisory Board. This board was established by the Board of County Commissioners about 20 years ago and they were tasked with advising the Board of County Commissioners and the Planning Department – us – on all issues related to agricultural. Their letter said they just opposed the code. They didn't really give any specific reasons in this. This is a pretty well-rounded board. There's 12 members appointed by the County Commissioners. There's several farmers on there, but there's also the County Extension agent, a Port of Skagit County commissioner, a banker, and two farm equipment salesmen. I happen to know several of these people personally so in the last few days I called them and I actually talked to six of them. I asked them specifically what their concern with this proposal was and every single one of them said their biggest concern was removing the family requirement. I farmed for 40 years myself so I know the change over the decades. The number of families living out in the ag zone and the issues that we have between farmers and non-farmers. You go back 40 years, a lot of the people living out there were farmers that had retired. They're living in their house. They rent out to the other farmers because they've since retired from the farm. As the years went on, more and more farmers moved off the farm. The right-to-farm ordinance that was passed several years ago has helped a lot, but I do know of a couple cases where farmers were sued. All the cases that I know of, the farmers were never guilty of anything. We do have requirements. We can't just spray over the top of somebody's house. We got requirements that we've got to follow.

Another thing in the docket report that was given us by staff back on December 23<sup>rd</sup>, the consistency review that Skagit County regarding this proposal, number one, says: Is the amendment consistent with the vision statements, goals, policy, and objectives? Limiting the increase in residences in rural areas is consistent with the Comprehensive Plan Vision Statement. Limiting the increase. But then you go to number four and it says "Does the proposal bear a substantial relationship to the public general health, safety, morals, or welfare?" Quote. "The proposal to remove owner-occupied requirements for ADUs will encourage more housing options for the residents of Skagit County." And I agree with that assessment and several Commissioners earlier had talked about that too. And that is what the Ag Advisory Committee is objecting to the most.

A month ago when Director Hart gave his presentation on the number of single-family building permits in 2021, he mentioned that 20% of them – 20% of them – were ADUs, which is a very big percentage. Policy 3A-22 (sic), again in this staff report, says the rate of development in rural and resource areas should be in accordance with the adoptive Countywide Planning Policy stating that urban areas should accommodate 80% and the remaining 20% should be in non-urban areas. The year-and-a-half I've been on this commission, as I remember, the numbers we've gotten back from staff around 70, 75% are in urban areas and only 25% are – or 25% to 30% are in non-urban areas. So to me this is going to be a step *backwards*.

I do agree that we need more housing. Commissioner Hughes last meeting asked Peter about exempting the Ag-NRL zone, and even a couple Commissioners earlier mentioned that. I'll read – Peter Gill had a very good answer at the last – that is not the current proposal and so that would be basically a pretty significant change to the proposal. Whether the amendment to how ADUs are allowed or where they're allowed, certainly that's something that could be written into the different zones, if that's the way the Planning Commission would like to go too. I'm not proposing that we do that now. I don't know if that is something that can even be done. That's a real big

change. Bottom line: I don't support any of these options the way they are. The only way I would support any of this (is) if we can remove the Ag-NRL zoning from the family requirement. Thank you.

Chair Raschko: Thank you, Mark. So Amy, did you want to add to that?

Commissioner Hughes: Yeah. I have more of a personal story and sometimes personal stories have to be shared. We were in a position about a year ago to what we were going to do with our farmhouse. We downsized to a smaller house and what are we going to do with the old farmhouse? And I was approached that we could make it an Airbnb. And it just did not seem compatible with the area farm use to have it an Airbnb and to have people come in that's not familiar with the Ag-NRL zone as they come to holiday. So that is a personal story that drew my attention to the Ag Advisory Board's denial of this. And so having listened to Mark's conversations with that Board I will support the motion to deny this until we look further into it – if we can pull this out of the Ag-NRL.

Chair Raschko: Okay, thank you, Amy. So everybody's had a chance to speak but myself, and I'll just make a short statement and then we'll go through everybody again in the order in which they've already spoken. But I'd just like to reflect on what I think Commissioner Candler was trying to convey.

This seems to me like what we're doing is upzoning the entire county to two houses per lot, one caveat being that there'll be a size limit on the second. And I'm just wondering if this is really an appropriate time or place to do that. And it doesn't say, I don't believe, that we do have a huge problem with affordable housing and housing in general in this county, but is this the right way in which to take care of that problem?

So we'll go around again. I'll just ask each – Commissioner Candler, do you have anything more to say?

Vice Chair Candler: Just that and what my bigger concern is, this is kind of the equity, too. I think that people should have a choice of being landlords or maybe selling if we're upzoning the entire county. That's all. Thank you.

Chair Raschko: Commissioner Mitchell.

Commissioner Mitchell: Yes. I really appreciated the point that you make, Chair, about the equivalent of upzoning the entire county. That really is what would happen here. And when people do buy their properties, they choose where they want to live. Most people are choosing where they want to live if they buy a house. They know what the zoning is, they know what the expectations are, they know what the neighborhood's going to be like, whether it's rural – you know, more neighborhood-like – or more urban. And to do this would change or could change the face of it so much that it still is giving an out for putting the population where it should be, which is in the urban areas. And so as we think about this more and more, I'd have to be a hard no at this point, and it's not just for Ag-NRL because for me it'd be the same thing with forest areas, and some of the other rural areas, I think, still need to be protected. Thank you.

Chair Raschko: Commissioner Rose.

Commissioner Rose: So I'm still having trouble not saying it's okay to have the accessory dwelling units that are not occupied by family, and also on the size thing. I actually still think it's a good

idea because let's say – I'll use Amy's story of – so the people that have been farming and have lived in the big house, now they can't live there or don't want to live there but they maybe don't want to sell. Maybe they rent the farm out and so now there's a house and maybe somewhere along the line there was an accessory dwelling unit built that was at some point occupied by the young family of the – the kids of the parents that lived in the main house, and, you know, situations change. So I guess I'm having trouble being on the side of no, we shouldn't allow non-family members and we should have such a limit on the size of 900 square feet. Again I don't care about the size as much as making sure that the – if push came to shove, maybe you have two non-owners living in those places and maybe one's a renter who farms. So I don't see how we can look in the crystal ball and accept the fact that all of those situations would be negative. You're always going to have oh-I-wish-it-wasn't-that-way. I don't care where you are. But overall, I don't think it's a negative. And so I still – my position hasn't changed. That's all.

