

**Skagit County Planning Commission
Work Session: 2021 Docket
July 13, 2021**

Planning

Commissioners: Kathy Mitchell
Mark Knutzen
Vince Henley
Amy Hughes
Tim Raschko, Chair
Joe Woodmansee
Tammy Candler, Vice Chair (absent)
Martha Rose
Joseph Shea

Staff:

Hal Hart, Planning Director
Peter Gill, Long Range Planning Manager
Daniel Hasenoehrl, Planning Intern

Public

Commenters: Nora Kammer, Skagit River System Cooperative

Chair Tim Raschko: Good evening. The July 13th, 2021, meeting of the Skagit County Planning Commission is now in session. We'll start with a roll call. I believe Commissioner Candler is absent tonight. She had some pressing, work-related duties. Are you there, Tammy?

(silence)

Chair Raschko: I take it that she is not. Commissioner Henley is here. Commissioner Hughes is here. Commissioner Knutzen, I see. Commissioner Mitchell, Commissioner Rose, Commissioner Woodmansee, and now I see Commissioner Shea. So it looks like we have everybody present but Commissioner Candler.

Okay, is there a motion to approve the minutes of the meeting from two weeks ago?

Commissioner Vince Henley: So moved.

Commissioner Kathy Mitchell: Seconded.

Chair Raschko: And it's been moved by whom?

Commissioner Henley: Vince Henley.

Chair Raschko: Okay, and seconded by Commissioner Mitchell. Is there discussion on the minutes?

(silence)

Chair Raschko: It looks like there is none, so all in favor of approving the minutes, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Those opposed – aye – those opposed, say “nay.”

(silence)

Chair Raschko: And are there any abstentions?

(silence)

Chair Raschko: So that passed unanimously. Mr. Gill, have we anybody in the public requested to speak to the Commission?

Peter Gill: I have not received any requests for comments or remarks this evening.

Unidentified female voice: Can I request that now at this time?

Chair Raschko: You may.

Same unidentified female voice: Okay. Should I go ahead and speak right now?

Chair Raschko: Yes, please state your name and your address before you begin.

Nora Kammer: For sure. Nora Kammer. I'm representing Skagit River System Cooperative located at 11426 Moorage Way, La Conner. I'd like to speak to a couple of the docket items that you'll be reviewing this evening.

We have concerns about the docket item LR20-020. While we have no general concerns with proposed zoning changes for Small Scale Business Zone Use, we do have some site-specific concerns for the proponents' facility. The facility was permitted as a brewery and has expanded _____.

Commissioner Henley: You're breaking up.

Ms. Kammer: Okay. They've expanded their usage to a restaurant and brewery and they're seeking outdoor event permits. And the site is located at an oxbow in Edison Slough with the slough just 60 to 100 feet from the facility. We do not support this type of commercial expansion outside of the existing structure within the estuarine shoreline. Use of this facility should be restricted to that proposed when redeveloped or undergo a new shoreline review.

And then moving on, we have concerns about LR20-070, which allows ADUs as large as the primary house on the property. Our concerns are specific to septic capacity and water supply for a full size second home. For septic we feel that the County must review septic capacity to ensure that any proposed ADU has capacity for the additional bedrooms and users and consider increased inspection requirements. For protection of water supply we'd like to see restrictions on new ADUs that rely upon existing wells. If a new ADU, which is under this change, may be equivalent to a full-sized home it's going to put on additional pressure to an existing well, and we request notice to review and ensure instream flows are protected. Such review would be unnecessary if the site uses piped or PUD water.

That is all of our concerns. Thank you for your time this evening.

Chair Raschko: Okay, thank you. Is there anybody else who would like to speak to the Planning Commission?

(silence)

Chair Raschko: Okay, hearing none we'll move on to our main agenda item tonight, which is the 2021 Planning Docket Work Session. So Mr. Gill, would you please –

Recorded voice: Nora Kammer is now exiting.

Mr. Gill: All right. Let's see. Sorry about that. Let me switch those out, and there we go. You should see my screen now. It should be a slide, a title slide for the 2021 Docket. We're here tonight to kind of give kind of the first – well, we already did an intro last month on the items that were docketed. Tonight we wanted to take it to the next level to talk not about all the petitions that are in the docket. I don't think we have the time and we're not quite ready as a department to go to that level, but we have about six of the petitions that we would like to discuss. And we did distribute a memo describing in much more detail than I'll be able to do with the slides some of the background on the petition items that we're discussing tonight. And that memo is available to the public and anyone that wants it at skagitcounty.net/planningcommission, if you want to follow along with that.

And just a reminder of kind of the process that we're going through: So we did go through with the Board to docket petitions through the spring. The Board had a hearing and then selected 12 items or 12 petitions to establish the docket. And so now we're kind of at the bottom of the circle and we're arcing back up, starting to do some work sessions on the docket items. Following this work session and potentially another work session, we will then provide a staff report with the detailed specific changes to the code; a SEPA checklist; and determination notices to Commerce, et cetera, and that will be made available for the public to help start the comment period with the public hearing. Following the public hearing, the Planning Commission will deliberate and then make a recommendation to the Board on the petitions presented.

So we have citizen-initiated amendments or petitions and we also have some County-initiated amendments. We're going to do the citizen amendments first, and we're going to cover the four that are shown on the left and come back to the next session the ones on the right. So we'll talk about the Small Scale Business Zone Use Modification, talk about the Public Notice for Mineral Resource Extraction Areas, talk about Accessory Dwelling Units, and we'll talk about Agricultural Processing Facilities in the Bayview Ridge Light Industrial Zone.

So the first one is the Small Scale Business Zone Use Modification. This one was submitted by Terramar. It is LR20-02. And I should also mention that the naming convention on the petitions, for those of you that have been through this a bunch of times, has changed slightly with our permit system and so we used to have a "P" in front of the number – now "LR." It stands for "Long Range" and that's how it fits into our permit system. And so you might not be familiar with that coding but that's what that is. So LR20 is the year, so the 2020, and this is "-02" is the number.

And so this has a lot to do with Terramar, the business down in Edison, and some of you might be familiar. But it affects not only that specific location but any of the areas that are zoned Small Scale Business. So just to kind of summarize what the request is, they are looking to amend Skagit County Code 14.16.140 to allow Small Scale Business zone to include restaurants as an accessory to a permitted use. So in kind of the logic of allowed uses, we have a certain number that are permitted. Some are special use, which is another level of review, and then a third kind

of level of review is a hearing examiner review with an actual public hearing. An accessory is a use if the basic initial use is allowed. So I added the definition here. It says "Accessory, as applied to a use, building or structure, means customarily subordinate or incidental to, and located on the same lot with a principal use, building, or structure." So that's what the accessory uses are. That's what that means in our code, in our zoning code.

And so I'll keep on going on that. So you'll see here on this slide we've got our permitted uses. On the right you can see what's currently accessory within this zone. You can see the administrative special uses. Those are the ones that we can review internally. They are still out for public comment but they still get reviewed and a decision is made internally. And then there's a hearing examiner special uses, and I ran out of room but I just wanted to put that in there so you understood that there's a hierarchy of uses that are allowed in each zone and this is how it works. And so in this zone specifically, as far as permitted uses allowed, there's business offices; there's historic sites open to the public. And then I've highlighted the next two because they're most applicable to a situation where someone would want a restaurant. So that is small retail and service businesses provided that the retail sales are limited to products produced primarily onsite or which are accessory to products produced onsite. And then this next one is probably even more germane to the applicant: small-scale production or manufacture of products and goods, including food products, furniture, apparel, artwork, metal products, and wood products.

And then it goes on with the other permitted uses: wholesale nurseries; maintenance; drainage. So the accessory then, if this was to move forward, would be restaurants and that would go under, you know, accessory uses where a permitted use was already allowed.

