

**Skagit County Planning Commission  
Election of Officers  
2014 Work Program  
2016 Comprehensive Plan Update  
Shoreline Master Program: How to Read the Plan  
January 7, 2014**

**Commissioners:**     **Annie Lohman, Chair  
Josh Axthelm, Vice Chair  
Tammy Candler  
Jason Easton  
Dave Hughes  
Robert Temples  
Kevin Meenaghan  
Keith Greenwood  
Matt Mahaffie**

**Staff:**                 **Dale Pernula, Planning Director  
Kirk Johnson, Senior Planner  
Ryan Walters, Civil Deputy Attorney  
Betsy Stevenson, Senior Planner**

**Commenters:**         **Carol Ehlers**

Chair Annie Lohman: ... Skagit County Planning Commission. It is January 7, 2014. And I'll wait a moment for Commissioner Hughes. I'd like to introduce our new Planning Commission member, Tammy Candler, representing District 3. If you'd like to give us a few words about yourself.

Tammy Candler: Sure. Thank you. As you stated, my name is Tammy Candler and I was born in Sedro-Woolley. I lived in Sedro-Woolley, was educated through Sedro-Woolley High School and I then went to college in Seattle at University of Washington and then I went to law school, and then I lived outside the area for a while. I moved out of the state. I moved back after a couple years. I love it here. And I live in Sedro-Woolley – have a house/home there out north of Sedro-Woolley in unincorporated Skagit County. And I'm happy to be here.

Jason Easton: Welcome.

Chair Lohman: I'd like to publicly acknowledge Elinor Nakis for her fine service, and we're going to miss her.

So, moving on, if you could review the agenda and if there is any additions or changes. Seeing none, we'll move on to Public Remarks. This is an opportunity for the public members that are present to address the Commission. Come on up.

Mr. Easton: Annie, can I suggest that we have them speak from there today just so that we can all not have our backs to them?

Chair Lohman: Sure. Carol, do you mind? You can come over here. And, Josh, would you be the timer?

Mr. Easton: It'd just be easier \_\_\_\_ our backs \_\_. Thank you.

Chair Lohman: Josh is the official timer.

Carol Ehlers: I have two issues. The first is that the Shoreline Management document will be lengthy when it comes and Windows XP goes off of line and not protected anymore after the first week in April. So many of us who have XP are going to be spending the next couple of months buying and getting used to a new computer, a new program and everything else that goes along with it. You know me well enough to know what I think of that. So I have a request that as in the distant past when there was a thick document that would cause people a lot of time to download from a document, that the County e-mail this document to Office Depot so that those of us who want to pay for a copy and need one can go there and buy it. This has been done recently with other things that people have sent me. It works well. It puts the cost on the person picking it up instead of the County, which, of course, is very important to Skagit County Budget Director, and I think it would improve communications. So I request that be done. And any questions?

(silence)

Ms. Ehlers: Oh, yes, my second point: After all the effort last year to improve public participation, when the County got more public participation than it wanted to and it didn't go in exactly the direction the County thought it should go, I watched a County Commissioner throw up hands in horror and leave the sandbox and say nothing would be changed. 10 days' notice is not enough time for anything – not for the Bayview PUD or whatever you propose to do, nor for the Shoreline, nor anything else. Since you don't really want to *hear* the public for more than a couple of minutes and we have to write lengthy explanations in order to justify the positions we're taking, we need more time. And so I request that the Planning Commission do what it did last year and ask the Commissioners to have at least a 21-day notice for things. It's already gone through a hearing and everyone agreed, nobody opposed it, so it should not be anything but an administrative issue, as far as I can tell. Thank you.

Chair Lohman: Anybody else?

(silence)

Chair Lohman: Okay, seeing none we'll move on to the third item on our agenda which is the Election of Officers. Our Skagit County Code Title 14 requires that the Planning Commission hold elections for the Chairman and the Vice Chairman at its first regular meeting of the year, so here we are. So are there any nominations for the Chairmanship?

Mr. Easton: I nominate Annie Lohman.

Chair Lohman: Are there any other nominations for the Chairmanship?

(silence)

Chair Lohman: Seeing none, I'll close the nominations and I'm going to pass it over to the current Vice Chairman for the election.

Mr. Easton: So do you want to do it?

Chair Lohman: Sure.

Josh Axthelm: So all those in favor of Annie Lohman as Chairman of the Planning Commission?

Mr. Easton, Dave Hughes, Mr. Axthelm, Chair Lohman, Ms. Candler, Robert Temples, Kevin Meenaghan, Keith Greenwood and Matt Mahaffie: Aye.

Mr. Axthelm: All those opposed?

(silence)

Mr. Axthelm: Seeing none, Annie Lohman is the Chairman.

Chair Lohman: Thank you very much.

Mr. Axthelm: So now you can have it back.

Chair Lohman: Okay, moving on: Are there any nominations for the Vice Chairman? I'd like to nominate Jason – I mean Josh!

Mr. Axthelm: Okay.

Mr. Easton: Okay.

Chair Lohman: I was looking at Jason and nominating Josh.

Mr. Easton: That's all right. I was going to decline and nominate Josh myself!

Mr. Meenaghan: Worked out perfect.

Chair Lohman: Are there any other nominations?

(silence)

Chair Lohman: No more nominations? So seeing none, so all those in favor of Josh being the Vice Chair, say "aye."

Mr. Easton, Mr. Meenaghan, Mr. Greenwood, Ms. Candler, Chair Lohman, Mr. Axthelm, Mr. Hughes, Mr. Temples and Mr. Mahaffie: Aye.

Chair Lohman: All those opposed, say "nay."

(silence)

Chair Lohman: Okay, we have a new Vice Chair. Okay, moving on to the 2014 Work Program, I'll turn it over to Dale.

Dale Pernula: Okay, I provided in your packet a number of items in here, the first thing being basically a list of eighteen potential projects to work on over this next year. As you can see, we're either working on or obligated to work on quite a few of those, the first seven I have kind of separated at the top. And I'll go over those in a second. The next eight, number 8 through 18, are other projects that perhaps should also be considered for inclusion in this next year's work program. My recollection is last year when I brought this up to the Planning Commission the Planning Commission pretty much said they would like to see the Rural Forestry Initiative as one of the projects, and we're going to do our best to work on it this year. It wasn't on last year's program but it was something that the Planning Commission wanted to get some work done on.

So let me go over the first few of these real quickly.

- The 2013 Comprehensive Plan Amendments: Those are amendments that are put forward either by the Board or by other governments or by individuals applying for changes. The first one is the Anacortes UGA amendment. We rolled it over from last year to this year, so we've got to take some action on it. I did get a request from Anacortes to terminate that submittal so we just don't have to docket it.
- The next one is Bayview Ridge. It may be totally done. You just adopted a new Subarea Plan and you've also reviewed the planned unit development and the development standards. That could be adopted. It could be just as simple as adopting the regulations. Or, if you want to amend the Plan, we could consider that as well.

We only had three applications. One is the City of Sedro-Woolley. They have some amendments to their UGA boundaries that they want to have considered. The second is regarding some property at Highway 20 in La Conner-Whitney Road, and the third is a parcel of land upriver a ways where it's proposed to change it from Industrial Forest to Secondary Forest.

- Shoreline Master Program: Betsy will be talking a little bit about that, but I think the first part of this year we're going to be spending a lot of time on the Shoreline Master Program.
- Industrial Lands Survey: This is something that has been undertaken through the SCOG and a number of the local communities are looking at it to see what kind of industrial demand and locations we have for industrial lands, and it's going to be closely tied in with our Comprehensive Plan Update, which brings us to item number 4, and in a few minutes we're going to go into some details about the Comprehensive Plan Update and what's involved. It's due to be adopted by June of 2016, but because it is a very big project we wanted to get started right away this year working on the 2016 Update.

- TDR: Much of last year was spent on the TDR project, and one of the elements is coming to the end and some decisions on whether or not it goes forward will be made in the very near future by the Board.
- Bayview Ridge Subarea Plan Implementation: I already mentioned that a little bit. We may be looking at some changes there.
- Capital Facilities Plan Annual Update: Last year we did it, but we did it in such a manner – we put a structure to it so that we can keep it updated annually. It'll be a lot less of an effort but it'll be done annually instead of every two or more years in the future.

Okay, now moving on the list. Those are items that are either well under way or programs have to be done in the near future.

- Some of the other items that we can consider are the Rural Forestry Initiative; Annual Code Amendments – now the Annual Code Amendments are just minor code amendments that we notice as staff that can be made. It's been deferred for a few years so they're starting to accumulate and we need to get back there if we can. One of those is – on a slightly larger scale – is dealing with wireless communication facilities. There are some federal requirements or federal limitations on what we can do in regulating wireless facilities, so we need to at some time make some changes to our codes to implement those – to fix those incongruities.
- NPDES/Low Impact Development: This is another requirement that has to be adopted by 2016. We actually have an ordinance prepared but we have not been pushing it heavily yet, but it does have to be adopted by 2016. It will change a lot of things – the way that we do stormwater regulations. The Stormwater Manual currently – it's a little bit vague on what's required. There are two different manuals, a 2005 manual and a 2012 manual. We would like to adopt the 2012 manual, perhaps with some amendments.
- FEMA BiOp Compliance Work: That's something that's very specialized and I think we could talk about that at some future date, but that's also something that we have to do.
- Implement the Guemes Island Subarea Plan: Some of their most important Plan elements that they would like to see implemented are included in the Shoreline Master Program, but there's a lot of other things in there that they would like to see implemented as well. But we're trying to fix some of the things that they'd like to see with the Shoreline Program.