Chair Raschko: Thank you, Martha. Joe, do you have anything to add?

Commissioner Woodmansee: Yeah.

(silence)

Chair Raschko: We can't hear you.

Commissioner Henley: He's muted or something.

Commissioner Woodmansee: \_\_\_\_\_. I've been having problems with my speaker on my computer. So I agree with what Martha just said, but I did want to get a point of clarification, if I could, from Hal or Peter. Commissioner Knutzen said that right now only one of the two units has to be occupied by either, I guess, the owner – is that correct?

Mr. Gill: That is correct. And I'll take responsibility for the kind of misunderstanding. It's not that the person in the ADU has to be related to the person in the primary house. It is the familial relation is to the land. So the person that owns the property has to either live in the ADU or the primary residence. So I apologize for the misunderstanding there and it sounds like the proponent had the same kind of information as well. But that is true so, yes, Commissioner Knutzen was right.

Commissioner Woodmansee: So currently the ability to have an ADU and keep your property – one of my points was that so you could keep your property longer because of the income you can get from an ADU is actually something that *can* happen, because you don't have to have a family member in both units. Correct?

Mr. Gill: You do not have to have a family member in both units, yes.

Commissioner Woodmansee: So I'm comfortable with that. And I realize – well, I would like to see the size go up a little bit because maybe you *would* get a family member, a young family, staying with grandma and grandpa on the farm if they could get a two- or three-bedroom, 12,000-square foot unit, whereas a 900-square foot unit's not large enough for the family member to stay there with their couple of kids. But it seems to me like I've had a misunderstanding that – because I'm not advocating that there should be no ownership at all in either unit, but I was advocating that the additional unit wouldn't *have* to be occupied by a family member. I think that's a bridge that we weren't actually crossing. So, yeah, I have a bit of an altered view of it now and I'm more comfortable with what the existing code is and more interested in seeing 900 go to 1200 and keep



the existing code as it is if we're not able to eliminate the one or the other being occupied by a family member.

Chair Raschko: Okay. Where are we? Commissioner Henley, have you anything else?

Commissioner Henley: Yes. I think that what we're looking at here in Skagit County is a housing problem among young people. It's not necessarily when these ADUs were conceived and as they've been traditionally thought of. They're mostly for older people. But I suggest – I submit to you that the crisis that we have here in Skagit County is for young families or maybe even single people, and they are fundamentally priced out of the market no matter where you look. I mean, in my neighborhood alone you'd have a hard time finding a home for under a million dollars, all right? There may be one but I think most of them are more than that. But the fact is is that that's not what we need in Skagit County. We don't need more million-dollar houses. We need more 200-thousand-dollar homes. And that's what, I think, that the ADU change would provide for us. And I think that some of the concern that we have about Airbnbs and all that sort of thing, I think that's unwarranted. I think we ought to concentrate on from a planning perspective how do we serve the most – how would I put it? – vulnerable part of our population in terms of their economic ability to have a home. I think we ought to figure out how to do that.

Chair Raschko: Thank you. Amy, have you anything else?

Commissioner Hughes: No, I have nothing more.

Chair Raschko: Mark?

Commissioner Knutzen: Yes, I do have a question for Peter. You explained that we *may* be able to revise this a little bit? I think I've stated my opinion on the objection to removing the family relationship, but I'm open to increasing the size to 1200 feet. All three options have removing the family relationship. Is there any way we could amend this to remove that and leave the family requirement the same, but possibly choose Option C where we could limit – increase the size from 900 square feet to 1200 feet on new and existing buildings? Is that feasible for us to try and do tonight?

Mr. Gill: You can propose any change that you want so, yeah, you could do that.

Commissioner Knutzen: Huh! Kathy, would you like to make a motion to do that, or are you even in favor of that?

Commissioner Mitchell: You know, I would like to think about that a little bit more. I don't know what process would be on this – if we would finish voting on what was put up and then bring another motion up or not. I don't know if that's proper.

Commissioner Knutzen: Well, there's a motion on there. We'd have to deal with that one.

Commissioner Mitchell: Exactly.

Commissioner Knutzen: Can we vote that down and table this, Peter, and address it at the next meeting? Or do we need to deal with this now?

Commissioner Henley: \_\_\_ motion always has priority.

Mr. Gill: Yep. You can resolve this current motion and then you can take and you can make a new one.

Commissioner Knutzen: It's a big change so maybe people want to think about it. We don't want to decide tonight to do that. Because that was not one of our options.

Chair Raschko: One option is just to withdraw the motion.

Chair Vice Candler: I don't want to withdraw the motion. I think we should vote on the motion and then if there's a new motion we should discuss that.

Commissioner Mitchell: I agree.

Chair Raschko: Okay. Can we repeat the motion, please?

Vice Chair Candler: The motion is just to deny the petition. But someone else could make a motion then to recommend that the Board of County Commissioners change the code to increase the size of an ADU under the current code. I think. I think that could happen.

Commissioner Knutzen: Well, if we deny this motion then we've dealt with this, right? We can't –

Commissioner Henley: It's dead after this.

Commissioner Knutzen: So if we deny it, we're done. We can't –

Vice Chair Candler: Okay. All right, in that case –

Commissioner Knutzen: Can you withdraw the motion?

Vice Chair Candler: I'll withdraw the motion.

Commissioner Henley: It requires approval of the second.

Chair Raschko: Who seconded it?

Commissioner Mitchell: Mitchell. Okay.

Chair Raschko: Okay, so there – the motion has been withdrawn. Okay, just go back again. Everybody, we had a round through again. It's my turn to comment. I would just say that we have a housing problem. It's a huge one. I agree with Vince that it's extremely difficult for young people. I've got relatives in that situation. But putting a rental on every rural lot in the county in this manner I don't think is the way to take care of it. I think we can come up with something better. But I think that housing problems like that need to be looked at in a much more holistic way, rather than acting on somebody's submittal to the County Commissioners.

So we've gone through a couple times. Anybody else have comments on this? And anybody can make a motion still.

Commissioner Knutzen: Can we table this now and talk about it later?

Chair Raschko: Do we have a motion to table it?

Commissioner Henley: I second the motion to table.

Chair Raschko: All right.

Commissioner Henley: Second.

Chair Raschko: Okay, Commissioner Knutzen made the motion, Commissioner Henley seconded it. Any discussion on tabling this item? Hearing none –

Commissioner Henley: I think this is an issue that is not going away. We need to address it at some time in the future.