And so like I said in the beginning, this is not restricted to one specific site. This applies to everywhere you find that zone in Skagit County, and there happens to be eight places that we find that zone. They're all on kind of the west side of the county. As shown on this map, the purple polygons there are the small-scale business zones in Skagit County. And in those existing zones we did a little bit of analysis to look at those sites and see what was currently there. We see a commercial kind of construction site; another commercial site; one of the zones is vacant. There's a vehicle repair chop. There it looks like there's a house of some sort in one of those. There's actually a fire district in one of these zones, and another house – or maybe it's vacant. It's hard to tell without diving too deep. But at least that gives you an idea of what's already out there and located in these types of zones.

Typically these zones are surrounded by rural or Ag-NRL zones. The one in Edison that is of focus is actually surrounded by Rural Village Residential and Rural Business, and so with those zones restaurants are already allowed and so there's already quite a few restaurants in the area that this is being proposed.

Are there any questions, I guess, on the Small Scale Business Zone amendment? This is the last slide I have on this.

Chair Raschko: Martha, you have a question?

Commissioner Mark Knutzen: Yes, there's nine purple on the map – oh, did you ask for Martha? Go ahead, Martha. Sorry, Tim.

Commissioner Martha Rose: You're my alter ego! I was curious about the accessory use. A lot of times the percentage is assigned to a maximum percentage of the main use. Is that true here?

Mr. Gill: Not in this situation.

Commissioner Rose: So you're saying that the accessory use could be any size?

Mr. Gill: Oh, no. There's – there is still a size threshold that can't be exceeded and that is further described in the zone. And I could bring that back for the next time. And there's also certain setbacks and requirements for, you know, nuisance type behavior – noise, landscaping requirements, et cetera, et cetera, that go with this as well.

Commissioner Rose: So I have the number of 15% in my head. Is that an accessory use – up to 15% of the main use? Or you're saying that doesn't apply here?

Mr. Gill: No. We have, like, a lot coverage requirement.

Commissioner Rose: Mm-hmm, okay. All right, thank you. Yeah, thank you.

Mr. Gill: Yeah. And I can check back and get more information on that and see if I missed that somewhere.

Commissioner Rose: All right. Thank you.

Chair Raschko: Okay, Commissioner Knutzen?

Commissioner Knutzen: Yes. Peter, there's nine zones here. What mechanism in the County allows these to be zoned that way in the first place? They seem to be rather scattered and there's very different current uses in there. What's the mechanism? Can we add more? Do people add more? What's the situation?

Mr. Gill: Yeah, so the scattered nature and you're right on the nine. Thank you for calling that out. I'm going to have to dig in and see why we only have eight listed in our table – actually seven listed in the table, but in addition to the Edison one. So I will look at that. These specific zones are typically a LAMIRD type zone, so Limited Area of More Intense Rural Development. So they were established prior to 1990 when the Growth Management Act went into effect. And so they already had typically a type of use that typically is not *allowed* within – or outside of an urban area taking place. And so that's why that zone got added in in the kind of the distribution that you see here.

Commissioner Knutzen: Okay, so carrying that forward then, if someone wanted to establish one now in a rural zone, it may be hard to do. These were essentially grandfathered in because they were already existing before Growth Management?

Mr. Gill: Yes. Yes.

Commissioner Knutzen: So it might be difficult, if not impossible, to get one. It seems like neighbors tend to oppose these things – just us people being what they are: not in my backyard. And I don't really have an opinion one way or the other. I was just kind of wondering if this would lead to an explosion of these, but it doesn't sound like it necessarily would.

Mr. Gill: Yeah, and to follow up on that comment specifically, this wouldn't necessarily – that's a very good question – right? – in terms of what would be allowed to expand in terms of adding this zone as a use because someone, for instance, wanted a restaurant. So that is a great question and I will look into the Comp Plan to see, because we typically will describe whether those

LAMIRD zones are allowed to – or whether we’re allowed to add additional ones. Some of those LAMIRDs we are and some of them we are not with the commercial, and I think this is one where we are not allowed to. But that’s a great question.

Commissioner Knutzen: Thank you, Peter.

Chair Raschko: Commissioner Woodmansee?

Commissioner Joe Woodmansee: So, Peter, what I’m hearing you saying is that you’re thinking that this particular zone is not a zone that somebody could apply for a rezone to go to because of the nature of it just covering the existing uses at the time?

Mr. Gill: Exactly, and I’m going to have to verify that but I know that is the case with many of the commercial zones, with the exception of like a Rural Freeway Service, which is also a LAMIRD but we are allowed to add additional ones. There’s a few nuances to which ones we can add and cannot, but I will have to follow up on that.

Commissioner Woodmansee: So to follow up on another question, a couple of these, one is vacant, one is a house, another one’s a vacant house apparently. So there *is* no existing use there other than a house. So in the event that somebody wanted to do a restaurant on one of those locations, they would have to create a new primary use that they could then later add a restaurant as an accessory use. Is that correct?

Mr. Gill: That is correct.

Commissioner Woodmansee: Because, I mean, a restaurant’s not going to be an accessory use to a vacant house.

Mr. Gill: Right, right. Exactly.

Commissioner Woodmansee: So if somebody did that, they’d be creating some sort of a new industry – industry’s the wrong word, but a new venture that – you know, maybe they’re growing potatoes and they want to have a potato place that you can come and get your baked potato with all the toppings or something and they need a restaurant to do that. And Mark might not appreciate the example, but the idea is that you become a potato farmer and then you want to have an accessory use and have a potato feed shed or something that you could buy your potato – baked potato with all the toppings or whatever. So if you did go down that road, you actually would be creating some jobs to make that happen, if you’re going to take something that has no job now that’s a vacant piece of property and create, you know, a couple farming jobs, say, to grow the potatoes and stuff and then add that accessory to it.

I see this as a very, very limited impact anywhere, and so I guess if I was going to say something about the actual application and the people that applied it, it sounds like they’re already in an area that has similar type uses to what they would like to do as an accessory use. And so, I don’t know. I think because there’s such a limited opportunity for this kind of stuff throughout the rural county, the eight or nine places that we do have this zone maybe more flexibility’s better than less is kind of a thought that I have.

So I guess that’s half a statement, half a couple questions, but those are my thoughts at this point.

Chair Raschko: Thank you, Joe. Commissioner Henley, please go ahead.

Commissioner Henley: Yes, one of the things that I'm concerned about is I know the driver for this particular amendment is the desire to have a restaurant; however, I'm a little concerned about unintended consequences. If you write, you know, a series of uses into this particular zone, I'd like to make certain that what we do is we look very carefully at unintended consequences and don't, you know, do anything that might change the rural character of where these things are located.

Chair Raschko: Okay, thank you. Any more questions for Mr. Gill on LR20-02?

(silence)

Chair Raschko: Okay, thank you.

Mr. Gill: All right. Thanks for the feedback. So the next one for our discussion tonight is Public Amendment for Mineral Resource Extraction Area. So it should say "Public Notice Amendment." Sorry about that. This one came from the Skagit River Alliance and it's LR20-05. They are requesting an amendment to 14.06.150 "For mineral extraction activities notice must be provided within 1 mile and be posted at any post offices of nearby communities." So that is the request in the application. So their request is basically if a new mine is being proposed – new mining activities – where a permit is required, instead of the standard 300 feet of notice they would have to notice everyone within one mile. The current requirements are 300 feet. There's also a description in there to allow for administrative leave for us to expand that to 500 feet if we think it is a significant project. For marijuana facilities the notice is 1000 feet. And when we do that currently, it's posted on the actual project site on the ground. It's also posted in the paper and requires a public hearing before any decision on the permit is made.

Are there any questions on the public notice amendment?

Chair Raschko: Commissioner Henley has a question and then Commissioner Woodmansee, so please go ahead, Vince.