Mr. Easton: Who's the "they" in that sentence?

Mr. Pernula: "They" would be the Guemes Island – it's the planning organization. I can't remember their – Advisory Committee.

Mr. Easton: Oh, okay.

Mr. Pernula:

- Hazard Mitigation Project: Now this is something that is done periodically. It's done among all the local jurisdictions, dealing with earthquakes, tsunamis and hazard preservation and hazard planning. At some point we're going to have to work with those other entities and update it.
- Review of CaRD Standards: This is something that has been talked about for a while. What exactly is involved when you're supposed to be clustering the lots and so on? What does it mean? We need to redefine some of those things. But it's just one of the many projects that we need to look at.
- The other – and one last one on this list is looking at Accessory Uses in Agricultural Lands. Some of those are also a little bit vague on what can and can't be done.

Anyway, these are some of the things that we have – had listed last year and this year, and if you have anything else you would like to have added to this and prioritized, we can talk about that and I can take it to the Board.

In addition, I also sent you last year's –

Chair Lohman: Excuse me, Dale. I think you skipped South Fidalgo.

Mr. Pernula: South Fidalgo – I'm sorry. I did jump over that one. You're right. That is another – that's a plan that hasn't been prepared yet, but there's been a lot of interest in it. There was a –

(several members speaking at the same time)

Mr. Easton: That is a very – that's an excellent sentence to describe many years' worth of work. Yes, that's good.

Mr. Pernula: But it would have to be restarted and –

Mr. Easton: Yeah. No, I thought you phrased that – that was perfect. I have a couple questions before we move on.

Mr. Pernula: Okay.

Mr. Easton: Madame Chair, is that all right?

Chair Lohman: Go ahead.

Mr. Easton: The three applications, those haven't been docketed, right? So they may not actually come to us. I'm talking about the actual three Comp Plan Amendment applications.

Mr. Pernula: You're absolutely right.

Mr. Easton: So we may not actually see those because the Commissioners make a decision about those first before they actually come to us.

Mr. Pernula: That's correct. That's right.

Mr. Easton: Okay.

Mr. Pernula: But those are the ones that we have applications for right now.

Mr. Easton: In a sentence or two, can you touch on the Highway 20-La Conner-Whitney? What's the –

Mr. Pernula: Kirk, could you explain that a little bit better? You probably know \_\_\_\_\_.

Mr. Easton: What's the headline on that one?

Kirk Johnson: Minor map amendment consideration, so there's the Texaco there on the corner of Shell. There's a parcel to the east of it – a little triangular parcel. It's Rural Reserve, doesn't have anything on it. The landowner would like it put into some kind of commercial designation. It's not ag land. There's some thinking – we have some thinking that makes some sense, but finding a fit – since there's nothing on it, Rural Business doesn't really fit because that only allows continuing or expanding what's there.

Mr. Easton: And the two that want that and then across the street was all basically grandfathered in during GMA.

Mr. Johnson: Yeah. Yeah.

Mr. Easton: Okay, thanks. The other question I had is: You haven't taken this to the Commissioners yet, or they haven't given you what their perspective is on these yet?

Mr. Pernula: Have not.

Mr. Easton: Okay. I would like to say before you move past this list that a couple items that are further down – and I recognize that in the memo you said that 8 through 18 is not in any particular order. I'm particularly concerned about how many times the issue of CaRDs comes up, but we've really never circled back for at least the seven years that I've been on it to deal with anything in relationship to CaRD. And so at least this Commissioner wants to make the point of saying I think that needs to be – I would like you to present to the Commissioners that at least one of us believes that needs to be a priority. I don't think it's a long project, but that's just my perspective.

And then the second question is about number 18. Is that referring to some of the issues we ran into about Rural Business – how like some of the things we were trying to deal with over the last few years kind of connect to what can be sold, the retail side of what can be done in conjunction with ag? Is that sort of where that would be dealt with?

Mr. Pernula: Yes, and I also think under what conditions – how close of a tie does it have to be to the agricultural use in the area or on the same property?

Mr. Easton: Right.

Mr. Pernula: There's a lot of associated issues that, from what I can tell, have been popping up over the years.

Mr. Easton: So there's a really highly visible – I think – example of this that sort of sprung up lately on Higgins and 20. Viva – is it Viva Farms?

Chair Lohman: Mm-hmm, Viva Farms.

Mr. Easton: And that's the type of issues that we're talking about – the need to be – are we lacking – when you say we lack detail, is that part of why things like that can occur? Because we haven't given much structure to this issue?

Mr. Pernula: That might be. I'm not familiar with that use.

Chair Lohman: Or are you talking events, like having weddings and those sort of things?

Mr. Pernula: Weddings is certainly one of those, yes. But that's also – yes, both. It could be both of those.

Mr. Easton: So retail events and potentially B & Bs, some of these kinds of issues that – okay.

Mr. Pernula: And there's two sides of it, you know?

Mr. Easton: Sure. Oh, definitely.

Mr. Pernula: You don't want it to affect agriculture, but you also want to have the property owner, the farmer to have whatever accessory use it is to help him maintain his operation.

Mr. Easton: There are very few opportunities in the seven-plus years I've served on this Commission where we could impact things that might actually impact the economy. Just because of the way in which our Commission's structured we don't make – some of the decisions that are made by the Commissioners and some of the decisions that are made by the Hearing Examiner that have more of a direct effect on the economy. This one intrigues me because there is – without making a statement – because obviously I can't speak to what plan we would have because we don't have one yet – this *does* touch on an issue that is near and dear to me, which is the opportunity to do better as a community potentially from an economic point of view, and so I think this is something that should be considered for moving up on the priority side. I don't want it to – and I definitely don't want it to be a Wild West sort of feel where people are just making – either at the counter or at the farm – making decisions because – that benefit from the lack of it being structured and if it's too vague. I think there needs to be some structure put on this potentially – at least some discussion about it. I just wanted to speak for both of those and then ask that question. Thanks. That's all I've got.

Mr. Mahaffie: A couple questions for you: Rural Forestry Initiative? How much work do you think is actually involved in that? It doesn't seem that complicated to me. It seems



like DNR might have done most of the science side of it. Or is that not a question for here right now?

Mr. Pernula: I don't know that technically rewriting an ordinance will be that long and involved, but dealing with all the potential parties and negotiating something that's satisfactory to everyone could take some time. It could be real quick or it could be protracted over a long period of time.

Mr. Easton: We've got a ringer. We've got Keith!

Chair Lohman: So to dovetail both of those guys, the Forestry in issue 1 and the number 18, the Ag Accessory Uses: I assume you're going to be using your advisory committees for that to do \_\_\_\_\_?

Mr. Pernula: If those are on the work program, yes.

Chair Lohman: Matt?

Mr. Mahaffie: I just wanted to kind of point out that a lot of these are potentially related. To echo Jason, the CaRD standards – that's come up quite a bit. But the Rural Forest Initiative could really tie into that, as could the TDRs. Just a thought as you're shuffling money around with grants and such that maybe some of this could get done together.

Mr. Pernula: I see your point.

Mr. Axthelm: And number 11, Low Impact Development. It's required by 2016. Who's requiring that? Where is that required?

Ryan Walters: Yeah, that's required by the Department of Ecology, but through the federal Clean Water Act.

Mr. Axthelm: So it's required. It's not something we have an option to do. We *have* to do it by 2016.

Mr. Walters: Right. As part of our NPDES permit – our Western Washington Phase II NPDES permit – we're required to implement the 2012 Ecology manual within the permit area, and part of that manual is implementing all these LID standards where feasible. So we need to have code that supports that. We actually have a bunch of code drafted but it's not high on the priority list because it's still a couple years out.

Mr. Easton: Madame Chair? Our new Commission member reminds me of a rule that we sort of try to restate annually. A good reminder to all of the members and to staff that we don't all speak acronym, so when possible we might – for Tammy's sake! Even for some of us who've been here for a while. He only used three in that sentence, so I'll go easy on him.

Mr. Walters: Which ones were they? NPDES is the National Pollution Discharge Elimination System. It's the permit that we get from the state to be allowed to use ditches.

Mr. Easton: Good, good! That's good!

Mr. Walters: And it's required by the federal Clean Water Act. It's a rather complicated regulatory structure that gets us there.

Mr. Easton: And you mean by "ditches" you mean stormwater, not irrigation?

Mr. Walters: Right, right – our roadside ditches that convey stormwater to waters of the state. They're regulated by our NPDES permit. The County has an NPDES permit to be able to discharge water, and individual construction operations sometimes get their own. Our permit covers a specific area of the county. It's the Mount Vernon urbanized area, and we had a long discussion about that maybe a couple years ago when we did the first round of NPDES permit code updates. But that boundary will probably change by the time we get to do this next one. Bayview Ridge is the primary area of unincorporated Skagit County that the NPDES permit affects. \_\_\_\_\_ heightened standards that we must enforce in order to comply with the federal clean Water Act and our Ecology-issued permit.

What were the other acronyms I used?

Mr. Easton: You said "LID."

Mr. Walters: "LID" is the low impact development standards and that's related to absorption of stormwater into the ground versus letting it flow – sheet flow or other flow across the ground into the \_\_\_\_\_. It's reducing the impact on the stormwater system. There's a number of techniques and a 300-page manual on how to implement rain gardens and pervious pavement and all that kind of stuff.