Chair Raschko: Anybody else?

Commissioner Mitchell: Yes, it's Commissioner Mitchell. I don't know if just tabling it's going to be able to get us to the next rung. And it looks like Hal Hart's got some information.

Hal Hart: I'm listening very carefully to the conversation and I'm trying to – I've been researching on the left side of the screen here too. But as I do so I am thinking about what information to address ADUs specifically in Skagit County for this board or for this commission, how to craft that. Is the issue – at least there's a bunch of currents here. I think one current is agricultural – ADUs on Ag-NRL. Right? Because I did hear somebody say that it was important for aging in place. So that would be a current I heard. Then I've heard also that no, we don't want to do too many of those in the Ag-NRL. Other agricultural areas do it for other purposes – say, an employee of the farm, they want to live there as well. So there's a lot of – so if there's more information that staff could bring that might bring clarification to that, that's the only thing I'm asking, really.

Chair Raschko: Thank you. I disagree that tabling doesn't get us any farther. I think we're not going to finish this entire thing tonight and we can come back to this and give time for people to do more research if they wish, give it a lot more thought, and then we may still get nowhere. It also gives, as Mr. Hart said, a chance for staff to come back with some other information or proposals. So –

Commissioner Henley: Chair, I have a comment.

Chair Raschko: Go ahead.

Commissioner Henley: And this is Commissioner Henley. I think that we shouldn't get too hung up on rural versus urban areas for ADUs because I think the ADU concept is something that can span both the zoning types, whether it's a rural or an urban area. So I think we should – when we come back to revisit this, we should keep that in mind.

Chair Raschko: That's a good thought.

Commissioner Mitchell: Chair, there's two comments on the board.

Chair Raschko: Thank you for – I think we have Commissioner Candler?

Vice Chair Candler: I guess I'm – so you don't think we'll finish tonight anyway, so are we planning the next meeting to finish this or are we talking about – I don't know if people have an agreement

on what “tabling” means. Are people talking about just addressing it at the next meeting or are we talking about something different? I think we have to act on this. \_\_\_\_\_.

Chair Raschko: Well, my interpretation of “tabling” is defer, come back to it.

Commissioner Henley: We haven’t yet voted on the tabling motion.

Chair Raschko: Good point.

Vice Chair Candler: Right, which is what I’m asking questions about. What is – what would that look like? Are we tabling – by denying this – voting to deny this petition, we’re tabling this as a concept until someone makes a new petition to change something in a certain way. And that, I think, would be my preference.

Commissioner Henley: The thing about a tabling motion is is that it takes precedence. You can’t do any other business until you’ve resolved the tabling motion.

Vice Chair Candler: I understand. I’m not trying to do other business. I’m asking: What do people mean by tabling? Are we talking about looking at this at the next meeting? Or are we talking about do we want to table this as a concept for the County to look at? You know, because I think it means we act differently. So what is your vision of tabling it? Do you want it – do you mean just deal with it at the next meeting, or what do you mean?

Chair Raschko: All right, let me interrupt here. I think what we should do is move on. We have not done anything – there is a motion on the table, the other motion withdrawn, so we haven’t acted on this. I think what we should do is defer our discussion. Not table it because Commissioner Henley’s right: If we table it, we can’t do anything else. We have to terminate the meeting tonight and then come back another time and bring it up again. Am I correct on that?

Commissioner Henley: We just have to deal with the tabling motion before you can deal with anything else. If you haven’t dealt with the tabling motion, you can’t conduct other business.

Chair Raschko: so you’re saying we can conduct other business if we vote to table it.

Commissioner Henley: If you vote to table, then you could always bring up the motion again at some other time. But the fact of the matter is is that you can’t continue doing business until you’ve dealt with the tabling motion.

Commissioner Knutzen: We will continue on after we table this to the next agenda item, won’t we?

Commissioner Henley: If you table it, yes.

Commissioner Knutzen: Yeah, that’s what I thought.

Chair Raschko: All right. So we have a motion on –

Commissioner Mitchell: Hold it, hold it – point of order. There are still two more people on the board for comments before we go to the vote. Now three.

Chair Raschko: I will concede your thing. Basically I can decide who I want to allow to speak or not. But there are two people and so we will follow up on your point of order. I think we have – who do we have? Joe and Mark?

Commissioner Mitchell: No, Mitchell then Woodmansee then Mark.

Chair Raschko: Oh, that was three. Okay, go ahead, Kathy.

Commissioner Mitchell: Yeah, I wanted to – when Hal Hart was talking about the different streams about this, it's not just the Ag-NRL. It's also the rural component that does matter with this. And so if – I'd like to know what this tabling will do as well because if we're going to be asking questions to come to staff with more information for us, that's one thing. If we're just going to stop it cold and start up at the same point, then I wish we hadn't withdrawn the motion.

Chair Raschko: Does anybody know how that works, as far as –

Mr. Gill: So, yeah, so I'm looking at the Jurassic Parliament. So if you want to table it, you can – “table a motion enables the body to put a motion aside while some other business is conducted.” So, you know, if you are going to motion this, this would be – you'd be tabling the – basically the other motion that was already made. But that one was withdrawn. So really, probably a motion to table is probably not the right motion. You could make a motion to move on to the next item and revisit item LR20-07 at the next meeting, if that's where the Planning Commission wants to go.

Chair Raschko: My preference would be to withdraw the table motion, decide that we will come back to this particular issue at the next meeting, and move on. Are there any other opinions?

Commissioner Henley: Well, you'd have to get the originator and the second to agree to withdraw the tabling motion.

Chair Raschko: Exactly.

Mr. Gill: I believe that was Knutzen and Commissioner Henley.

Chair Raschko: So Mark, what's your pleasure?

Commissioner Knutzen: What?

Chair Raschko: Mark, my recommendation is that we withdraw the motion to table this, decide we are going to revisit the whole issue on accessory dwellings at our next meeting, and then move on to the next issue tonight.

Commissioner Knutzen: I will withdraw the motion then.

Chair Raschko: Okay, so the second \_\_\_ so that is Commissioner Henley.

Commissioner Henley: I agree to withdraw.

Chair Raschko: Thank you. Wow. So we are going to move on. Wait a minute. Did I get everybody's comments? I got Mitchell's – so – Joe and Mark still wanted to speak.

Commissioner Woodmansee: I was going to ask to do the same thing you just said, Tim.