Commissioner Henley: Yeah, I think a mile is rather generous and would probably include a – in some parts of the county – a very large number of people. I would be more in favor of a somewhat lesser distance – let's say 1000 feet like marijuana has. I think 1000 feet is reasonable, especially since mineral extraction can be noisy, dirty, and damaging to roads and infrastructure. So I think 1000 feet would be a better – how would I put it? – a better fit for this particular activity than the one mile.

Chair Raschko: Go ahead, Joe.

Commissioner Woodmansee: One of the things that – I agree a mile's a long ways. One of my concerns about this type of a thing is – well, one of the things I'd like to know is how does that compare to other counties? I wouldn't want to put the owners of mineral resource properties in our county at a major disadvantage to other – or a disadvantage to other counties, so I'd be really interested to know how this kind of a proposal compares to other counties as far as the requirement for notice.

I think that – the other thing that I – my other comment would be that we've – as a county, we've identified these zones in these areas and, I mean, you can't just, you know, move two miles down the road and create this because it's either zoned this or it's not and it's either got the mineral or it doesn't. And so over time eventually most of these – *many* of these mineral resource areas will

– ultimately, you would think, would need to be mined someday. You know, maybe it's 100 years from now, maybe it's 150 years from now. So I think that a mile's a long ways away and so I agree it's very generous, and I would really be interested to see if we could look at what would be in line with other counties on this type of a situation.

Chair Raschko: Okay, thank you, Joe. Commissioner Mitchell?

Commissioner Mitchell: Yes, thank you. I looked back at the State WACs and our countywide seven-year Comp Plan policies, and mining is one of the resources that's one of the pillars for the state, let alone the county. And this has/looks to be more punitive to me to try to prevent mining or to make it as difficult for them as possible, when that has been there and existed for quite a while. And the State has recognized that our industries are pretty important, whether it's farming, forestry, mining, tourism, fishing. And given those sets of circumstances, I think that the current 300 feet is certainly applicable. When we discussed all the marijuana facilities and that went to 1000 feet, that's because there were a lot of extraneous circumstances all over the county that that would affect, and that was something new. And the 1000 feet was big then, so now looking at a mile that just seems way out of the ballpark and not to seem to fit at all. Again, it just looks more like it's a way to try to limit the mining. And so I'm in favor for what Commissioner Woodmansee had asked for – he's asked for some comparisons with other counties – but I would also ask people to look closely about what are resources, why they're there, why they've been protected, why they're encouraged. And they're already hit with lots of controls, the same as farming and forestry. So I'd like for us to keep those kinds of things in mind as we move forward. We certainly do know that there are – there's noise, there's dust, there's trucks, that kind of thing, but that again is inherent in an industry. So I'd just like for people to go back and look at the WACs, why the State and why the County has recognized mining to be important, and why the overlays are where they are.

The other thing that I'd like for people to keep in mind is with the mining in this circumstance, the mines normally are not for forever. The resource often gets tapped out in any location. Some places have more time on them than others. So there's always a balance between residential and rural uses, but this is one of those things where the mining has been there and it's been protected with the overlays for a reason. Thank you.

Chair Raschko: Commissioner Shea.

Commissioner Joseph Shea: Yes, thank you. I guess I understand why the one mile is a mile. I mean, if I'm thinking driving a car, let's say you're going 50 miles an hour. Like, for instance, Prairie Road or something like that. It's not that far, but those trucks that'll be driving on will affect them. So it makes sense to me the mile and a mile be proposed specifically for mineral extraction, but at the same time I do think it's a long ways for just notifying people. You know, in my head – I apologize, but marijuana wasn't legal for quite some time and, you know, it's 1000 feet for that, so a mile seems a little much. But some other information from other places, I definitely think that would be helpful to compare. Thank you.

Chair Raschko: Anybody else? I have a comment myself. As a party, I guess Skagit River Alliance has requested changing the requirement for notification of 300 feet to 1000. And just having made the request somehow makes people feel obligated to make some kind of change. I think what we should do is determine if there is really something wrong with the existing 300 feet before we move forward, rather than just make a change because it's been asked.

Okay, anything else on that one?

(silence)

Chair Raschko: Okay, Mr. Gill?

Mr. Gill: Sorry, I was muted! The next one is LR20-07. This is an Accessory Dwelling Unit Amendment. As most of you know, often you are allowed one accessory dwelling unit to the primary residential structure in most rural areas. This proposal would actually relax the family member requirement that is part of our accessory dwelling unit code. So typically you'd be required to have a family member that would live in the accessory dwelling unit as a primary requirement. So they're requesting to remove that family member occupancy requirement and remove the current ADU size restriction for existing structures.

So currently you can build a new accessory dwelling unit as long as it's not more than 50% of the square area of the primary unit. So if your primary house were 1200 square feet, you could build an accessory dwelling unit but it would have to be 600 feet or less. The maximum size for a new ADU is 900 feet – 900 square feet, no matter what the primary residential unit size is. So that's what is currently on the books. They're saying – the applicant is saying for existing structures, so if you already had a structure on your property – maybe that's a barn, a workshop, a garage that you no longer use – you could use that facility and maybe retrofit it to work as an accessory dwelling unit and it wouldn't have the same size restrictions other than it couldn't be any larger than the primary residential unit. And, you know, the proponent puts this in there as an option for improving affordability and the housing situation that the county is in.

There are many sides to this story. They have a personal story on this one that I'm sure that they will provide that has to do with they had an existing building that they had to spend a lot of money renovating to remove a portion of that building in order to make an accessory dwelling unit. And so that is where this is coming from. They're not proposing to change if you're building a new structure. They're not proposing any changes to that existing size restriction.

That is it on this one. Did anyone have questions on Accessory Dwelling Unit Amendments?

Chair Raschko: I'd have to ask Commissioner Mitchell. Did I miss you having your hand up on the last one?

Commissioner Mitchell: Sorry. I had trouble getting unmuted. No, you caught me. Thank you so much.

Chair Raschko: Okay, well, please go ahead and ask your question. You'll be followed by Commissioner Woodmansee. Go ahead, please. Kathy?

Commissioner Mitchell: Okay. So for the accessory dwelling unit, at face value this seems to make pretty good sense overall for early blush, but are there more examples than the ones that we discussed the last time for how this could possibly work, Peter?

Mr. Gill: So there are. There are a whole number of different ways. The State has looked at this issue pretty significantly in the last couple of years in the legislature, and they've made some changes that applied to the Cities. There are no overriding rules that we have to succumb to at this point. There are a lot of nuances to this that we haven't – or that the applicant doesn't get into, such as, When does the existing structure – when did it have to be established? Could I go out and build it tomorrow and then come in, you know, a year later and say I have this existing structure? You know, obviously I don't think that's the intent but those are the kinds of things that

would have to be, you know, included in any kind of proposal moving forward. I'm sorry, Commissioner Mitchell, if that was not what you were after.

Commissioner Mitchell: No, that helps. It's just that I'm not real familiar with the things in the building realm. Perhaps Commissioner Rose and Commissioner Woodmansee can help us with some more things as well. But, Peter, that was a good example. There's – I guess at this point I don't know what else to be asking for or looking for without seeing more examples on how this kind of thing works.

Chair Raschko: Commissioner Woodmansee?

Commissioner Woodmansee: I think Commissioner Rose was ahead of me, but – and I would be happy to defer to her first.

Chair Raschko: I don't see her hand up.

Commissioner Woodmansee: Okay. Maybe I'm wrong.

Commissioner Rose: No, my hand was up. You're right.

Chair Raschko: Okay. Go ahead, Martha.