Mr. Axthelm: The thing I want to make sure is just in the situation like the general public, they can object to some of these items in these plans. They don't have to accept the plans at face value.

Mr. Walters: Which plans?

Mr. Axthelm: I mean, like these –

Mr. Easton: The two that are required?

Mr. Axthelm: The low impact development requirements. They don't have to accept everything. We can – like you said, it was "when feasible."

Mr. Walters: Yes. So there are permit requirements that the County has to implement one way or another. So that's something that *is* mandatory. And then there will be a level of discretion above and around that. So when we get to that I think, you know, we can try to make some strong effort to identify what specifically is required and where your areas of discretion are and what makes sense for Skagit County.

Mr. Axthelm: Yeah. I'm in construction and one of the things I came across with the low impact development, for example, was a building for farm equipment on farmland. It had a significant buffer setback. Through this low impact development they kept it about 50 feet away from the farmland, but yet they could use the farmland up to the building. But because of this requirement we had to make that land unusable. So it didn't make

sense – that’s what I’m getting at – it didn’t make sense and I think – I’m just speaking generally but in both – in this thing and then also with the accessories and agricultural lands, there’s items in there that really don’t make sense for Skagit County. Or, for instance, like in agricultural lands, land that is pastureland, it can be used for other uses and the farmer should be able to use it for other uses. It doesn’t impact the land in any way because it’s just used for hay. Once you cut the hay, the land’s open.

Mr. Easton: So, Josh, is what you’re getting at is that \_\_\_ are listed as updates that are required by state or federal law –

Mr. Axthelm: Yeah.

Mr. Easton: – that doesn’t mean the contents are required.

Mr. Axthelm: Exactly.

Mr. Easton: Although we have experienced with our work sessions on the Shoreline that different types of these – these types of plans as they come, come with different levels of what’s required to maintain – I mean, what has to be still maintained in there. But there is opportunity for local control. I mean, I was – Dave and I were here for the last Comp Plan Update – and then that’s another one that’s listed as required in 2016 – and there were a lot of places where we put local – what would locally not work in Skagit – I mean, wouldn’t work in Island and Whatcom County that was specific to Skagit that was suggested by the Commission and then eventually passed by the Commissioners.

Mr. Walters: We will have several real requirements. I mean, we *have* to do a Shoreline Plan Update. We’ll *have* to amend our code to enable low impact development and require it in some cases. But generally the agencies say, This is the goal that you must achieve, and it’s our job to figure out how to get there. Sometimes you can take a straight, really forceful regulatory approach; sometimes you can take an incentive-based approach. We will have to identify exactly what we’re talking about and exactly what the requirements are, and we can work through that with you. But, yeah, they are not handing us an ordinance and saying, Adopt it. I mean, it’s not *that* level of detail.

Mr. Axthelm: Okay. Thank you.

Mr. Easton: I have one more – one more question.

Chair Lohman: Go ahead.

Mr. Easton: I appreciate the – I really appreciate the fact that you put the 2016 Update on the 2014 potential work plan. I’m hopeful the Commissioners see the wisdom in starting early. We were, depending on whose calendar you count, two to three years late on our last one. And there’s been a longer period on this one in between them because the legislature gave some relief to counties and cities because of the economic conditions in the past. But getting ahead of this one is really important. As an example, my first day on the Commission in August seven years ago we were in the middle of the Comp Plan Update. I was given – Betsy saw it, I think – I was given a box of 40,000 pages of documents from the public testimony through to all the staff reports, and we were only about half-way through the process when I came onboard. And so hopefully no one comes off the Commission and comes on the Commission during the Comp Plan

Update because it's a bit of a painful start! But that's the kind of – that's how big that project – just a little reminder to everybody. I know Dave remembers and I know Carol's in the room, but it's a *very* big project. It is the most meetings you'll attend, it's the biggest project, and there's probably no way you can get more people to testify and hand in their written correspondence. That's not an exaggeration. They actually counted the pages before they gave me the box. So it's really important the Commissioners, I think, start dedicating some staff time towards just the preparation for that project in the future.

Mr. Pernula: Okay, we will focus in on that in just a few minutes. That's the next item on the agenda, the Comprehensive Plan Update for 2016. But let me – I'll just point out that one of the things that we've decided on is that we think that we have a very good Comprehensive Plan right now, but it does need the periodic update – looking at population projections, changed situations, changed codes and so on – but we're not going to go through and rebuild the wheel – reinvent the wheel, as one of the Commissioners said. We're going to focus in on those items that need to be changed and take it to the Commission over the years so that we can get it done before 2016.

Mr. Easton: Maybe that puts us closer to 10,000 pages as opposed to 40.

Mr. Pernula: Probably.

Mr. Easton: That'll be – that'd be encouraging.

Chair Lohman: But, Dale, correct me if I'm wrong: The bottom part of the list, starting from number 8 through 18, is not in any numerical order. It was just – it's just numbered.

Mr. Pernula: It's not. It's just numbered. It's not in any specific order. And I'm getting a little bit of an idea of where at least some of the Planning Commission members think the priorities may be, and that would be the Rural Forestry Initiative, the Ag Accessory Uses, and the CaRDs. Those seem to be three of those that have been honed in on.

Chair Lohman: Well, and some things may be very quickly to deal with.

Mr. Pernula: Could be.

Chair Lohman: I mean, so – okay, Dale?

Mr. Pernula: Okay. I provided some other materials:

- last year's legislative work program, which included the 2012 Comprehensive Plan Amendments, which were done;
- the Shoreline Master Program Update, which shows that we're expected to adopt it in 2014, and we've done substantial amounts of work on it;
- the Capital Facilities Plan. That was done. We're proposing to do it again this year; and
- the Bayview Ridge PUD ordinance and design guidelines. We adopted a new Subarea Plan and we have the PUD regulations ready to go. So that's pretty much done.

I have also attached a more thorough review of some of the projects that were on a larger list. So if you have anything else that you would like to have considered for the list by the Board, let me know.

Mr. Easton: Just one item for clarification about Bayview's PUD: just a reminder that – I don't see this in any of the language that's in the – from staff, but – and I'm not sure if you were at the meeting where we made this as a statement – but one of our Findings during the deliberations on the Subarea Plan was that before the PUD is presented at a public hearing that the Commission requested that it be presented to us in a work session with an opportunity – so the way you're speaking about the PUD ordinance and the way I'm feeling about it don't seem to really – you sound like it's a little further along than what we've – than where I think we're at. So maybe I'm confused about something.

Chair Lohman: Go ahead.

Mr. Pernula: I don't think you're confused at all. There's two different issues. One is if you're satisfied with the Subarea Plan just the way it is and you're satisfied with the PUD ordinance, we can adopt it. If you want to amend the Subarea Plan, we will have to docket it and go in and change the Subarea Plan.

Mr. Easton: Agreed.

Mr. Pernula: But you don't have to docket the PUD ordinance either to adopt it as it is or with amendments.

(several members talking at the same time)

Mr. Easton: The PUD ordinance never had a public hearing.

Mr. Pernula: Oh! You would have to hold a public hearing.

Mr. Easton: I just want to clarify that.

Mr. Pernula: That's correct.

Mr. Easton: You said we could adopt it. At this point we haven't – it's never been put out. I mean, it may be a publicly-available document on the website, but it's never been noticed as a – it hasn't been noticed and it hasn't been processed that way, right?

Mr. Pernula: Sure.

Mr. Easton: Okay.

Mr. Pernula: We've had many, many workshops and we've drafted it and ready to go – it's ready for public hearings. That's really the way I should have said it.

Mr. Easton: And so, but prior to the public hearing, based on our – with what I think is a reasonable request that we made unanimously – requesting that the PUD ordinance be considered for a work session.

Mr. Pernula: Okay.

Chair Lohman: But recall too, Jason, we identified that there were things that were dated, like ten years or more out of date in the underlying Subarea Plan.

Mr. Pernula: I think we corrected all those.

Mr. Walters: So those – as you recall, you made these statements and those items went into your Planning Commission recorded motion and that went to the Board. The Board accepted all of your recommended changes except for that one, I think, and obviously the other one that you're mentioning about the PUD ordinance because they weren't dealing with the PUD ordinance at that time so there wasn't really anything to accept. And then the Board adopted the Subarea Plan with all the staff changes plus your recommended changes except the one about the 10-year thing.

Chair Lohman: The populations.

Mr. Walters: Yeah.

Chair Lohman: It was the City \_\_\_\_.

Mr. Easton: So they voted to not take a recommendation about the updating of the population?

Mr. Walters: Right. Well, I don't think it was about the population.

Chair Lohman: The problem with the timing – it was a timing issue –

Mr. Walters: Right.

Chair Lohman: – because they're working on it right now.

Mr. Walters: Your recommendation was to go back to the Cities and get their input –

Mr. Easton: Oh, and they wanted to wait.

Mr. Walters: – and come back, and they just wanted to move – because it was historical data anyway – they just wanted to move forward.

Mr. Easton: Oh, okay.

Mr. Walters: So they did that and then – they *are* aware of your recommendation – because it was in your recorded motion – to hold a work session, or whatever it is you said about the PUD ordinance before moving forward with the PUD ordinance. And I think as Dale characterized it, that's what the Board has most recently said about the PUD ordinance. From well before when they did the Subarea Plan, they said just bring us the PUD ordinance after you finish the Subarea Plan. We haven't done that yet. They haven't asked for it.