Commissioner Knutzen: I withdraw my question.

Chair Raschko: All right. Thank you. Okay, then we'll move on to LR21-02, Clarify the CaRD Land Divisions and the "Reserve" Function. And the floor is open.

Commissioner Henley: This seems complicated to me.

Chair Raschko: Okay. Do we have any other comments or motions?

Commissioner Mitchell: I agree with Commissioner Henley. This was a complicated one for me too.

Chair Raschko: Okay, I would propose that we come back to this one as well. What might be helpful would be for people to give this some thought, write down the questions they would have for the benefit of everybody else, submit them to staff, and see what we can learn further in the meantime. If that is all right, we'll move on to LR21-04. Is there a motion or a comment?

Commissioner Henley: I move that –

Commissioner Mitchell: Yes, I'd like to make a motion.

Commissioner Henley: – \_\_\_\_\_ LR21-04.

Chair Raschko: Who spoke first?

Commissioner Mitchell: Henley.

Chair Raschko: Okay –

Commissioner Henley: Henley.

Chair Raschko: And please repeat. I didn't get that.

Commissioner Henley: The motion is to move forward to 21-04.

Chair Raschko: Is there a second?

Commissioner Mitchell: Second.

Chair Raschko: It's moved and seconded to move forward with LR21-04. Discussion?

(silence)

Chair Raschko: I hear no discussion then. Commissioner Candler, how do you vote?

Vice Chair Candler: Sorry, I'm just – 'move forward,' I think, means recommend the Board of County Commissioners approve? Is that – am I understanding correctly?

Commissioner Henley: Well, he asked for comment. There wasn't anything.

Chair Raschko: No. Are you moving – it's a question about your motion. Is your motion to recommend to the Board that they approve? Am I right, Tammy, that you want –

Vice Chair Candler: Yes. I just – I didn't know if the motion was something different. This is a motion for approval, right?

Commissioner Mitchell: Yeah. Please restate the motion. The air cut off when Vince made his motion.

Commissioner Henley: Well, I just moved that we move forward to consider LR21-04 since we're moving out of sequence.

Vice Chair Candler: Okay. That's what I thought you might have meant. I'm sorry. Thank you.

Commissioner Henley: That *is* what I meant.

Vice Chair Candler: I don't think we need necessarily a motion for that, but aye. I'll vote aye!

Chair Raschko: Okay! Wow, this is interesting. It asks for the motion withdrawn because it's not necessary. We were just going to move to LR21-04 for consideration, and if you wish to make a motion to approve a recommendation to the Board of Commissioners on this then please do that. So Vince, do you want to go forward with your motion or just withdraw it?

Commissioner Henley: I'll withdraw it.

Chair Raschko: Okay, thank you. Now, okay, we are now on –

Commissioner Mitchell: I do have a motion.

Chair Raschko: Please go ahead.

Commissioner Mitchell: I move that we approve LR21-04.

Commissioner Henley: I second.

Chair Raschko: Okay, it's moved and seconded to approve LR21-04. We're open to discussion.

Commissioner Mitchell: Yeah, I'll take it – Mitchell – since I put the motion up. This seems like a good way to allow the agricultural processing to do what they need to do to meet \_\_\_\_.

Chair Raschko: Any other comments?

(silence)

Chair Raschko: All right. Commissioner Candler, how do you vote?

Vice Chair Candler: Aye.

Chair Raschko: And Mitchell?

Commissioner Mitchell: Aye.

Chair Raschko: Henley.

Commissioner Henley: Aye.

Chair Raschko: Knutzen.

Commissioner Knutzen: Aye.

Chair Raschko: Hughes.

Commissioner Hughes: Aye.

Chair Raschko: Rose.

Commissioner Rose: Aye.

Chair Raschko: Woodmansee?

Commissioner Woodmansee: Aye.

Chair Raschko: And I vote aye. All right. We should turn to Findings. Kathy, did you have any findings?

Commissioner Mitchell: Sorry, I cancelled muted again. Yes, the finding is that the Bayview Ridge Light Industrial area would be a good place for this type of processing. The next piece would be that there is a need for more agricultural slaughterhouse facilities beyond the mobile ones. And I'll stop there for anybody else that wants to add.

Chair Raschko: Okay, let's see, we have Commissioner Hughes.

Commissioner Hughes: A finding I'll put forward as soon as Peter's ready for me...

Mr. Gill: I'm ready. Thank you.

Commissioner Hughes: Okay. Recent Covid events have shown a need for local food supply – a need for local food supply... Peter, do you have a word to end that for me?

Mr. Gill: Production? Local food production?

Commissioner Hughes: Thank you. I appreciate your ability to pull this out.

Mr. Gill: Okay.

Chair Raschko: Okay, then we had Commissioner Rose.

Commissioner Rose: It seems like allowing this larger facility would be an environmental benefit because instead of having multiple sites, you know, going out – it just seems like a better way to control the whole operation to have it in one – a bigger building and inside and where the farmers could bring their animals there instead of the mobile device always going out. I'm sure it'll be both, but probably less of the mobile device. So I don't know how to word that but it just seems like there'd be value there and benefit. That's all.



Mr. Gill: Does that get to your point?

Commissioner Henley: I have one.

Chair Raschko: Okay, Martha, does that cover for you?

(silence)

Chair Raschko: Well, it must.

Commissioner Henley: I don't hear Martha.

Commissioner Rose: Oh, yeah, that's good. I'm sorry. I was on mute. That's fine.

Chair Raschko: Okay, Vince?

Commissioner Henley: Yeah, I'd say that the transportation infrastructure makes this site advantageous for local agriculture.

Chair Raschko: Okay, anything else?

(silence)

Chair Raschko: All right, I guess that'll do it for LR21-04. So what are people's pleasures? Do we wish to continue?

Commissioner Henley: We should vote on this.

Chair Raschko: Oh, we haven't voted on this! Haven't we?

Commissioner Henley: I don't think so.

Chair Raschko: Wow.

Vice Chair Candler: We voted on the individual findings but we voted on whether or not –

Chair Raschko: We voted on the motion.

Several voices: Yes.

Chair Raschko: And I think we're going to come back to the Findings –

Vice Chair Candler: Right.

Chair Raschko: When we approve the entire document.

Commissioner Henley: Okay, we've been voting as individuals so we haven't done it for this one as far as I know.

Chair Raschko: Well, let's see. I filled in the votes, ticked them off on my piece of paper.