Commissioner Rose: Okay. So I said this before but the time, the size of the ADU to the house size makes zero sense. And it also doesn't make any sense to me that an existing structure should be allowed a different size, because let's say you have an existing structure that exceeds the 900 square feet. You can always build a wall and turn what's left over into a storage shed. It doesn't have to be called an ADU. So this thing could be real simple if it's just ADUs are allowed up to 900 square feet, period, no matter how big the size of the house is because it's just not logical. If you have a 1500 square foot house and you wanted a 900 square foot ADU you could add onto the existing house and make it 1800. But that's sort of is driving increased housing costs. That type of action would increase. So I guess I'm not sure why it's being so complicated. 900 square feet is a nice size for an accessory dwelling unit and it shouldn't be tied, again, to the – it's my humble opinion – to the existing house. Whether it's an existing structure or a new structure it shouldn't matter. That's all I have to say.

Chair Raschko: Okay, thank you. Commissioner Woodmansee?

Commissioner Woodmansee: Okay, so I would agree with Martha's comments on that, that it shouldn't matter whether it's existing or not. And I'm not 100% sure that 900 is big enough. Imagine if you got a nice little piece of property and you're trying to retire and you want to build an accessory dwelling unit. Maybe you want to rent your main house out but 900 feet is as big as you can build for *you* to live in. It just seems to me like it's too restrictive. And I'm not saying I have all the answers tonight, but I think that more options is better than less options, and I do think that this – not only does this have an affordable housing component to it but I also believe that it has – it can serve senior people, you know, like me getting close to retirement age, and that could allow people to stay on their property. And so it just seems like that it should – that – I don't think there should be the distinction between existing and not. I agree completely with that. But I also don't think that – I don't know if 900's the right number. Maybe it's 900 or a percentage of and it can get bigger if the house is bigger. I don't know – something. But I think that we need to do all that we can to make this a usable tool because no matter how hard we try it's – I mean,

it's very difficult to catch up with the housing needs. And on top of that, I do think it's a great tool for allowing people to be able to add to their income in retirement or prepare for retirement.

Chair Raschko: Okay, thank you. Next is Commissioner Knutzen followed by Shea followed by Mitchell. So please go ahead.

Commissioner Knutzen: Yes. Peter, that one public comment early in the meeting from the person from the Skagit River Systems had the concern on the ADUs regarding water supply and especially the septic system. Now if someone wants to convert a garage or a barn into an ADU, will they have to follow normal building permitting procedures to get a septic? In a three-bedroom house you need so big a septic. You need to prove the water supply, whether it be a well or a public water. Will they have to go through all that like a normal residence?

Mr. Gill: Yes. That's a good question. They *will* have to make sure that their septic system is adequately sized to handle maybe two new bedrooms, for instance, and still perform correctly.

Commissioner Knutzen: Would a second system be potentially allowed? I mean, to have essentially a second residence on the same parcel.

Mr. Gill: If that's what it required, it potentially could, yes.

Commissioner Knutzen: And the double-edged sword on this provision: the potential unintended consequences. As a full-time farmer, every residence that we had to spray around, farm around – potential dust and noise ordinance – I realize we have the right-to-farm ordinance. But you could conceivably increase a lot of housing units out in the farm country. I'm not saying it would be a problem and I'm not saying I'm necessarily opposed to it, but it's just something I think that we need to be aware of, that it might affect the farmers. Thank you.

Chair Raschko: Thank you. Commissioner Shea, please. Go ahead.

Commissioner Shea: Oh! Sorry. Commissioner Rose and Commissioner Woodmansee already said everything I was. Thank you.

Chair Raschko: All right, thank you. Commissioner Mitchell and then Commissioner Henley.

Commissioner Mitchell: Yes. Peter, maybe you can help us with this. If not, maybe a couple of our building Planning Commissioners. Where did the 900-square-foot come from originally anyway that the County was using?

Mr. Gill: That is a great question. I am not sure but I can see if there is anything that I – specific to that, or if it's just an arbitrary number.

Commissioner Mitchell: Thank you. That would be helpful because, you know, if – 1000 feet's better than 900 feet if you – you know, at least gets a little bit of storage space, for instance, without making too much. But, you know, I could be accused of making that arbitrary, you know, so I would like to know why the 900-foot has been settled on and also if there are other areas that have something bigger for ADUs than 900 square feet, and if so, if we can figure out the why. So, Peter, I know that that's a lot to ask on that, but if you can check your sources that would be very helpful.

Mr. Gill: Yeah, I will follow up on that.

Commissioner Mitchell: Thank you.

Chair Raschko: Commissioner Henley, please. Go ahead.

Commissioner Henley: Yes. I'm all for ADUs. I think they're a necessary part of the housing component for Skagit County whether it's affordable housing or not affordable housing. But I think that we should encourage ADUs. Now whether or not the 900 square feet is the right number, I also agree with Commissioner Rose that whatever that number is should be disconnected from whatever other dwellings are on the property and whatever size they may be. I think whatever you set for the ADU it ought to be independent and tied to the ADU only and not to the whatever existing structures are on the property or whatever structures the owner might choose to build on the property. I think the ADU ought to be its own particular class of dwelling and I think it ought to have its own limitations and it ought to be independent from the – from whatever else is on the property.

Chair Raschko: Okay, thank you. Commissioner Rose, did you have a desire to speak again? I saw your hand was up.

Commissioner Rose: I have another thought that came about after listening to everybody and that is there maybe should be some sort of provision that defines the buildable footprint and where this ADU can go, to address Commissioner Knutzen's comment about every building is something to farm around. You know, my building experience is almost exclusively inner city, and so none of these issues of water and sewer and farming around it have ever come into play so I hadn't really thought about that until Commissioner Knutzen brought that up. So it may be that there should be a provision that addresses where on the property these things are allowed even. Like, you don't want to create a sprawling situation where it is chopping up the farmland. It wants to be – in my mind, it probably wants to be pretty close to the other house. But I'm not sure how you would handle that where your lot is 40 acres, or whatever it is – or 5 acres. Anyway, that's my only other thought. Thank you.

Chair Raschko: Director Hart, did you have something to add?

Hal Hart: Yes, sir. Good evening, Commissioners. Just a quick reread of up in Whatcom County for you. There's been a lot of work that was done up there and usually the cities were at about 40 and sometimes up to 50% of the homes. So they were scaled. Things are scaled but they're scaled differently in every city just about. So it's a percentage – 50% or less of the average home is how I'm looking at the staff work that was done up there recently.

Chair Raschko: Thank you. That's helpful. Anybody else have any questions on this one? Commissioner Woodmansee, please. Go ahead.

(silence)

Chair Raschko: Come in, Joe!

Commissioner Henley: Hey, Joe!

Commissioner Woodmansee: Gotcha! All right. I woke up there. If we had a percentage basis, I would be looking for a minimum. Like, if the percentage only gave you 600, I'd be, like, well, 600 is what the percentage says but there's a minimum that you can get to, you know, whether it's 900 or 1200 or 1000 or whatever, so that if you have a 1200-square-foot existing house that you

wouldn't be penalized to the point that it's almost no use to do an ADA (sic). Anyways, I think it's an important topic and that it's going to maybe take a little more discussion, but I really like the fact that we're talking about it.

Chair Raschko: Okay, anybody else? If not, we can move on to LR21-04. Is that right, Mr. Gill?

Mr. Gill: You are correct. Thank you. This petition would allow agricultural processing facilities within the Bayview Ridge Light Industrial zone. This was brought by Island Grown Farmers Cooperative. They currently have a processing facility up there on the Light Industrial zone outside of the Port. So this proposal, again, is to add an accessory use within that zone. So this adds agricultural slaughtering facilities as an accessory use that's incidental to agricultural and food processing, storage, and transportation facilities. That is a permitted use within the Bayview Ridge Light Industrial zone. And then there's caveats on that. So kind of the constraints on that that the petitioner is putting forward is that a portion of the premise dedicated to slaughtering is (1) entirely enclosed within the interior of the facility, so it's not out and open. And (2) it occupies less than 5000 square feet of (the) total processing facility.