Mr. Easton: So between our November meetings when that was decided and today, one of the biggest issues with the PUD ordinance was why it was delayed. According to the

Planning Department and the Commissioners (it) was a desire for the School Board to make progress and/or a decision about the siting of potentially a school, or at least identifying a potential school site. Since then publicly the District has informed the County that they don't intend to make that decision in the near future, don't want it to slow down – my understanding of it – they don't want it to slow down the process on the PUD. They basically are saying, We don't want to be the reason you're not working on the PUD ordinance. Has that changed the timeline then of when we're going to deal with the PUD? Which is a planned unit development, by the way. It's basically the planning document that helps make a neighborhood out of an area that's right now zoning. It's sort of the difference – in layman's terms – the difference between zoning and a neighborhood plan, kind of.

Mr. Pernula: You know, I think I would like – I should forward a copy of the actual letter from the Burlington-Edison School District to you if this does come forward. There was a caveat in the letter at the end. It said, Even though we don't want to hold it up, we still have the same concerns about locating a school, and they also mentioned that impact fees alone would not provide enough revenue to build a school. So they have the same concerns. They just didn't want to be holding up the development up there.

Mr. Easton: Did the Commissioners respond to the letter?

Mr. Pernula: I don't know if they've responded to it.

Mr. Easton: If they did, could you include that with what you send us?

Mr. Pernula: Okay.

Mr. Easton: That would be helpful. Thank you. That's all I have.

Chair Lohman: But we are going to continue our practice of having work sessions, especially on the largest projects, going forward, like we are doing with this Shoreline Update. So there's a potential of having work sessions for several of these items here and kind of having it in the big, ugly stage.

Mr. Easton: Oh, yeah. The big, ugly stage is a complement to the 40,000 pages.

Chair Lohman: Well, it's better to be at the front than at the end. Go ahead.

Mr. Hughes: Would, you know, in your number 3 when you do your Industrial Lands Survey, would that potentially have an effect on what we would also do at Bayview Ridge since we did – we agreed so much commercial was put in reserve, a bunch more that's in limbo. Would this survey be done before – to me it makes sense to do the survey before we decide anymore on Bayview Ridge, as far as the rest of the ground that we haven't –

Mr. Pernula: That project is well under way. I'm not sure where it's at right today, but that whole project has been under way for some period of time, and I would assume if there's found to be a major demand beyond what we thought for additional industrial land, I would think that it *would* affect what happens at Bayview Ridge.

Mr. Easton: But even just the inventory alone – even if there’s not a need, having the inventory done so that we can see how those lands lay out around what potentially could be conflicts between residential and industrial would be really helpful. I mean, it’s a tool we don’t have and if we’re going to be trying to assess where to place neighborhoods next to Light or Heavy Industrial issues, I’m surely going to want to have a clear understanding of where – which side of the road those things are on.

Mr. Pernula: Sure.

Mr. Easton: That’s a SCOG project, right?

Mr. Pernula: It’s a SCOG project, yes.

Mr. Easton: That’s the Skagit Council of Governments.

Mr. Johnson: Really the entity taking the lead is the Port of Skagit and SCOG is participating, as is the County and several of the Cities.

Mr. Easton: It kind of makes sense since it so much affects with our future. Okay. Thank you.

Chair Lohman: But this isn’t going to be just Bayview Ridge-centric. It’s going to be countywide.

Mr. Johnson: So there’s definitely a nexus to the industrial lands inventory and the updated population and employment projections, which need to get translated into acreage needs for industrial development for the 2016 Update, which we’ll be talking about very shortly.

Chair Lohman: Okay, anything else on the potential list?

(silence)

Chair Lohman: Okay.

Mr. Pernula: I will forward these comments to the Board.

Mr. Easton: Thank you.

Chair Lohman: Okay, moving on to the Comprehensive Plan – the 2016 Comprehensive Plan Update.

Mr. Pernula: We’ve got a PowerPoint going on it. Just as a kind of a reminder, the state of Washington has set up a – has set up some dates for comprehensive plan updates and the ten Washington counties – in the northwest mostly – are scheduled to have their comprehensive plans updated by June of 2016, and every eight years thereafter they have to be updated as well.

As we’ve been talking about, it’s a very big project. Last time it was very big and very involved. We have a PowerPoint up on the board now. What needs to be reviewed and



potentially updated: the Comprehensive Plan; the development regulations; the critical areas ordinance; identification of the resource lands and urban growth areas.

What requires a change to the Comprehensive Plan or code? Statutory changes – changes in the state law; updated population and employment data; other changes in relevant facts and local conditions; and other changes at the jurisdiction's discretion.

Here's a preliminary schedule. Would you like to go over that real quick?

Chair Lohman: Yes, please.

Mr. Johnson: Sure. So right now we're in initial discussions through the Council of Governments with the Cities with the help of a consultant hired through SCOG looking at the population and employment projections and allocations. And the goal there is to have at least preliminary targets established among the jurisdictions by June of 2014. Because that's necessary for the Cities and the County to go back and do their planning and our planning to see if we can accommodate or match what those targets are. We're also aiming for having the Board approve the County Update scope of work by June of 2014 and that would involve the Department coming up – I mean, kind of similar to what we're doing here except at another level of detail – coming up with a list of what we feel – we're required to do statutory updates – and putting that out – well, actually bringing that to do for discussion. After discussion with you, putting it out for public review and comment, taking public comment on that, and then having the Board adopt what that scope of work is by June so that we know what our tasks are over the next two years.

And then we would spend several months developing the proposal, so any changed policies, regulations, the analysis that would support it and the documentation – staff reports, SEPA, threshold determination and documentation. And then we'd be looking to release the proposal by spring of 2015, which seems a long time from now. And throughout that kind of period June to March and actually now to then we would be working with the Planning Commission on issues as they come up.

So public review and comment, just at this point, is proposed from March to June of 2015; Planning Commission hearings and deliberations, June to September of 2015. It's not actually required to be adopted by – until June of 2016, so we have some time in there for the Board to take a little time with it or a lot of time with it to make sure that we reach the goal of June of 2016.

Mr. Pernula: Okay, some of the recommended process goals include – first of all, we would use the Planning Commission as the 2016 Update Advisory Committee. We wouldn't have a separate committee. You guys would comprise the committee.

We would keep the scope narrow. It's not going to broaden what's in the Plan. As I mentioned, we think we've got a good Plan now. We're going to look at what needs to be updated.

Focus only on what needs to be done.

Provide adequate time for public input. That's why a lot of those timelines that we showed on the last slide were quite extensive.

And we have another goal of trying to finish on time by having it adopted before June of 2016.

Mr. Johnson: So some of the major items for the Comprehensive Plan as opposed to the development regulations that go along with it, really *the* major focus will be updating the population and employment projections. The last time that that was done was 2003 and there's been a major shift in the state's population projections that occurred, I think, by 2011, kind of taking account of the recession and deciding that wasn't just a momentary blip but it maybe will shape the long-term development patterns here. So it's really important to take a close look at the population projections and also employment projections. And eventually those will be incorporated into the Countywide Planning Policies, and that would be done by the GMA Steering Committee, which is the three County Commissioners and the Mayors of Anacortes, Burlington, Mount Vernon and Sedro-Woolley. But we would plan as we are today, starting the initial process of bringing – you know, okay, this is the discussion that's happening at SCOG on population and employment – to you and getting your feedback and comments and input. And possibly some tweaks to the UGA modification criteria. I think after going through the process with the Anacortes UGA proposal, the Cities would like to see the process more streamlined; I think the County would like to see the Cities really do thorough planning work at their level before passing UGA proposals on to the County so that there might be some negotiations and discussion on that.

This is maybe a little hard to read because there're so many lines. And I think I can point to the screen with the cursor. I think that's about the best –

Mr. Easton: It's easier for us to see it in the packet so that's less work for you.

Mr. Johnson: Okay. So a couple important things to point out: So the previous population target for 2025, which was for the last Update – the 2005 Update – is – and then my cursor disappears – is the green line. So that's the target we were planning for the last time we went through this process. And then you'll see around 2008 the economy just kind of stopped. And the black line is the actual population growth rate, and then we have new projections from OFM, so the green line was halfway between the old OFM medium and low. So the red line is the new OFM medium projections, so you can see that's a pretty significant drop from what was previously a medium-low number that the County and the Cities had adopted. So that may change kind of the thinking on what the needs are in terms of UGA expansions, for instance, in the upcoming future.

The gold line is kind of interesting. It's the OFM low which projects or forecasts – whatever – a drop in population of about 8000 before we start heading up again, which really doesn't seem very realistic.

So, in a nutshell, the population projections from OFM are significantly down from the pre-recession levels that we were planning under. Many Cities – and this is mostly anecdotally, although Mount Vernon has done a very thorough job of looking at their capacity – many of the Cities are reporting more residential capacity within their own city limits and their urban growth boundaries than they thought they had ten years ago. For instance, Mount Vernon is saying that they can accommodate their population projections through 2025 within their city limits without even a need for development within their urban growth area. So unless the GMA Steering Committee chooses a

higher than medium growth forecast, residential UGA expansions are probably not going to be necessary for the next – you know, for this next phase of planning.

Where there has been a greater emphasis, at least among the planners from the different jurisdictions, has been on economic development than employment growth and a desire to see possibly more aggressive policies related to employment growth over time. That kind of ties into the industrial lands inventory. I think last spring there was a SCOG Board resolution – Skagit Council of Governments Board resolution – urging stronger regional economic development, and more aggressive employment growth projections could translate into additional acreage for urban industrial land needs.