Mr. Gill: I did as well.

Commissioner Mitchell: I did as well.

Commissioner Henley: Okay.

Chair Raschko: Okay. We can keep going. The next one is C21-1 2020 (sic), which is the Comprehensive Parks & Recreation. I would just ask if anybody needs a break or if people are getting tired, or what are the wishes of the Commission?

Commissioner Henley: We're pretty close to the end. I think we should finish up.

Chair Raschko: All right. Does anybody need a break?

Commissioner Mitchell: No.

Chair Raschko: All right, so we'll move on. We're on C21-1, 2020 Comprehensive Parks & Recreation Plan. The floor's open.

Vice Chair Candler: I have a motion.

Chair Raschko: Commissioner Candler, please go ahead.

Vice Chair Candler: I recommend – I'd move that we recommend that the Board of County Commissioners approve this item.

Chair Raschko: Is there a second?

Commissioner Mitchell: Second.

Chair Raschko: Okay, it's been moved and seconded to recommend that the County Commissioners approve C21-1 2020. Is there discussion?

Commissioner Woodmansee: I have one.

Commissioner Mitchell: I've got a question about – Commissioner Candler, is that for Option A or Option B or just in general?

Vice Chair Candler: Oh, I'm sorry. Let me –

Commissioner Mitchell: You might want to take a peek.

Vice Chair Candler: Let me take a peek. I'm sorry. I was looking at that. I think Option A.

Chair Raschko: Does the second –

Commissioner Mitchell: I'll second that.

Chair Raschko: All right, again go back to discussion – Commissioner Hughes?

Commissioner Hughes: May I ask a question?

Chair Raschko: You may. Is that you, Amy?

Commissioner Hughes: Yeah. Yeah, can you hear me?

Chair Raschko: Yep.

Commissioner Hughes: Okay. Peter, if the Option B were to be used to add parks as a public use, what does that mean in context with the difference from the administration? I know what would happen if we add it as an administrative and hearing examiner special use, but what does the second term mean?

Mr. Gill: There's a number of public uses that are described. Some of them are emergency facilities but some of them are like schools and fire stations, and we saw one of those today. So this would add parks as one of those public uses. And so that would basically allow parks probably in more locations – well, I don't say "probably" – in more locations than it would if it were under Option A. And Option A we did go through the Comprehensive Plan to kind of evaluate where the Comprehensive Plan policies already refer to recreation or parks or outdoor enjoyment or open space and added in those – only in those zones as an administrative special use or a hearing examiner special use, depending on where parks already was in that zoning code. So that's Option A.

Option B is simply adding parks to that whole definition, in the Comp Plan as well as in the development code.

Commissioner Hughes: Thank you for the clarification.

Chair Raschko: Joe?

Commissioner Woodmansee: Yeah, I know at the last meeting we talked about this briefly. I had talked about how I would think parks would be acceptable in any zone, then I actually backed off and said well, maybe not industrial. But since then I've been reminded that there's a lot of nice trails up at the Port which are basically a park activity. And so my thoughts on this are that parks are clearly a public use and it would make sense to me to not cause the Parks Department to every time they want to do work on the parks, like they need expansion or whatever \_\_\_\_\_ the permitting process of administrative variances or appeals or whatever and/or hearing examiners. I think that I would support more of a motion that just makes it allowable – well, at least adding it to the definition of "public" because clearly parks are a public use. And so to not be including that definition is – I think most jurisdictions you go to you'll see that parks are listed as a public – under the public use category. But I don't know why, you know, a park wouldn't be allowed in any zone the more I've thought about it. I'm not sure why we would restrict a developer or the County from proposing a park in a zone and be allowed at least to try to make it happen. So that's kind of where I'm at on it.

Chair Raschko: Other thoughts?

(silence)

Chair Raschko: So we have a motion to approve under Option A. If there's no more discussion, we'll go ahead and vote and we'll start at Commissioner Candler.

Vice Chair Candler: Aye.

Chair Raschko: Was that an aye? Okay. Mitchell?

Commissioner Mitchell: Aye.

Chair Raschko: Henley.

Commissioner Henley: Aye.

Chair Raschko: Knutzen.

Commissioner Knutzen: Aye.

Chair Raschko: Hughes.

Commissioner Hughes: Aye.

Chair Raschko: Rose?

Commissioner Rose: Aye.

Chair Raschko: Woodmansee?

Commissioner Woodmansee: Aye.

Chair Raschko: And I will vote aye. Okay, Findings. Has anybody anything to add for a finding? Go ahead. Is that you, Tammy?

Vice Chair Candler: It is. I was just trying to type faster. It seems like we have some parks – if I recall correctly, we have some parks that are already in areas that would conform some of our current parks. Am I right about that, Peter Gill?

Mr. Gill: That is correct. There's a number of zones where we have parks already and the use in our development regulations don't explicitly allow for that.

Vice Chair Candler: So I think it would be nice to conform those – to put in there that we are conforming present uses – updating the code to include present uses and that those uses are encouraged and appropriate. And we could say something general in a separate finding, if you want, that public use is consistent with the GMA or wherever – you know, almost everything really – the Comp Plan. And I'm assuming it will also allow some additional uses or additional areas. Is that – I don't know if there's any proposals for that right now.

Mr. Gill: There are not, to my knowledge, any additional proposals but it could be permitted in the future as well as changes to the park that do exist.

Vice Chair Candler: Okay. Can we add that, please? The changes particularly?

Commissioner Henley: There are three bullets under the GMA planning goals that would seem to support findings in support of this proposal.

Vice Chair Candler: Okay. I can yield if you are – if you want to talk about that.

Commissioner Henley: It's on page 37. The first one is: "Private property shall not be taken for public use without just compensation having been made. Property rights of landowners shall be protected from arbitrary discriminatory actions." That's the first bullet.

Vice Chair Candler: I'm not sure we want to do that. We're not really –

Commissioner Henley: It's already part of the GMA.

Vice Chair Candler: No, I know but, I mean, that's not really why we're doing *this*.

Commissioner Henley: Well. The second bullet then – we'll see if you like the second bullet better. "Any open space enhanced recreational opportunities conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities."

Vice Chair Candler: I'm not opposed to that.

Commissioner Henley: And the last one is: "Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance."

Vice Chair Candler: I don't think we should include that. That doesn't seem to fit completely.

Commissioner Henley: Mm, okay. The tribes might disagree with you.