Was there any questions or comments on LR21-04?

Chair Raschko: I believe we have Commissioner Henley and Commissioner Rose, so if you would please go ahead, Vince.

Commissioner Henley: Yeah. Is there any discussion of things like waste disposal, for example, and water use and all of those sorts of things? It seems to me that I'd need to look at this a lot more carefully than we have. And I know that, you know, that, you know, slaughter houses and meat processing facilities are – let's put it this way: messy, to say the least, and I'd like to make sure that we've addressed all of those things.

Mr. Gill: Yes, thank you. There are many more details in the application packet submitted by Island Grown Farmers Cooperative, and that is available actually through that memo. I believe if you click on the heading that will take you to the webpage where you'll see their Excel application. That is certainly – got to be part of the Health Department requirements in terms of, you know, how they're dealing with what becomes essentially maybe hazardous material waste that needs disposal in processing. And I can look into more – some of those details on how that's dealt with here at Skagit County.

Commissioner Henley: That would be useful.

Chair Raschko: Okay, Commissioner Rose.

Commissioner Rose: It seems like – to me – an acceptable request because the alternative is a portable, mobile butchering unit, and this seems like it would be an improvement over that. Certainly not less – it wouldn't be *more* hazardous; it would probably be *less* or produce fewer problems. So at any rate, I'm just thinking out loud about this. They – I know that there are portable slaughtering facilities and that is what most small farmers use, and because this 5000 square feet is not really that big I think that it would provide an alternative for those who didn't want to do onsite slaughtering on their property but bring their animals to the place. And that's all I have to say.

Chair Raschko: Okay, Commissioner Shea, do you have something?

Commissioner Shea: Yes, thank you. So kind of to touch on what Commissioner Rose is getting at: So it all kind of depends, I think, on your slaughtering operation so I think a lot of people that have fewer animals or butcher fewer animals the mobile truck can be good in some regards. But then, you know, to bring one or two animals to the facility to be butchered, that could be a burden, so the mobile trucks will still have use, I guess. I think it might be more of a use for medium-sized farms where they have a lot more animals that maybe one slaughter truck wouldn't be able to handle. And then to touch on with the 5000 square feet – and maybe someone from the Planning staff might be able to touch on this – so the 5000 square feet I'm assuming is to limit the total amount of animals that could be harvested in some time or processed in some time or held in some time. I guess, where did the 5000, I guess, come from? And I'm assuming it's from the amount of animals that could be processed in that space. But, yeah.

Mr. Gill: Yeah, so this did come up during the hearing with the Board and there was discussion of kind of how many animals. The 5000 square feet did account for actually holding for the animals at the kind of the capacity that they think is currently out there as well as processing. So no animals would be held outside in any situation. And so the 5000 square feet, that's what that is aimed at. And it also, I think, connects back to USDA requirements in terms of, you know, required size per animal unit, and all those kinds of additional regulations for dealing with slaughterhouses.

Chair Raschko: Okay. Mr. Hart, did you have something else to add here?

Mr. Hart: No, thank you. I'm sorry.

Chair Raschko: Okay. I guess your hand was still up from before.

Mr. Hart: Yeah, I will put my hand down.

Chair Raschko: So next we'll have Commissioner Hughes and then Commissioner Mitchell. So go ahead, Amy, please.

Commissioner Amy Hughes: Peter, when you're looking at your background information for us, I believe that there are pretty strict industry standards nationwide that would apply to this type of a facility. And so not only in our own county, but I know there are industry standards that I'm sure that this facility has looked into. Just an assumption.

Mr. Gill: Yeah. Okay.

Commissioner Hughes: Thank you.

Chair Raschko: Okay, Commissioner Mitchell.

Commissioner Mitchell: Yes, thank you. I was going to say something along similar lines. The sewer would have to be taken care of, the water would have to be taken care of, everything else that would be associated whether it's Health Department, building codes, that kind of thing would be taken care of if this were allowed. So it really comes down to the question of whether people think this concept is a good idea or not for the mainstay. I thought this was a pretty good idea for allowing that light industrial use in a place where the County had chosen to set aside different industries for specifically this kind of idea and concept. So I really applaud the idea for it getting started and for us being able to discuss it.

Chair Raschko: Okay, thank you. Commissioner Henley, we've come back around to you.

Commissioner Henley: Yes. Do we know what sort of livestock is going to be slaughtered at this facility? For example, you know, the difference between beef and swine and poultry can be, you know, pretty extensive, so do we know what is intended for this particular facility?

Mr. Gill: I can follow up with that, but I believe the members are kind of everything from cattle to goats, sheep, pigs, that kind of thing. But I can see if there's specifics that they have on what they – what they're building for.

Commissioner Henley: Okay. Appreciate it.

Chair Raschko: Okay, so we have Commissioner Knutzen and then Commissioner Woodmansee, so go ahead, please, Mark.

Commissioner Knutzen: Thank you. Peter, my understanding is Island Grown Cooperative is building – starting to build a facility now up at the Port, just west of Skagit Valley Malting. They were putting the footings up last week. I assume that's a cut-and-wrap facility like they have out on – they've been renting a fifth facility out on D'Arcy Road for many, many years and I know they've been at max capacity, and my understanding is they needed more cutting and wrapping. So now what they're proposing here is a slaughterhouse they would build in addition – like beside that facility, to where they would slaughter there and then cut and wrap there? Is that the big picture on this project?

Mr. Gill: Yes, that's correct. So they currently have a mobile slaughtering unit, I think as Commissioner Rose mentioned earlier. And so they bring their animals there and do the butchering, the cut-and-wrap. So this facility would add on to the facility that they're currently building.

Commissioner Knutzen: Okay, thank you.

Chair Raschko: Okay, Commissioner Woodmansee. Go ahead, please.

Commissioner Woodmansee: Peter, do you know where this would be? Is this activity an outright-allowed in other zones?

Mr. Gill: It is allowed within the Ag-NRL zone and the – you know, the proponent would prefer not to build this type of facility on prime ag soils and so they are – their interest is using this area or this zone that already has the infrastructure – it won't be taking up farmland – to build the facility.

Commissioner Woodmansee: So you could make the argument that instead of having a half a dozen of smaller facilities around town, around the county, if there was one location like this that could handle small farmers or medium-sized farms and have the facilities, you could make the argument that you're taking a move toward conserving some ag production land. Did it make sense what I said there?

Mr. Gill: Yes. And certainly that was their case for building *this* facility on the Light Industrial zone instead of in the Ag-NRL.

Commissioner Woodmansee: Okay. All right, thank you.

Chair Raschko: Any other questions for Mr. Gill?

(silence)

Chair Raschko: All right. Moving on....

Mr. Gill: All right. So we're now in the County-initiated proposals. The first one is C21-2. This has to do with SEPA determination and the timing of appeals. The next one is C21-3 and that is the Hamilton Zoning and Comp Plan text amendments.

So the first one is SEPA. That's the State Environmental Policy Act. And so the amendment seeks to clarify when the SEPA threshold determination can be appealed by an outside party. Currently the code is not clear enough and it's been argued both ways in front of the hearing examiner as to whether you can appeal a SEPA determination prior to the underlying development permit being reviewed and determined. So to keep going on that, there's the two places in the code that you'll see SEPA is under Title 16 and Title 14. Title 16 is described there on the left of the screen under 16.12.060, under Additional Timing Considerations. We're going to skip to number 2 where it makes it sound like we should be processing SEPA as early as possible in the review process, prior to maybe the development permit and all the specifics of it being already spelled out. So I'm just going to read it. This is number (2). It says "If the County's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request, in writing, (that) the County conduct environmental review prior to submission of the detailed plans and specifications."