So does that kind of make some sense just at that –

Mr. Easton: Could you just clarify that this *doesn't* include any changes – all the things we're looking at do not include any changes to or any accounting for Bayview, right, other than its existing, built – existing zoned environment? In relationship to – it does not include it as an area considered. When you said some of the Cities now – particularly Mount Vernon, and we've heard testimony from the Mayor of Woolley, Sedro-Woolley, that they are – like Mount Vernon have basically realized and done a better job of realizing how much they actually have in residential available, we're not accounting – in these numbers we're looking at – we're not accounting for additional population at Bayview in relationship to residential, right?

Mr. Johnson: What do you mean “not accounting for” it?

Mr. Easton: In the projections we didn't already include Bayview. There's no assumption that Bayview's a part of the projections.

Mr. Johnson: Well, not a part of the projections because those come from the state, but Bayview was a part of the solution for accommodating the green line population target. So it was needed to accommodate that target. Now we're looking at lower numbers.

Mr. Easton: So if I heard you right too, the current – currently if the reasoning behind the choice of the green line was that it was the moderate projection – the medium projection – from OFM at the time that this was done/last updated, right?

Mr. Johnson: It was actually a blend of the medium and low. The Cities said, Let's go with the low. The County said, That's unrealistic; we prefer the medium. And kind of the compromise solution was medium-low.

Mr. Easton: Just split the difference. So if that logic was followed now, then the line – the green line would actually fall in between the orange and the red.

Mr. Johnson: Yeah. I can kind of –

Mr. Easton: Makes you wonder whether Bayview's necessary.

Mr. Johnson: These are some of the same lines, so this is the new – the red is the new OFM medium. The green is the new OFM low, which has us, you know, losing like 8000 in population. If you take that same growth projection and start from the same starting

point in 2015 as the medium, that would give you a low – I mean, maybe a more realistic medium-low number.

Mr. Easton: Given what the Cities have said since they negotiated saying they wanted the low one and you wanted something closer to medium, it would sure seem like it's more reinforcement that they're going to – in negotiations – push for the low number again. At least Mount Vernon and Woolley will. You get a microphone or a reporter in front of Sedro-Woolley, I think we'll hear that repeatedly.

Mr. Johnson: Yeah, some of the Cities are arguing that pretty strongly – that they're kind of – think it's time to focus on the economic needs of the county and not simply accommodate more population growth. But at the same time they're saying, We have lots of capacity within our city limits. This is what their planners are saying. I mean, the elected officials, their councils, their mayors may say something entirely different when it goes to them, and they haven't had that discussion yet.

Mr. Meenaghan: Do you think that we could get the planners to come and talk to us – from each of those Cities – and tell us on behalf of their mayors what their population potential is?

Mr. Easton: Are you talking pre-Bayview?

Mr. Meenaghan: Yeah. I'm not talking about Bayview, but it'd be great to have that soon because that informs the PUD decision.

Chair Lohman: Yeah.

Mr. Johnson: Yeah. So I think they were talking about taking this information to their city councils in February and March, so if you want to know what their city council is thinking it might have to wait until after they've had those discussions.

Mr. Greenwood: Yeah, because I just think that there's three elements that – at least two that I can think of right now – that contribute to this discussion about Bayview and the PUD, is that there is a subarea plan already approved, there's an urban growth area already established, but we're pushing in an area, or being encouraged to look at the population growth potential in the urban areas, which was part of the Growth Management Act in the first place – was to concentrate those areas for the growth initially. And then the other is if you're encouraging economic development, perhaps that has an influence on some of the infrastructure that's there, whether it's further development – industrial, if that industrial includes further use of the rail system, that could have additional impacts on the compatibility issues and pertaining use of that land for residential. Because already we're seeing – with the increased traffic, for example, on the rail lines, that produces some problems for us, and if there's expansion from the Port and the airport, that has other impacts that maybe weren't there – I believe weren't there – when the first subarea plan was adopted. So we have a school issue, we've got an airport expansion issue, we've got rail line impacts, and so those kind of things can shape how much of a priority there is for the Bayview Ridge area for that accommodation of population.

Mr. Easton: That rail issue's not anecdotal. I mean, there's an actual 100-car train a day already present for Tesoro, and there's the proposed additional 100-car – potentially

100-car – per day for Shell if their plan's approved. Those things would be in place before any significant – before we get any much further down the road potentially with PUDs in relationship to Bayview.

Mr. Greenwood: And it's close enough to smell it to where we know it's there, so we can't ignore it.

Mr. Easton: No, it's there. You can see it. Drive by it today.

Mr. Johnson: So one thing I could say: When Dale and I talked about this with the County Commissioners they had kind of some harsh words for the Cities in terms of not feeling that the Cities were keeping up their end of the bargain in terms of annexing residential land within their urban growth areas and rather just focusing on the commercial lands. And they wanted to know how things have played out based on the decisions that were made in the 2005 Update to kind of know, you know, well, these are the decisions we made then. This is what's happened. So I want to give deference to kind of the comments we heard from them, which were maybe the Cities aren't doing the job they're supposed to be doing in accommodating population growth and so, you know, maybe the County *does* need to be a part of that picture.

Mr. Easton: So do we know if – if the whole goal is 80/20 – or some people believe 90/10, but at least the most repeated version of the goal is 80% of growth in cities and 20% growth in counties, in the rural county, do we know how we did as a scorecard from '05 till now? Were you able to answer that question to the Commissioners with any –

Mr. Pernula: I think Kirk has the answer to that.

Mr. Easton: – with any data?

Mr. Johnson: I thought I had an answer. I almost am afraid of being too candid here, but initially we thought we were under 80. Mark Personius did some analysis for us, and Commissioner Wesen saw a report from the Puget Sound Partnership and Department of Commerce that said that, based on census data, we were 83/17. And Josh Greenberg did some analysis that said, based on census data, yeah, we're somewhere between 81 and 83%, although if you look at permit data we're down below 80%. Now BERK, the consulting firm that's doing the analysis for population and employment, based – it's very hard because the census boundaries don't follow the UGA boundaries. So their analysis now shows that, in fact, based on census data for the last ten years, we're below 80%. So it doesn't seem like it ought to be that hard to figure out. I think we're just going to have to have Josh Greenberg take another look at the analysis that he did against the BERK analysis and just say this is a priority, because it's been an issue for the last ten or fifteen years. Are we hitting the 80 goal? Are we not hitting it? And I really don't like to one month say we are, the next month say we're not, and then come back and say, well, we truly are.

Chair Lohman: For clarification, Kirk, could you inform the public of who Josh Greenberg is?

Mr. Johnson: Oh, yeah. He's an analyst with Skagit GIS so he has access to maps and boundaries and census data and can provide a lot of good information for us.

Mr. Walters: Also, because this has come up repeatedly, it might bear clarification that the 80/20 goal comes from the Countywide Planning Policies. The Envision Skagit program from a couple years ago recommended a 90/10 goal, but the adopted goal is 80/20, and you can find that in the Countywide Planning Policies on the Comprehensive Plan page on the County website. And if you read it, it doesn't necessarily say that 80% of the new population will show up in the cities. It says that UGAs will be sized to accommodate 80% of projected population. Maybe Kirk has the exact text. But it's a little bit of a distinction from just 80/20 population allocation.

Mr. Easton: What's interesting, though, is that if you can get to 80 without expanding your city limits into residential, you're not necessarily violating the spirit of the plan. I don't take – I understand the Commissioners' point that they were making about the Cities needing to do their fair share and what's appropriate, but until the number is nailed down it's hard to hold their feet to the fire and say they didn't – we accomplish that goal. I recognize that they – everybody can recognize that there's a power lust for commercial and industrial property within the city limits that will know no end in the state of Washington in our new future. It's just going to be the – it's part of the benefit or the detrimental part of GMA, depending on how you look at it, and the Growth Management Act, but it's real. There is – that pressure is real. The Cities definitely work off that being real. What it'll be nice to be able to hold people to is what the actual stats are about the population so that we could actually hold people to it. If we're not hitting the 80/20 projections, then it's a lot more appropriate to say to Sedro-Woolley or Mount Vernon or whoever, You need to do your part to take in more residential. And then you can horse trade about your commercial property from a different point of view, which really hasn't been done because most of the GMA changes we've made – in my opinion, most of the urban growth area changes that have been made since the last Comp Plan Update have been really minor. So we really haven't had a major change to the UGAs – right? – since well before '07.

Mr. Axthelm: The 80/20 is a ratio of?

Mr. Johnson: Well, growth within urban areas versus rural areas, although as Ryan said, the way it's phrased is "Urban growth areas shall be sized to accommodate 80% of the growth." So you could size your urban growth areas to accommodate 80% of the growth and see 80% of the growth go to the rural areas, and you might not be out of compliance with that requirement that they be sized to accommodate.

Mr. Axthelm: So if you're less than 80%, wouldn't that indicate that there's too much growth happening in the county? So I would think to that: Is the County allowing too much growth and it's not happening in the cities? I mean, because out in the county land is cheaper. It's cheaper than the cities. Well, frankly, where are you going to buy a house?

Mr. Easton: GMA's intended to prevent sprawl. Even though Bayview's not completed in some people's eyes, Bayview's still considered an urban area currently even though the Plan's not completed from a PUD point of view, correct?

Mr. Johnson: Yeah.