Vice Chair Candler: Well, maybe I'm wrong. What do you think? Yeah, I mean, it's all fine. If people want to include that, I don't care. Just – I guess my thinking is just that public use and preservation don't necessarily go together. But I'm wrong so that's okay.

Chair Raschko: Are we trying to say that this would support those parts of the Comprehensive Plan?

Commissioner Henley: Well, it supports the GMA goals.

Chair Raschko: Well, okay. Well, the GMA goals then, but shouldn't we say that? Because what we're looking at is reasons why we're recommending this. Whereas just leaving the way it is is –

Commissioner Henley: Well, if you insert a header in there, it says "The following mandated GMA planning goals are directly relevant to park matters addressed in this amendment." Then you have the three bullets.

Chair Raschko: That sounds very good.

Vice Chair Candler: Yep.

Commissioner Henley: I mean, we're borrowing wording from the staff report but it seems to me to fit, at least in some sense.

Vice Chair Candler: Yes, thank you. I appreciate that.

Chair Raschko: Okay, Joe? Did you have something?

Commissioner Woodmansee: Yeah, it's a question that may lead to a finding of fact. This is for Peter. Is there anywhere in our Comp Plan that the Comp Plan specifically *doesn't* support a park facility?

Mr. Gill: There are places within the natural resources zone that are – don't explicitly call out the need or the desire for a park or a public recreation. Ag-NRL is a good example of that. And so that's why it's not part of this code.

Commissioner Woodmansee: So what I'm trying to get a grasp on is on A where it talks about where in zones where the Comp Plan supports a park concept. I would imagine that's the majority of zones minus something like \_\_\_\_\_. (wavering sound and decrease in sound volume here)

Commissioner Henley: I couldn't hear, Joe.

Mr. Gill: Yeah, sorry, Joe. That was –

Commissioner Woodmansee: Oh, sorry. I'm trying to imagine that, because the comment on the number A is "Amend the development regulations by adding park as an administrative and hearing examiner special use in zones where they exist and are supported by the Comprehensive Plan." So my question is, Does the Comprehensive Plan support parks generally? I would assume the answer's yes, but...

Mr. Gill: It is. It does. And I think that first finding or reason for action or however you want to talk about it does say – maybe it could say where appropriate and where consistent with the County Comprehensive Plan.

Commissioner Woodmansee: Yeah. I'm just trying to – so the fact I'm trying to say is that it affects existing parks and potentially future parks where it is consistent with the Comprehensive Plan. Does that make sense?

Mr. Gill: Yes. Mm-hmm.

Commissioner Woodmansee: Okay.

Mr. Gill: Would a slight modification in this first finding be acceptable?

Commissioner Woodmansee: Sure.

Commissioner Henley: Isn't part of the problem here the fact that these parks are basically orphan children and they have grown up without any ability to manage their own affairs because they are not recognized in the planning codes and plans and so forth. Isn't that what we're trying to deal with here?

Mr. Gill: Yes, many of these were in place – the far majority of these were in place prior to the Growth Management Act so –

Commissioner Henley: That's what I thought. Okay.

Mr. Gill: Yeah. So that is correct. Do you want a finding with that?

Commissioner Woodmansee: So I just want to reiterate: There's existing, right? That's the conformed present parks part, right? And then I'm saying that the Comprehensive Plan also has language that supports parks that aren't existing, so it has to address the existing and potential future parks.

Mr. Gill: Okay.

Commissioner Woodmansee: \_\_\_\_\_ the Comp Plan, right?

Commissioner Henley: I think if you add them into the code then they retain that ability to manage their own affairs not only currently but into the future.

Commissioner Woodmansee: That's good for me, Peter, what you're doing. I like what you're doing.

Mr. Gill: Is that – is that –

Commissioner Woodmansee: That's exactly what I'm trying to say.

Mr. Gill: Okay.

Chair Raschko: All right, anything else?

Mr. Gill: Did Commissioner Henley's comment regarding, you know, with the statement about the parks existed prior to the zoning. Do you want that in here?

Commissioner Henley: Yeah, I would add it. I think it helps you to say a little bit more protection.

Vice Chair Candler: That's what we were trying to get at in B, no? Changes, improvements. I mean –

Mr. Gill: Would you say "where parks existed prior to GMA"?

Commissioner Henley: Sure.

Mr. Gill: At the end of this?

Commissioner Henley: Yeah, we could do that.

Commissioner Mitchell: Peter, the "exiting parks" should be "existing parks" probably.

Mr. Gill: Yes!

Commissioner Henley: We don't want to dissolve any of these, I don't think!

Chair Raschko: Does that do it for 21-2?

Commissioner Henley: I'm good.

Chair Raschko: All right, we'll move on then to 21-2. I guess I read it wrong.

Vice Chair Candler: I have a motion.

Chair Raschko: Please go ahead, Commissioner Candler.

Vice Chair Candler: I move that we recommend the Board of County Commissioners deny this proposal.

Commissioner Mitchell: Second.

Chair Raschko: It's moved and seconded to recommend denial of C21-2. It's open for discussion.

Vice Chair Candler: I can start the discussion. Based on the staff report, it indicates that this change is not allowed under current State law. So that was the reason for my motion.

Chair Raschko: Any other discussion?

(silence)

Chair Raschko: All right. We'll have a vote. Commissioner Candler, how do you vote?

Vice Chair Candler: Aye.

Chair Raschko: Commissioner Mitchell?

Commissioner Mitchell: Aye.

Chair Raschko: Commissioner Henley?

Commissioner Henley: Aye.

Chair Raschko: Knutzen.

Commissioner Knutzen: Aye.

Chair Raschko: Hughes?

Commissioner Hughes: Aye.

Chair Raschko: Rose.

Commissioner Rose: Aye.

Chair Raschko: Woodmansee.

Commissioner Woodmansee: Aye.

Chair Raschko: And I vote aye as well. All right. Findings – I think, Tammy, you just had a great one. Does that suffice or do we need to add to that?

Vice Chair Candler: I don't have any other comments. I think that works for me but others can contribute if they'd rather.



Commissioner Henley: Works for me.

Chair Raschko: All right. We're going to move on. C21-3, the Hamilton Zoning and Comprehensive Plan Updates.

Commissioner Henley: I move we recommend to the Commissioners to accept this.

Vice Chair Candler: I'll second.

Chair Raschko: It's moved and seconded to recommend acceptance to the County Commissioners. Is there discussion?