So there in the code, basically we're saying, you know, if an applicant would like us to review the SEPA for the project prior to, you know, all the costs and work in developing that specific project proposal – the square size, the stormwater, the number of trees removed, the grading, everything else, all the engineering work that goes into submitting a permit – that we would provide a determination on the environmental review prior to that. So if it's a no, they will know don't do it.

But then over in our development code, 14.06.070, there's a discussion – or that section is on the integration of SEPA review with development permits. And in there you'll see it says "SEPA and the review of" a "development permit" application "shall be combined and integrated in all development permits that are not categorically exempt from SEPA" or "for which environmental review has not already been completed...." And so in that other section it seems to say you have to actually get your permit and your permit decision at the same time that the determination on the environmental review is being done. And so it can all be heard at the same time. That way the public knows exactly what's being proposed, any mitigation measures that are being proposed in order to accommodate the, you know, potential environmental impacts, et cetera. So the proposal is then to clean that up and make it more clear what is allowed and when.

Were there questions on this one?

Chair Raschko: Commissioner Woodmansee, you have your hand up?

Commissioner Woodmansee: Yeah. So I'm reading section SCC 14.06.070 as saying that you have to review the stuff combined *if* you haven't already done the previously earlier environmental review. That seems to be pretty clear, so I'm not sure how someone could say it's *required* to do the more detailed – I can tell you it's very expensive to put a project together, and if some environmental concern is going to stop you Day 1 you need to know that before you spend hundreds of thousands of dollars getting into some sort of a project approved. And so – which is the reason why the code says what it does in section 16, I'm sure. And so I don't see that the two conflict with each other and I guess that's what's been argued in the past – that they do conflict

with each other? – even though it clearly says for an environmental review for a project that hasn't had – that has not completed an environmental review previously. My understanding is you get one swipe at the apple on SEPA. And the question is can it be preliminary or can it be final drawings, more or less. What does State code say? I thought State code specifically says that you did not have to do detailed drawings and stuff like that because of the – it's expensive, and so – and I could be wrong about this so don't quote me on it. Anyways, I'll let you interject at that point.

Mr. Gill: Sure. Thank you. There *are* places where certainly SEPA can be done, such as on non-project actions, like most of the things you all do. If an EIS is done on a, say, a Comprehensive Plan change, which often happens, that can be used by a project proponent as long as it looked at potential impacts that that *specific* development project also has. Right? And so some of that language on the 14.06.070 is tying back to those non-project EISs or environmental thresholds. But so to get back to your overall question, more work needs to be done in terms of looking at the RCWs and the WACs to make sure that we are within our bounds on the review. Certainly the desire from staff is that we *can* do the environmental review prior to having the full development permit on our desk. And this really gets back to the appeal of the decision on the SEPA and whether – because we have an administrative process for appealing SEPAs through the hearing examiner and so the rub has come in those appeals if the development permit isn't fully executed. And so that's where we're trying to – we would like to be able to do the environmental review early, give the decisions to the applicants before they spend all the money, like Commissioner Woodmansee described, if possible. We're just not sure if on a project by project type review that's going to be allowed.

Commissioner Woodmansee: And you're not sure of that because we're not sure what the State code is?

Mr. Gill: More work needs to be done there with that review.

Commissioner Woodmansee: Okay. Well, in my experience, I think that you guys are on the right track as far as what you'd *like* to be able to do. Because the environmental review isn't necessarily about – well, I'll take that back. I think it's achievable to do it early because the environmental review's a big picture look, more so than a detailed look. I think – that's been – my whole career that's how it's been, although most of the time by the time you get into a project locally here, a lot of the time you're pretty detailed even though it's not supposed to be detailed, and so I don't know. Anyways. I think that I would support the staff's thinking on this at this point and I'd like – it would be nice to see what else we find out.

Chair Raschko: Okay, Mr. Hart, did you have something to add at this point?

Mr. Hart: Yes, sir. Two thoughts: The first thought is one of the key things is defining what the total proposal is in front of the agency. And then so there's sometimes there's a lot of parts to it and so – I think there's going to be a way to harmonize these two, Peter, and make it work. We just have to – let's see if we can figure that out working with the Planning Commission.

Then the second part – and I know that a developer knows this – is when we come in – and the first time we hear about the project a lot of times is called a pre-application process. And really that's the beginning of understanding what the total project is at that point. And that's when we start asking, Hey, what about – you know, what are the regulations and the permit needs going to be? And we start really back at that point and then we start getting into the SEPA questions as early as that point. So all right, I'll leave it at that. I probably said too much, but....

Chair Raschko: Okay, thank you. Thank you, Hal. Commissioner Hughes, did you have another desire to speak?

(silence)

Chair Raschko: No. Okay, Commissioner Mitchell?

Commissioner Mitchell: Yes. When I first put my hand up I was going to ask – because when staff proposes something, they usually are trying to fix something that they know there's a problem with. And since the discussion's been going on for just a little bit, it seems like it's a little bit more in depth than what I was expecting. So if you could put it into layman's terms really what you're trying to fix? Again, I'm looking at the language for both of these. I can see that – what the differences are. Is it mostly that you're trying to make things easier for everybody on the process by putting this at the front end whenever possible? Is that really the bottom line on this?

Mr. Gill: I think the thought is that we would like to, as Hal described earlier, in a predevelopment meeting when there's kind of the preliminary, conceptual idea of the project – maybe there's some design constraints already known – we can evaluate the environmental impacts potentially through a SEPA process, that we *can* move forward with a SEPA decision prior to the applicant doing all the detailed engineering work, et cetera, that would go into putting a permit package together and getting the whole decision there.

Commissioner Mitchell: Thank you.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: Okay.

Mr. Gill: Looks like Commissioner Rose has her hand up.

Commissioner Rose: Yeah, I have my hand up.

Chair Raschko: Did you? Okay! You know, with the material on the screen, I can't see everybody's picture at once, and you could have your hand up. So it makes it difficult. So go ahead anyway, Martha.

Commissioner Rose: I just wanted to – Joe covered a lot of what my feelings are about it, but I have to use my reference point, which is working in the city of Seattle. They call it a master use permit that is that umbrella permit that covers the entire site and presents not just a theoretical layout but – I'm thinking the most complex ones have multiple buildings and a lot going on, and all of these things are shown. And at the end of the day when your master use permit is approved through SEPA you can do some tweaking to that without going through that process all over again. And as long as in the original proposal you're showing total square footage of buildings and impervious surface and stuff like that and how you're – you don't have to have your plans done but you have to describe how you're going to handle stormwater and access and all of those important things that you mentioned, Peter. And so Kathy wanted layperson's terms, so think master use permit getting approved. The public weaponizes the SEPA review and they use it to stop projects, and many projects drag out for seven years for the SEPA process. In Seattle that's normal. And so that's why it's important to uncouple it from – hopefully that won't happen in this

county, but the sad truth is that is almost the norm. Three years is considered a pretty good number of years to get through one of these processes in some situations in Seattle. So I think that this proposal does address that and I think it's absolutely necessary to uncouple it from full plans. I think that's all I wanted to say on that.

Chair Raschko: Well, thank you. That was really helpful to me. Commissioner Woodmansee has his hand up again.

Commissioner Woodmansee: Muted again! Martha jogged a thought for me, and that was – actually both Peter and Martha. And so this is a question for Hal and for Peter. If the County chose to – and kind of this – what made me think about it also was this contained community concept that we're going to be talking about eventually. If the County chose to do an EIS on 100 acres somewhere and literally put together – like the Bayview Ridge Plan deal that is a sub-plan in the Comp Plan or whatever – could you do an EIS and then go through that whole process and say Okay, here's this hundred acres or 200 acres or whatever it might be and we have a vision of 200 houses over here, a grocery store here, and it has nothing to do with who owns what but it's just a planning tool. If the County did an EIS or – yeah, went to a full-blown EIS to cover something like that, would that then exempt that 200 acres or whatever from doing individual SEPAs down the road if it was a plan tool? I have no idea if this is even capable. But you guys can answer that. I think you know what I'm trying to say but maybe you can give me some thought on that.