Mr. Easton: Remember that. It's part of the allocation right now that you're not just dealing with incorporated cities. There's also a certain amount of population that's

considered urban that is around Bayview which, if you sent anybody who's not sitting in these meetings and knows these acronyms up to drive through Bayview, you'd be surprised that most would describe that as urban.

Chair Lohman: But the bottom line is this Comp Plan Update. Even though it's for 2016 and isn't due till 2016 it still has repercussions for what we're doing today –

Mr. Easton: Totally.

Chair Lohman: – and it's still interwoven with the work plan. The elements of the Comp Plan Update plus work plan are all interwoven so you can't talk about one in isolation to any of the others.

Mr. Easton: But at least – I mean, the encouraging thing is at least there's an industrial lands study being done. Ten years ago people in this county were really wishing one would get started and it didn't happen, it didn't happen. At least it's happening now and at least the population updates are being considered, given the fact that the last time they were updated was 2003. It'd be nice if they were done, but it's a lot better than what it was.

Mr. Johnson: So the next slide – and then I'll definitely move on – kind of shows what BERK is suggesting as a reasonable range of employment to plan for for 2036. The medium number is, I think, would be based on the trajectory we're currently on. The number that says "Low," it's a low population to employment ratio so it actually means more employment. They have said that would be an aggressive but potentially achievable goal – 69,600 jobs – and then the 57 would be kind of a low-end goal. So in the work with SCOG we will probably propose different population scenarios and different employment scenarios, and those get run through the SCOG transportation model to generate projections of transportation needs – roads, bridges, and the like.

Some other – the major Comp Plan updates: The Housing Element needs a look. We actually – working with the Planning Commission in 2005, '6, and '7 made some amendments to the housing policies to try to get more focus on affordable housing. The Commissioners have appointed an Affordable Housing Committee – I think they did that about a year-and-a-half ago – and they've been working, coming up with a better understanding of what the housing needs are in the county and the inventory, and so we were thinking we can roll some of that into the Comprehensive Plan.

The Transportation Element needs a similar update. Again, when the population and employment numbers get – new projections get adopted or at least proposed, that goes into the transportation model, which projects what the infrastructure needs are for the next twenty-year period. So there are some other elements around transportation that we'll be looking at with the Public Works Department.

And there's a new GMA requirement to implement urban planning approaches that increase physical activity. Given that the County doesn't control many urban areas, it's probably limited application.

We do have to update the Comprehensive Plan policy that talks about adopting a UGA Open Space Plan by 2007. That Plan was adopted in 2009.

And just a question I'll have for the Commissioners as we wrap up the formal Envision process is, Are there any themes or recommendations specifically from that that they would like to see carried forward through the Comprehensive Plan Update? More emphasis on industrial land is one of those recommendations that's already gotten some traction. Transfer of Development Rights: Consider a Program is one that we're already looking at.

So and then I think Dale was going to wrap up with some of the things that we need to look at in the development regulations.

Mr. Pernula: Some of the items that we need to address:

One is allow electric vehicle infrastructure in most zones. That's a statutory change.

Review to determine if the critical area ordinance –

Chair Lohman: Can you back up a second? Would that be like electric gas stations, basically?

Mr. Pernula: Electric stations just like – there's one right in front of this building that was installed several months ago. And we're required to allow that infrastructure in most zones.

The second is to review to determine if the critical area ordinance is up-to-date and incorporates the best available science. It wasn't that long ago that the critical areas ordinance was adopted so there may not be a lot of changes, but we need to take a look at it.

Review our processes to ensure early and continuous public participation. That's part of what we're really doing tonight – to inform the public and inform the Planning Commission, and also to put out that schedule that we showed earlier in the meeting.

Review procedures to assure proposed actions do not result in unconstitutional taking of private property.

Any more questions?

Chair Lohman: Any other questions from the Commissioners?

Mr. Greenwood: So this is the list then from which you will develop a scope of work that will be approved by the Commissioners before we can start. Is that what we're looking at? If I understood you correctly, you said there would be –

Mr. Pernula: The earlier list on the prior item – this will be one of the many items on the list. The Comprehensive Plan Update – I am certain that that's going to be on our work program. Because it is so big we're just expanding on it, and I think we covered what we're going to be doing on the Comprehensive Plan. I also included a checklist – I think it was with your packet, wasn't it? The checklist that was sent out by the state? It includes all the items that – a checklist of all the things that we need to address as we're updating the Comprehensive Plan. Does that answer your question?



Mr. Greenwood: Yeah, I guess. Yeah, I think pretty much. There's a – you have an Update deadline and a preliminary schedule, and the second item in that preliminary schedule calls for Board of County Commissioners' approval of the County Update scope of work. So which elements of the Comprehensive Plan get reviewed and modified/updated will be fleshed out and approved, and then that work will begin.

Mr. Pernula: Yes.

Mr. Greenwood: Okay. So it's not just going to be like – I'm thinking of the Shoreline right now, in that once we open it up – the binder – there's a lot of opportunity for things to get bigger. So having a scope of work would be really \_\_\_\_\_.

Mr. Pernula: And remember the difference is the Shoreline Master Program hasn't had a major update since the 1970s.

Mr. Greenwood: But we thought we had a good plan then too, and so we think we have a good plan but it just gets bigger.

Chair Lohman: But you're going to be touching back with us frequently. I mean, that'll be on the agenda for some time.

Mr. Easton: I have one question slash sort of curiosity. The decision to recommend to the Commissioners to eliminate the – basically eliminate an Update advisory committee and basically give us a second title, it reminds me of SCOG. SCOG seems to have a whole group of people who just have – the same people are on the committee. They just change their – they change the placard and have another meeting! There were fifteen or so other people involved in the – I think, if I remember right – on that commission – on that Update advisory last time, right? There was an advisory committee last time and it was – and so in this era of trying to do – especially address one of the goals, which is *additional* – to make sure that we're reviewing the process to ensure early and continuous public participation – it seems an interesting decision to not have one. Can you explain what your thinking is behind that?

Mr. Pernula: The thinking is that we're not going to have to do it twice, once with the committee, then the committee reporting to this committee and do it over again. That it's done once, you have the direct input from the public itself. The public's going to be talking to you, not to a committee. That's the thought behind it.

Mr. Johnson: If I could weigh in – I mean, I definitely supported this. It seems like a lot of times we work very hard with an advisory committee for a year, year-and-a-half, and we try to keep the Planning Commission informed. Meanwhile you're getting stuff, you know, kind of late in the process and at the end of the year and you've got to crunch through it, and it's like, Wouldn't it be great if we could involve the Planning Commission from the start and really engage them in the formative discussions, so that when it comes back to them for public review and comment they helped to build it, they have a stake in it, they understand it, and it's not like, Well, sure, you worked with that group but we're this group and so we want to start from – not start from scratch.

Mr. Easton: Right.

Mr. Johnson: So it just seemed like –

Mr. Easton: If this was in place last time, Kirk – I don't know who staffed that – who staffed that committee last time?

Mr. Johnson: Gary and I.

Mr. Easton: So you can speak to this then. If that would have been in place last time do you think that would have changed the length of the process?

Mr. Johnson: That was a much different Update.

Mr. Easton: Because of its scope?

Mr. Johnson: For whatever reason we decided we needed to just –

Unidentified voice: (inaudible)

Mr. Johnson: Yeah.

Mr. Easton: I just would say that if the Commissioners do approve this as part of it it would be helpful probably to – some of us who prefer – who enjoy the sound of testifying, that they hear an explanation for why you're going to go this route as opposed to others. Because there are those who have the historical view, the fact that it's existed before, and if they – they tend to be sensitive to the idea that they might do less input as opposed to – I think you could present it as more direct input to the decision-makers. I just think if it's just written in very shorthand like this on these lists it may spur in our public comment period and in others the kinds of comments that might not be accurate to what we're trying to do as a community.

Mr. Pernula: We're certainly not trying to lessen public input. We're trying to make it direct from the public to the Planning Commission.

Mr. Easton: Yeah, and I think that comes off the page if you explain that.

Chair Lohman: Jason, Betsy has \_\_\_.

Betsy Stevenson: The only other thing that I would mention was that I thought it was a great idea. We televise and people can go back and look at these meetings. If we had a separate advisory committee then it's up to one of the staff members to try to come up with a meeting minutes and do all of that. This way it's all in front of you guys and everybody can look at it –

Mr. Easton: That's true.

Ms. Stevenson: – and go back to it, which would be very helpful as I go through my Shoreline Update. I have to go back to my notes from those meetings. It would be really nice to go back to back to the archives and be able to watch it again and hear it again and go fast and slow.

Mr. Easton: And that's a good reminder, right? We weren't on TV the last time we did a Comp Plan Update and we are this time so that's going to increase public access a lot.

Ms. Stevenson: Right. So I think, you know, you may think that you're eliminating something, but I think you're actually opening it up even more to people who might not want to be on an advisory committee but who will stay tuned and kind of –

Mr. Easton: – pay attention.

Ms. Stevenson: Yeah.

Mr. Easton: And you might want to point out the fact that this is going to be televised as an Update and the last one wasn't.

Chair Lohman: Well, and it'll be done in a work session.

Mr. Easton: Well, I mean, even all the public hearings weren't televised last time. This all pre-dated the cameras being turned on – when Dave could come in with a cowboy hat on, sit down with buddies and make decisions.

Mr. Hughes: Oh, yeah. I used to ride my horse in.

Mr. Easton: He used to ride his horse in.