(silence)

Chair Raschko: All right, we're going to vote. Commissioner Candler.

Vice Chair Candler: Aye.

Chair Raschko: Mitchell.

Commissioner Mitchell: Aye.

Chair Raschko: Henley.

Commissioner Henley: Aye.

Chair Raschko: Knutzen.

Commissioner Knutzen: Aye.

Chair Raschko: Hughes?

Commissioner Hughes: Aye.

Chair Raschko: Rose.

Commissioner Rose: Aye.

Chair Raschko: Woodmansee.

Commissioner Woodmansee: Aye.

Chair Raschko: And I vote affirmative as well. Okay, Findings?

Vice Chair Candler: I have one.

Chair Raschko: Okay, this is Commissioner Candler.

Vice Chair Candler: I think we should indicate that we would like to clean up code references for zones that do not exist anymore – for lack of better language. That's straight out of the staff report. Peter, if I said it clumsily, you can correct me. But that's the idea. I mean, I guess since it's a

finding we should say something like “We find,” or “It’s important to clean up outdated code references.” Something like that. “Keep the code up to date.” Something like that.

Commissioner Henley: Yeah, that works.

Vice Chair Candler: Current. “To keep the code current” – something like that.

Commissioner Henley: Yep. This is basically a resolution after the fact anyway.

Chair Raschko: Okay, any other findings?

(silence)

Chair Raschko: No more? All right, so we will go on to the item C21-4 that reduced front setback to include Class 19 roads. The floor is open.

Commissioner Hughes: I’ll move – this is Amy Hughes, Commissioner Hughes. I’ll move to approve item C21-4, reduce front setback to include Class 19 roads.

Commissioner Mitchell: Second.

Commissioner Rose: I can second that. Okay, go ahead.

Commissioner Mitchell: Sorry, Martha!

Commissioner Rose: No worries.

Chair Raschko: It’s moved and seconded to recommend approval of item C21-4. So discussion, please?

Commissioner Rose: (inaudible)

Chair Raschko: All right, who do we have?

Commissioner Rose: This is Commissioner Rose. I was just going to say that it seems that it makes it more consistent with everything else around it, and 20 feet is enough of a setback.

Chair Raschko: Okay.

Commissioner Rose: I’m pretty sure that was the setback that they settled on.

Chair Raschko: I believe so. Anybody else?

Commissioner Woodmansee: It reduces the footprint by allowing a shorter driveway.

Chair Raschko: Okay. Well, we need to vote on this. I think we’re going to findings already.

(laughter)

Chair Raschko: Okay, is there any more discussion of the motion?

Commissioner Henley: Nope, I like it.

Chair Raschko: All right. Now in order to save time, all those in favor, say “aye.”

Multiple Commissioners: Aye.

Chair Raschko: Opposed?  
(silence)

Chair Raschko: Nobody opposed? Any abstentions?

(silence)

Chair Raschko: Okay, so that is a unanimous vote. Okay, findings, please.

Vice Chair Candler: Consistency was one that I heard.

Chair Raschko: Okay.

Commissioner Rose: Shorter driveways was another.

Commissioner Woodmansee: Yeah. It provides opportunities for \_\_\_\_\_. (sound disappeared)

Chair Raschko: It provides more flexibility, does it not, on the building lot?

Commissioner Woodmansee: Yes.

Commissioner Henley: According to the staff report, “This furthers the following policies from the Comprehensive Plan by maintaining safe and reasonable setbacks.” Emphasis on “safe” and “reasonable.”

Commissioner Rose: It’s also more neighborly.

Commissioner Henley: Yep.

Chair Raschko: Okay, why don’t we hang on and get caught up with the typing here.

Mr. Gill: Yeah, you all are going a little too fast for me. So I got the footprints with the shorter driveways.

Chair Raschko: More flexibility on the building lot – I think? All right, Joe?

Commissioner Woodmansee: (inaudible)

Commissioner Rose: It’s safer, was one of them.

Commissioner Henley: Yeah, furthers the policies from the Comprehensive Plan \_\_\_ safe and reasonable setbacks. Safe and reasonable. Safer and reasonable setbacks. Sounds good.

Commissioner Woodmansee: Hey, Peter? On B I would change the word “will” to “can.”  
\_\_\_\_\_ (inaudible)

Commissioner Rose: It’s also more neighbor-friendly.

Commissioner Henley: Yep.

Chair Raschko: Anything else?

(silence)

Chair Raschko: Okay, we’ll move on then to item 21-5, Pre-Application Requirements.

Vice Chair Candler: I have a motion.

Chair Raschko: This is Commissioner Candler?

Vice Chair Candler: Yes. I move that we recommend the Board of County Commissioners approve the C21-5.

Commissioner Henley: I second it.

Chair Raschko: It’s been moved and seconded to recommend –

Commissioner Henley: Commissioner Henley seconded.

Chair Raschko: It’s been moved and seconded that we recommend to the County Commissioners acceptance of 21-5. Is there discussion?

Commissioner Henley: This just basically codifies a practice.

Chair Raschko: Okay. Any other discussion?

(silence)

Chair Raschko: All those in favor, say “aye.”

Multiple Commissioners: Aye.

Chair Raschko: Opposed?

(silence)

Chair Raschko: And anyone abstaining?

(silence)

Chair Raschko: So that passes. With that, we’ll move to Findings. And Vince, you sounded like you had a good one there.

Commissioner Henley: I didn’t have anything here.

Chair Raschko: Oh, I thought you did.

Vice Chair Candler: The consistency? Consistent with current practices?

Commissioner Henley: I think Tammy had it, yes.

Chair Raschko: Oh, it was Tammy. Okay.

Commissioner Henley: I think this just codifies the review process and the options that, you know, an applicant would have.

Vice Chair Candler: "Removes the need for a pre-application waiver," the staff report says?

Commissioner Henley: Yep, that's what it says. The last paragraph on page 46, I think, kind of says it all.

Vice Chair Candler: And it allows the applicant to have a choice, right?

Commissioner Henley: Right.

Vice Chair Candler: I think that's a good reason.

Commissioner Henley: And it saves staff time as well.

Commissioner Woodmansee: So it allows for a more efficient process.

Commissioner Henley: It does.

Vice Chair Candler: Yeah, that could probably be one. Save staff time with a more efficient process.

Chair Raschko: Anymore additions?

Commissioner Henley: That works for me.

Vice Chair Candler: And for me.