Mr. Gill: So yes. I mean, that is the whole kind of incentive for doing the SEPA at the non-project phase. Now that doesn't mean that the project, the specific project, would be exempt if the impacts were not included in the original EIS. So for instance, maybe, you know, the original EIS covered stormwater, wildlife, wetlands and then the project came in and it was, you know, about, I don't know – air pollution. Right? And that wasn't included. I don't know. Maybe it's some kind of commercial-industrial. They would still potentially have to do an EIS to consider the effects of that air pollution. Does that help?

Commissioner Woodmansee: Yeah. You're basically saying it's possible. I mean, it's a little bit rare to do an EIS, to be honest with you. I mean, I haven't seen very many in my, you know, career. But I was just thinking that it's maybe a planning tool that doesn't get used enough possibly, you know, on a broader brush.

Chair Raschko: Okay. Mr. Hart had something to add there and then I believe Commissioner Rose would like to speak again. So go ahead, Hal, please.

Mr. Hart: Thank you, sir. Only that I agree with most of what Peter said. The only thing that I would add to what Peter just said is that it's the time and expense factor. That's why people try and go a different way, just because the time to do that analysis and the expense to undertake the consultants, that is why they try and avoid it and try to do an MDNS. Or the other approach is to kind of use what the – about 20 years ago the State gave us this idea of a 'planned action.' So within the Comprehensive Plan you do some larger analysis. Within that you may have a subarea, and then within the subarea – it's like really three levels – but within a subarea you say, We plan to have these five boxes. Each box will be a million square feet and you can go ahead and develop up to a million square feet. And that saves the development community a lot of time and effort if that pre-work is done. And so that was the beauty of a planned action, and so some combination of a County development process and maybe doing a planned action is another way of getting to defray the cost to development. Okay.

Chair Raschko: Okay. Commissioner Rose?

Commissioner Rose: So in this item 2 under 16.12.060 it's basically allowing the applicant to make this request. So there would be – and that's an important feature of it; in other words, there would be examples where you would want to run through the land use and the building part of it simultaneously, and those situations would be when there was a high likelihood that there *wouldn't* be a dispute about what you're proposing. In other words, the codes are clear about what's allowed, both zoning and building codes, and as long as you stick within those guidelines you might still be forced to go through SEPA but in that scenario you *would* want to run them at the same – you *would* want to submit your building plans at the same time, simply to save that time that Hal mentioned. That's my understanding and that's what my experience is too. Like, I don't know what the currency, the threshold is in Skagit County but it used to be quite low. In King County it was, like, four units or maybe eight units. If you're building eight units you had to go through SEPA review. And I'm not sure what it is now but in that scenario you probably *would* want to run your plans simultaneously. You'd want to do your fully developed plan so you could get building quicker. I just wanted to clarify that.

Mr. Gill: Yeah, and there are definitely benefits to running them concurrently or combined in terms of the review and the public comment process and all those other things as well. So it's not about taking that off the table for sure. That's not what we're discussing.

Chair Raschko: Is there any other questions or comments?

(silence)

Chair Raschko: Okay, Peter.

Mr. Gill: All right. You guys, this is the last of the petitions. This is about Hamilton zoning and it has to do with the areas in Hamilton that have been annexed, specifically Hamilton Industrial. They're shown on the screen just to the west of the town of Hamilton. That parcel is now part of the town of Hamilton and so there is no Hamilton Industrial. The second one is also shown on the map. It's Hamilton Residential, and you'll see that it's just to the north of Highway 20 and it's in the – what is that? Purple? – purple box there. That is now annexed into Hamilton as well. So those two sections of our code are 14.16.175 and .380. Those sections of our development code are no longer needed because those zones don't exist within unincorporated county anymore. They exist within the town of Hamilton. And so the proposal is just to remove those two sections of code.

Are there any questions on that?

Chair Raschko: Commissioner Woodmansee and then Commissioner Henley.

Commissioner Woodmansee: So basically – obviously I understand annexation, and so basically the use is basically the same, just no longer – now it's under Hamilton jurisdiction versus County jurisdiction? Is that what happened here?

Mr. Gill: Yes, and I don't actually know what the current zoning is. I think it is still Residential and Industrial, I believe, but it's outside of the County jurisdiction anyway.

Commissioner Woodmansee: Yeah, and so theoretically this is just a handing over of jurisdiction.

Mr. Gill: Correct. Yes.

Commissioner Woodmansee: Okay, thank you.

Chair Raschko: Mr. Henley?

Commissioner Henley: It sounds to me like we could go ahead and approve this and vote on it right now. It's one of the few things that looks very cut and dry.

Mr. Gill: It seems like a very cut and dry one.

Chair Raschko: Okay, anybody else?

(silence)

Chair Raschko: All right then. Go ahead, Mr. Gill.

Mr. Gill: All right, last slide. Just want to let people know there's a lot more information out there on each of these. All the petitioner applications. Some of them are very thorough. The Department's recommendation to the Board on docketing is out there. All the public comments that were received on these proposals through the – whether to docket them or not – those are all there divided up by each project. They're all shown there on the screen there at /2021CPA. And then the transcripts from the hearing are also available if folks want to take a look at those.

So that's all I have for tonight. We do plan on bringing the next half of the petitions to you. We don't know the specific date on that. It depends on the Shoreline Program. So thank you.

Chair Raschko: Thank you, Mr. Gill. Okay, we'll move to the Director's Update. Mr. Hart?

Mr. Hart: Thank you. Peter has it. Peter, I sent you an amended version with another exciting slide.

Commissioner Henley: Can't quite hear you.

Mr. Hart: Okay. Peter, can you hear me?

Mr. Gill: Yeah, I can hear you. Sorry, Hal. I am not seeing your updated slides.

Mr. Hart: Okay.

Mr. Gill: I will keep looking, though.

Mr. Hart: Yep, I can talk them. Yeah, I should have just sent it, but anyway let's just go.

Number 1: So particularly of interest to the development community here tonight. Let's just go through. The permit counter is now open. That was a picture from last week. And today was even busier so the volume is growing. We're getting lots of people. We're helping them through their applications now and we're back in business. I think everybody loves being in person now and it's a lot faster to solve the problems than things were online. We continue to work through the backlogs at this point. We had a large number of permits that came in in January. We're now just a week – our general intake backlog is only one week out, as reported, so we've almost completely caught up. We hope to by next week – the end of next week or end of this week, we'll be down to same day. That's what you really want. And the reason why – we did several hundred permits in

January and that's what threw us back, just when we were changing out and under COVID. We still have some other backlogs in our system, but intake will not be one of them in the near future. So other backlog would be water review, but we are hoping to solve that in *fairly* short order, but not nearly fast enough for what everybody would like to see.

At this point, again our intent is to work with IT to also update our permit system this year and also we plan to streamline our permit process. Make sure that we're getting projects out within the 120-day timeframe on the current planning side of things, so subdivisions and those kinds of things. And to do that that's really – we need software that says Tag, you're it. And our software is older than the – is older than some of the people using it in the office now. So we would like to update that software. The Commissioners have given us the greenlight to do that. But at the same time, they want us to do a heck of a lot better job on permits and so we are planning to do that, and I'll keep you in the loop about how we're doing that. And one thing that we are doing is tomorrow we are meeting with a group of stakeholders, I call them, going forward and we hope to meet with them at least quarterly. This will be the second time we've met with them and we're inviting them into this rework – complete rework of the permitting system, both the software as well as the permit timelines and meeting way faster permit timeline than we've had in the last few years – so in the last decade or so. So that's really exciting and we're looking forward to that.