Mr. Hughes: Never documented!

Mr. Easton: He used to wear sandals!

Mr. Johnson: Except for those stains on the carpet that they could never get rid of.

Mr. Hughes: That was down in the old EDASC building.

Mr. Easton: Wow.

Mr. Hughes: On a Saturday morning!

Chair Lohman: Okay, let's have a member of the public.

Unidentified female voice: Does the Commission – does the Planning Commission have authority to appoint informal subcommittees to work on parts of the Comprehensive Plan if you need it?

Chair Lohman: No. We can form committees of our own.

Mr. Easton: Within our own bylaws we do – right?

Same unidentified female voice: I know, but I mean involving members of the public.

Chair Lohman: We can invite anybody that we want to attend to our work sessions.

Mr. Easton: But I don't think we can appoint subcommittees other than inside of our own membership. Ryan?

Mr. Walters: I'm just going to go ahead and say "no" on that. There may be limiting factors. The Open Public Meetings Act prevents you from taking public comment except in properly noticed meetings. Properly noticed meetings include these meetings and not subcommittee or committee meetings.

Mr. Easton: Could you properly notice a subcommittee meeting that it would apply?

Mr. Walters: You could, you could.

Chair Lohman: And same thing with inviting people to participate in a work session, as long as it's published and noticed, right? We can do that?

Mr. Walters: Like right – yeah, yeah. Yeah, that's not a problem.

Chair Lohman: Okay. Anything else on the Comp Plan Update?

(silence)

Chair Lohman: Okay, moving on to item number 6, the Shoreline Master Program.

Ms. Ehlers: A question.

Chair Lohman: Betsy, you're on.

Ms. Stevenson: Yeah. This shouldn't take very long tonight. It's going to be longer later so enjoy it while you can.

Mr. Easton: (unintelligible)

Ms. Stevenson: Right. Just a little bit of background for those of you who may be new to it or may have forgotten. The Shoreline Management Act was something adopted and passed by the legislature in 1971; voted for by the people in 1972. It's an agreement between state and local governments to sort of manage and implement laws to protect shoreline resources and allow for thoughtful development along our shoreline areas. The Shoreline Master Programs are the documents that local governments use in order to do that work. They are also approved by the state, so, again, it's a partnership in order to make that happen.

There are 260 local governments in the state who are working on Shoreline updates. Eighty-eight have been completed and adopted; seven of those are counties. We are working steadily to try to get ours done. There's a time limit – it is on the website – that we put together for kind of our own use as well, just for our organization, and we are more than halfway through the way we wrote it up but hopefully we will have another draft document to present to you probably in hard copy at the February meeting, if all goes well this month and nothing else comes up and nobody gets sick. So we're working really hard to get that to you. We have a meeting with a group of folks on the Aquaculture section again and some folks from Ecology next week, so we're hoping to get some of that hammered out. I know you heard a lot of that discussion and it's still – it'll be an interesting meeting anyway. So we'll just see how that goes, but we hope to have a complete draft to you guys again for your February meeting – kind of go through what it looks like and how it's put together; figure out how best to break it down to go

through it again; try to determine, after you get a chance to look at it a little bit, how many meetings you think it may take to go through it again and how much time you want to have to do that. If we give it to you at your February meeting, hopefully we can start talking about it in March. That's what I was thinking. And maybe a couple meetings in March, maybe an early one in April – not sure, but that's kind of what we were thinking. And then when you're ready to have it out there, put it out for the sixty-day comment period and hold a public hearing sometime during that time; do our environmental review and get that notice out.

So that's kind of where we are. Stay tuned. Hopefully it's going to come together and you will have it. You probably won't have it before the February meeting. So it will just be kind of a walk-through like we did when you got it before, rather than just throw it at you and give it to you. We've made quite a few changes. I actually think, Keith, it's smaller than it was the last time you got it. It's not getting bigger; it's getting smaller!

Mr. Easton: Wow!

Ms. Stevenson: We'll see if it stays that way. We just made the print smaller – no! We are trying to actually consolidate a little bit and see if that works.

Mr. Greenwood: But your basis of comparison was the original.

Ms. Stevenson: The last draft.

Mr. Greenwood: No, the first draft. I'm talking about the first first one –

Ms. Stevenson: Oh, okay.

Mr. Greenwood: – when it comes to getting bigger or smaller so \_\_\_\_\_.

Ms. Stevenson: Okay. Well, no, no, no. We're still working on it.

Chair Lohman: But will you have kind of a road map of how we're going to handle it by the February meeting, do you think?

Ms. Stevenson: We can – I can do that and divide it up in a way that makes sense to me, and you can take a look at it and say, No, we'd rather do it this way. We can look at the table of contents, we can – there were certain things that you guys really wanted to see happen. Maybe you want to spend more time on the things that you really had some comments on and go with that first and then look at the rest. We can do it however you want, but I can make some suggestions at least and try to get that out to you ahead of the meeting because we should be able to do that. But you are going to get it all as one whole document and not as a section as it is ready to go.

Chair Lohman: Keith?

Mr. Greenwood: I'm wondering, Betsy, if it's possible between now and then to have access to the Department of Ecology's response to the last – maybe I already have it, but I don't remember it. Because we had a draft and then we sent it and then – so I'll look in my notes and see if there's something more that I'm looking for. Because even if

they – you know, if they like our ideas or they didn't like our ideas that would keep us from having to start over with the whole thing.

Ms. Stevenson: I did make a presentation and I summarized what their comments were to you.

Mr. Greenwood: I think that might have been \_\_\_\_\_.

Ms. Stevenson: Yeah, I don't think I ever gave you the whole document. You're welcome to look at it – sure.

Mr. Easton: Because they answered line by line, right?

Ms. Stevenson: He went through and put in his comments and track changes. But keep in mind this is just our project officer from the Department of Ecology and his initial comments on our initial draft. Once we go through our process, it goes back to them and it goes into other areas of the Department of Ecology and we get hopefully an approval letter but with pages and pages of changes that we have to make.

Mr. Easton: So isn't the idea of having the policy gentleman look at it is to keep us from – you know, between the bumpers sort of?

Ms. Stevenson: Right. Right. Yeah.

Mr. Easton: In a bowling analogy.

Ms. Stevenson: Which basically we haven't, and I've told him to keep an open mind because we're thinking outside the box a little bit with some of our stuff because it does grab a hold of a lot of what's in our critical areas ordinance already. And we're hoping they're going to let that kind of ooze out into our shoreline regulations, which –

Chair Lohman: So we still don't know or not?

Ms. Stevenson: Well, he's given us some comments but I'm still going to push a little bit and hope that – he didn't like our administrative variances going quite as far as they do into those buffer areas. So I can get you the – you guys can look at those. It's no problem.

Mr. Easton: But we – it's a good reminder that he's not the decision-maker.

Ms. Stevenson: Right.

Mr. Easton: He's just trying to predict what people above him are going to approve.

Ms. Stevenson: Right, right. Exactly. Exactly.

Mr. Easton: And there is a mechanism for if parts of the Plan are not approved for us to deal with it post haste, right? I mean post – post –

Ms. Stevenson: Not "post haste," but "post process."

Mr. Easton: Not – excuse me – post process?

Ms. Stevenson: Yeah.

Mr. Easton: I don't want us to make decisions that we're afraid that they're going to reject. Let's let them reject things and then fix those, if we have to.

Ms. Stevenson: And that would be part of the letter probably that, you know, you might have to look at that –

Mr. Easton: I mean, that's more – I'd sort of rather ask for – I'm not saying we potentially- I'm not looking to pick a fight with them. I'm just saying I don't want to over-anticipate their disapproval before it happens.

Ms. Stevenson: Right.

Mr. Walters: I think the current thinking is you go through your process; we give you the best advice we can as to what is really required and what maybe is not as required and maybe what Ecology wants, what they're really going to balk at. You just make your recommendation. The Board makes a decision and makes a preliminary approval of the document, which we would send to Ecology. They come back and if they need a change we just make it. The Board could just adopt it because they wouldn't have –

Mr. Easton: And it had already been out to public hearing and –

Mr. Walters: Right. They wouldn't have made a final adoption. If they need to, they can hold a comment period on that change if that change is a big change. Otherwise, it can just move forward.

Mr. Easton: To me it's the effect of having Ecology present to be another voice of people testifying about this particular project. It's not – I just don't want us to treat it like it's already – if he doesn't like our administrative variances, I want to be aware of that. I want us to be aware of that and maybe we do take it off 20 – you know, roll it back 20%. But I don't want it to mean – it doesn't need to mean we have to take them out.

Ms. Stevenson: Right.

Chair Lohman: Right.

Mr. Walters: And Ecology holds their own comment period on the Plan approval, so there's another round for the public to comment on it.

Chair Lohman: Well, we're writing *our* plan, not somebody else's plan.

Ms. Stevenson: Right.

Mr. Easton: Yeah, we're writing *our* plan that needs to get approved by Ecology.

Ms. Stevenson: Right, and we just have to show some justification on how we can meet the standards and their tests that we need to and hopefully, like I said, they'll be a little bit willing to think outside the box with us. I mean, it makes them nervous when I say

that, but let's see what happens. And I'm willing to take it forward, like you said, and let them say no to some of it.

Mr. Easton: Right.

Ms. Stevenson: Or just, No, not that, but how about this? You know, let the negotiations and that process start.

Mr. Axthelm: And we could say no right now?

Ms. Stevenson: Well, we'll have to look at that and see –

Mr. Axthelm: To some extent?