Chair Raschko: Okay. I don't believe there's anything else. What we have failed to do is complete our work on LR20-07 and LR21-02. Is that right?

Vice Chair Candler: Mm-hmm.

Chair Raschko: It'd be helpful from staff to have this draft recorded motion drawn up so we can get a look at what we've done for our findings, and then complete the last two issues and then go over all the findings again to make sure they're what we want and then vote on the entire document. So I presume that will be happening at the next meeting. Okay? Is there anything else on this docket item?

Commissioner Henley: I'm satisfied.

Chair Raschko: Okay. Well, thank you, everybody. That was \_\_\_\_. We'll turn now to the Director's Update. Mr. Hart?

Mr. Hart: Thank you, Commissioners. Just one page due to the late hour, I'm sure. So we have a reminder – is the first item. And that reminder is that this Friday is the Ag Summit, and so if you want to attend that let us know and we will make sure you have the connection to it.

In terms of some county growth updates, we've approved Blanchard Knob in the past weeks. So that's 10 units. It's been kind of knocking around Brandon Black's office for a couple of years, if not more. So that creates 10 lots in the north of the county.

Challenger Ridge continues to see homes develop there and that will be approximately 11 homes.

The next one is Phase One building permit of one of the items we were talking about today. They've got their final. So for the first section of the ag processing co-op that has been approved by our office in the last week. So I know they're very interested in going a little bit further.

I also attended a Conservation Futures meeting this morning where they reported that there's 4 to 500 acres currently in the queue for conservation easements. And then one little juicy tidbit, I suppose, is Burlington is expecting a second apartment complex in addition to the one they announced earlier last year. It was going to go the west side of the freeway. There'll be one more that they'll make an announcement on as well. So Burlington seems to be the hotbed of activity for additional apartments in the valley.

That's all from me. I think Peter has some other comments.

Mr. Gill: Sure. Thanks, Hal. I just wanted to provide some updates as usual. So the next meeting is the 22<sup>nd</sup> of February, so in two weeks. We'll continue the deliberation that you all made great progress on tonight. I was really impressed how far we got. But some more on that the 22<sup>nd</sup>.

I wanted to give you an update on the Shoreline Master Program. That is going through the Board review. Their first review was on the 25<sup>th</sup> of January. Their second work session was just yesterday, the 7<sup>th</sup>, in the morning at 11 a.m. If you want to look at the tape, it is there. At that meeting, they decided to have a public hearing and that public hearing is going to happen on March 1<sup>st</sup>. And I'll have more information (and) I'll get that out to you all when we have it all settled. For that next meeting, they want an updated draft. And they went through your recorded motion at the meeting, as well as the Department recommendations. They ended up incorporating the Planning Commission recommendations that are shown there as bullets, and those will all get incorporated into an updated draft. If you remember, the April 2021 draft had a lot of comments in the column and highlights and edits that were there to show how the changes got to be where they were as of last spring. We're going to clean all those up. We're going to incorporate these changes that were recommended, as well as some of the Department recommendations and put those out for public comment on March 1<sup>st</sup>.

So the ones – just quickly; I know it's late – that they did incorporate is the temporary roads for forest practices you all recommended; the transparent boatlift canopies and 6-foot pier widths on freshwater and saltwater; the Dike and Drainage District authority changes; the prohibition of non-native fin fish net pen aquaculture; the direction of sign lighting away from critical areas; defining "critical saltwater habitat"; minimizing lot coverage to 10% in the Rural Conservancy environment for new lots; and then early involvement of State and tribal authorities regarding archaeological resources; and then the last one, extending the review distance on critical area indicators. So

those are some of the things that we're going to get incorporated into the new draft. We will be sure to send that out, obviously to you all and the rest of the public when that is ready. We're hoping to get that out on the 15<sup>th</sup>, so just a quick turnaround.

Moving on, the Ag Summit Hal already mentioned, and then I wanted to put this on your radar: We're looking at updating the wireless facility code to make it consistent with the 5G technology that we are beginning to see here in Skagit County. And so that may be the first thing you all tackle after the docket. We still have to work with the Board on that a bit.

So anyway, that's enough. Thank you.

Commissioner Mitchell: Question for you, Peter.

Mr. Gill: Yes?

Commissioner Mitchell: Back up to what they're looking at incorporating into their draft, could you be more specific on the transparent boatlift canopies and 6-foot width piers? Which way are they going with those?

Mr. Gill: They have incorporated the Planning Commission recommendation on both of those items.

Commissioner Mitchell: Okay. Thank you.

Chair Raschko: Any other questions for staff?

(silence)

Chair Raschko: Okay, well, thank you, both Hal and Peter, for the report. And we'll turn to Planning Commissioner Comments and Announcements. So we'll start with Joe.

Commissioner Woodmansee: Nope, I don't have anything. Thanks for all the hard work tonight.

Chair Raschko: Okay. Martha?

Commissioner Rose: I have nothing tonight. Thank you.

Chair Raschko: Kathy, you must have something.

Commissioner Mitchell: I do. Thank you. I'd just like to thank everybody for working so hard on this tonight, especially when we bumped up to that one that's going to be really difficult. And I would like to apologize to everybody because my sound kept cutting out as well as the video. And so if it was awkward from my end I apologize, but I was trying to react to things that relate! So sorry.

Chair Raschko: Okay, Mark?

Commissioner Knutzen: Yeah, I'd just like to comment similar to what Kathy said. I'd like to compliment all of the Commission members on ADU. We all had a lot of input. We all had discussion. We have disagreements but no one – I don't see any signs of animosity. So we're going to agree to disagree whatever we come up with, so thank you, everyone, for that. That's all.

Chair Raschko: Thank you, Mark. Amy.

Commissioner Hughes: Thank you, everyone – staff and fellow Planning Commission members. This was a big night.

Chair Raschko: Okay, Vince?

Commissioner Henley: Yeah, I'd like to thank the staff for their assistance and hard work, and also for my fellow colleagues on the Commission for the lively debate and good work we've done. So I look forward to continuing it when we get back to some of the ones we've tabled and set aside for future work.

Chair Raschko: Thank you, Vince. Tammy?

Vice Chair Candler: I don't have any particular announcements. Thank you, everyone.

Chair Raschko: Okay. Well, thank you, everybody. Thank you, staff, for the hard work and my fellow Commissioners for all the effort that went into this evening. So with that, I'll say good evening to everybody and we'll stand adjourned.