Let's go to the next slide. So I just wanted – this was taken this morning at 7:15 a.m. This is Stanwood. I've got relatives over there so they're always telling me, Hey, what about this? What about that? And this is the LGI subdivision. It's moving along rapidly. They finished a subdivision in Mount Vernon and moved on. I think this one will be – have greater density than what Mount Vernon had and it's – they're also doing apartments. I just didn't focus on that. And then you'll see the new high school there and on the highway out of town, on the way to Conway there's Snohomish County Agriculture, a new vineyard, in 2021. So they're celebrating the land as it goes to a vineyard down there and as ag changes as our region changes.

So let's go to the next one. The big news – and, by the way, I do want to say I did go by a nearby Urban Village yesterday but the sun was in such – was such that I couldn't really get a good picture of it because the sun was right at me at 7:30 at night. But it's fun to see the Urban Village near, on the other side of this Amazon facility. It's starting to make headway as well. I also wanted to show you just the vastness of the growth in this area. This is on 172nd. This is the kind of growth you'll see in that area. So this is a regional job hub and so that's one thing that's going on. The other thing is just the large number of new housing units that are going to go in there. But all this is in very close proximity to both I-5 and to Skagit County. It isn't that far away as you travel up and down I-5. That's my only point there.

Let's go to the next one. So the local land supply, local activity – I gave this to the Commissioners. That one on the left is – that's the last house, I believe, for sale. There may be one more around the corner. But they're selling out really fast. And Mount Vernon just isn't building a lot of housing, right? And this is one of the toughest things for our County Commissioners because it puts rural lands and agricultural lands under more pressure if we're not building housing in the cities where they can. This is Pump House Drive. This is a Larry Calvin Sage Homes type of – it's strictly homes that are going to go for about \$1500 a month. That's their price point. And I could have easily taken Grafton Park Apartments but I was in a rush. There's another interesting one that's mixed use and I can't wait to look at that up close. But on a mixed use they're spending a lot of time and work detailing that first floor to have commercial uses and other kinds of uses that would go on, and then the homes stack above it. But this one, Pump House Drive from Sage Homes, and they're planning another one in that town this next – I think it'll come up in the next month or two.

Let's go to the next slide. So there's continued interest in housing. I believe there's a July 21st housing conference that you can go online. I think it's down in Bellevue. They've had this before. Usually there's both private and public sector folks go to these, attend these. Last year it was just online. This year it's a mix. You can go either. We're also working with the Cities on the strategy right now. One strategy that might come back, it might be the fairground strategy that could happen again. There's discussion about that. Fully contained communities, which obviously will be before you and we'll get into, is one possibility. Low- to moderate-income housing strategies – the State, as I mentioned in previous updates, has – they're going to be continuing to pass legislation to effect that and, I think, also provide the money for that as well, and/or the feds will. And then also monitoring rural housing and infill – that's going on. So part of what the Ag Board always likes me to tell them is, Hey, what's going on out in the rural areas? So I'm hoping that we will get back to our updated reporting at some point this year, and we may get there sooner, I hope, now that we're catching up. I will ask the permit folks to go back and look at the last 24 months of housing and where it occurred. So just so we have a better sense in the rural area: What have we just absorbed? And we have 200 permits coming in right now. Where are those going, and where did we absorb the last 200 permits as well?

So really I'm looking for 400 data points and where they all went, and I hope to report that back to you.

And then I think that might be the last one here. Nope, there's – this is yours, right, Peter?

Mr. Gill: Yeah, I'll take this if that's okay. I just wanted to let everyone know the next meeting is the 27th of July. I hope you can join us, or hope some of you are on vacation. We plan on covering the Shoreline Master Program comments and some of the feedback and responses to those comments from the Department. So that's what's teed up for the next meeting. And that next meeting is scheduled to be in person, so bye-bye remote meetings, at least for those that want to be done with those. The Board of County Commissioners had their first hybrid meeting last week and we met with our IS folks to set that up, so we should be good to go by the 27th to meet in person. So if you remember where that is – it's at the Planning Commissioners' hearing room, 1800 Continental Place, Mount Vernon. And if you are not comfortable or cannot make it in person there is going to be an option to access the meeting through actually Zoom now, because that works better with the TV station and people are more familiar with that option. So it's pretty exciting to get back in person. I've got a lot more meetings virtually than I do in person so it might be a little shaky at first but we'll make it work.

And the last thing that I wanted to throw out there is that I did meet with the Parks and Recreation Board about their docketed amendment to update the Comp Plan with the 2020 Parks and Rec Plan. And we discussed some of the issues on consistency within the zones and with the definitions, and so they will be bringing that forward at the next work session on the docket.

Mr. Hart: Peter, check your email now, please. Can you? Do you see something on top there?

Mr. Gill: Let's see – yes.

Mr. Hart: All right.

Mr. Gill: Let's see – is this the rail? Okay.

Mr. Hart: Yep, there you go. All right. Very good. So for some time now – this is an update and I do want to throw it out there because we'll need your ideas on this. For some time now, Microsoft,

the State of Washington, the State of Oregon, and the Province of B.C. have been collaborating on a potential high-speed rail. We haven't had anything like this, you know, since I-5 itself probably, of the amount of money they're going to spend. We were visited by Joe Tovar and Rick Krochalis. They are consultants. They're doing research, and the primary question that they're visiting all counties and cities along the I-5 corridor from Portland to British Columbia and they're asking, Hey, what would an outreach program to the public look like in our community? So they'll go to Mount Vernon. They will for certain go to the regional council of governments and ask them. But they came and visited and asked us as well. And so we'll work with the Commissioners but we would love to work with you as well and get your thoughts, your ideas about, Hey, something like this happens once in a generation. How do we engage the community on this – a project of this nature? So there's a ton of questions. There's a cascading series of questions, I'm sure, but I think really, it's, How do you engage equitably everybody up and down the I-5 corridor, right? So it's a big question. And they're just starting – you know, they're scratching the surface of that question and this was their first step. That's it.

Chair Raschko: Okay, thank you. I believe Commissioner Mitchell has a question for staff.

Commissioner Mitchell: Yes, thank you. So, Peter, you said that we were going to have our first live meeting, which is great, and they're going to be switching to Zoom. When we had been doing the bylaws before, we had put in there to allow people to be able to access remotely – you know, Planning Commission members as well. I would assume that would also work for staff if you guys are having to travel. So does that mean from here on out we will have hybrid meetings/capabilities from here on out?

Mr. Gill: Well, that is actually a requirement right now of the State Public Meetings Act. But I believe if it's successful and it works well and people use it, I believe, yeah, it will be a permanent type of fixture.

Commissioner Mitchell: Super. Thank you.

Chair Raschko: Any other questions or comments for staff?

(silence)

Chair Raschko: Okay, well, thank you very much, Hal and Peter. We will now turn to our Commissioner Comments and Announcements. So we'll start with Commissioner Woodmansee. Have you any announcements?

Commissioner Woodmansee: Nope, I'm done. I'm good.

Chair Raschko: How about Commissioner Shea?

Commissioner Shea: Nothing from me, thanks.

Chair Raschko: Commissioner Rose.

Commissioner Rose: I don't have any announcements.

Chair Raschko: How about Commissioner Mitchell?

Commissioner Mitchell: No, thank you.

Chair Raschko: Okay. Commissioner Hughes?

Commissioner Hughes: I have nothing.

Chair Raschko: Commissioner Henley?

Commissioner Henley: No, I have nothing at this time.

Chair Raschko: Okay. Well, thank everybody for all the good work, good questions tonight, and I look forward to meeting everybody next month. That will be great. So the meeting is hereby adjourned, and have a good night. Thank you.