Ms. Stevenson: We'll have to see how far somebody's willing to take it. I can't answer that at this point and that's a decision I get to make.

Mr. Easton: Right. No, that makes sense. I think that's really helpful.

Ms. Stevenson: I'm not paying attorneys. But, anyway, that's kind of where we are. We're going to work really hard to get something to you by the first part of February.

Mr. Easton: I thought this document was awesome – very helpful.

Ms. Stevenson: Yeah. It was the next segue. Ryan put that together to be the initial few pages of the Master Program Update and I think it is real helpful and it came from somebody who has come into the process who wasn't quite so involved in it, so he could step back a little bit and make more sense out of it than I might have if I had tried to do that, so I appreciate it.

Mr. Easton: If something like this, Dale, could be done for the Comp Plan, particularly for the newer members of the Commission – and I really love the – I mean, it obviously touches on the theme of the \_\_\_ acronyms, or anti-acronyms. It sure is helpful.

Ms. Stevenson: The other thing I would point out – and Ryan can answer any questions or go through that with you a little bit too – is what you have in the way of a working draft document and what that refers to are two different things. So don't go looking at those pages in trying to make sense of it because it may not even be the same stuff, okay? So that kind of is referring to the draft that we're working on that you haven't seen yet.

Mr. Easton: So can you produce an updated version of this once the draft is done?

Ms. Stevenson: Yeah.

Mr. Easton: I mean, updated page references?

Mr. Walters: All the page numbers automatically update.

Ms. Stevenson: It will update automatically. That's why there's an error message in there that I couldn't get out of there.



Mr. Mahaffie: Do you plan on giving us a paper copy of the final draft?

Ms. Stevenson: I will. I'll give you the paper copy at your next meeting, I hope.

Chair Lohman: Will it be in the same notebook idea like we had before?

Ms. Stevenson: Or just loose – whatever you prefer. You know, would you like it three-hole-punched?

Chair Lohman: It doesn't have to be \_\_\_\_\_.

Ms. Stevenson: I know that the notebooks that I put together now for the new members are getting pretty full when you get the documents in there. Yours don't have the draft in there \_\_\_\_\_.

Mr. Easton: Well, if that's going to replace the current draft I have, wouldn't I want it three-hole-punched and I could take the old draft out and put the new draft in?

Ms. Stevenson: Perfect. Perfect.

Mr. Easton: Yeah, I'm going to vote for three-hole-punched.

Chair Lohman: I didn't want you to spend on another notebook that we don't really need.

Ms. Stevenson: Okay. Perfect. We'll do that.

Mr. Walters: So I'll take you through this document, if you want.

Chair Lohman: Maybe people don't realize that in your drafting of this you basically have one copy, so all of the different authors, you're all coordinated on your drafts and your changes in your paper, your page numbering and all of that.

Ms. Stevenson: Yeah, we've got a nice shared system now that all the files and folders are together and we can be working in them in different places in different parts of the city and still be seeing what the other people are doing if we're not in the same room together working on it, or you can see if somebody else has made changes. But I think we're beyond that point now.

Mr. Walters: We started with thirty-five different files and got a significant technological upgrade.

Ms. Stevenson: Right. We're sitting down together and making changes. In order to get it done we're locking it down and saying that's done; move on.

Mr. Walters: So I'll take you through this document, if you want.

Chair Lohman: Sure.

Mr. Walters: So this document would be the first couple pages of the Plan, but it's not intended to *be* the regulation itself. For instance, it defines what shorelines are but

shorelines are defined later on in the Plan. This is a guide to the Plan, not the regulation itself.

First of all it gives just a really brief synopsis of what the document is: What is the Shoreline Master Program? And then, What qualifies as shorelines? Because the entire program revolves around shorelines so we have to know if we're dealing with a shoreline as a very initial matter. And it breaks it down into bullets. In the Plan, it's in a little bit more of a regulatory language but here it's just bullets: "...special water bodies that meet certain flow criteria, and their adjacent uplands..." When people say "shoreline," maybe you don't think of the water itself. Maybe you think of only the beach, but that's not quite what the definition is here for our purposes. We want to call that out.

- marine shorelines
- rivers with a flow greater than 20 cubic feet per second
- lakes larger than 20 acres, and then
- upland areas within 200 feet of those water bodies, and then the floodplains and wetlands associated with them.

Chair Lohman: In the entirety? The floodplain in its entirety?

Mr. Walters: It's –

Chair Lohman: I want to make sure that we're very clear that we don't mean the entire floodplain.

Mr. Walters: Right. It's the upland areas within 200 feet of the water bodies. Now when we get to the regulatory section I think there's a sentence that addresses that, I think that we've talked about before.

Chair Lohman: We have, and I just want to make sure that we stick to that.

Mr. Axthelm: Well, this is just big picture here.

Chair Lohman: Right.

Mr. Axthelm: Yeah.

Mr. Walters: Yeah, the idea is to keep this clear and simple and on the first two pages for people \_\_\_\_\_.

Chair Lohman: But depending on how you read the punctuation, it can mean something different.

Mr. Walters: Well, we're trying – what we're trying to do is not – this is not the regulation. The regulation is further on in the document and it's more complicated to read. We're trying to keep it simple here.

Mr. Easton: Trying to tempt people to read the regulation!

Mr. Walters: What's that?

Mr. Easton: Sort of tease people into reading the regulations?

Mr. Walters: Well, to give people an overview so they know where they're going through the document. And that's the next section – What is this document? – because there are two entirely different sections of the document. First there's the Comprehensive Plan policies, and those will become part of your Comprehensive Plan Update too, since the Comprehensive Plan has the Shorelines Element, chapter 6.

And then there is the set of development regulations and that will go into the development code. When you go to the code on the County website, you'll see the policies there in the \_\_\_. So sort of the idea is we have a Plan document. You'll get printed copies of it. Surely there will be some bound copies of it after it's finally adopted, but basically people won't be reading it in that document afterward. The policies will come out; they'll go into the Comp Plan. The development regulations will come out; they'll go into the code. So when people go to use it, they're not going to be using the Plan document. They're going to be using the code as it appears on the website, or the policies as they appear in the Comprehensive Plan.

Some jurisdictions have their Shoreline development regulations in an entirely separate document and we decided very early on that that is not really very useful. It's much better if they're just in the code where all the other development regulations are.

So then we developed this section called "How do I use this document?" You know, how does it make sense to me? And there is a six-step process for using the document. First, find out does the Shoreline Plan apply to your property at all. And it gives you the shoreline jurisdiction and it gives you the citation to find out exactly what that is, SCC 14.26.200 on page 53. And in the electronic version of this document, you can click right on it and it'll jump to the appropriate place. Otherwise, you can flip to page 53. And then it goes on to explain –

Mr. Greenwood: I just want to – I was just reading the definition of "minimally defined shorelines," and I think this might help with the definition that Annie was bringing up. I don't think it says "and the floodplains," but it says "and the floodways." So I think if you differentiate between the terms, will that clarify it? Because I think there is a difference between a floodway and a floodplain.

Ms. Stevenson: What it does is it includes all of the floodway and 200 feet of the floodplain – if there is beyond the floodway – would be considered as part of the shoreline area.

Mr. Greenwood: Right. It says, "Floodways in contiguous –

Ms. Stevenson: Right. Floodplains.

Mr. Greenwood: – "floodplain areas landward 200 feet from the \_\_\_\_\_.

Ms. Stevenson: We were trying to make this simple. What if we just changed that to read "200 feet of these water bodies and a portion of the floodplains and what is associated..." Is that okay?

Mr. Greenwood: That would help with the confusion, potentially. That's all. I'm sorry to interrupt you.

Ms. Stevenson: That's all right. Okay. Thank you.

Mr. Walters: And then it makes clear if your property is outside of that shoreline jurisdiction, this doesn't apply to you at all. And also this SMP only applies to unincorporated areas of the county. If you're in a city or a town, this doesn't apply to you at all, although you're going to have a city or town shoreline program that you'll have to look at.

So if you get past step 1, step 2 is: Which Shoreline Environment Designation applies to your property? And maybe we flesh this out to explain exactly what a Shoreline Environment Designation is, but basically it's sort of a zoning overlay. It is an additional zone that is overlaid on top of the regular zoning that people are maybe more familiar with. And there's a link to the website where you can get the maps, and then we've also been working on formatting the maps – or somebody has – for putting them into the body of the Plan for the people that end up with paper copies of the big document. But the ones on the website are going to be the really detailed ones where you can zoom in on everything. And then you move forward to read about what that Shoreline Environment Designation is. Once you've found which one applies to your parcel you go read what that means.

And Part II of the Plan – and there's an extensive table of contents that immediately follows this – Part II of the Plan shows you how those Shoreline Environment Designations restrict use of your property. And there are a bunch of cross-references here – 53, 63, 67 – where you can flip to those sections and find the tables and lists as to what it is you can do within that Shoreline Environment Designation.

And then there's a separate section of the Plan, Part IV, where the activities – the types of shoreline activities that are regulated – are listed and you compare those as well. And it makes a note that Part III applies to everything, so you're going to need to read Part III and apply it to whatever activity you're talking about.

And then step 5 is maybe not required but if you're repairing or expanding a special use – or an existing use – there are special rules that permit you to do more than what otherwise would be allowed. So if you have an existing use you have special privileges there, so you need to read that section, Part VI, only in that circumstance.

And then Part VII: Finally, how do you get approval to do it? It's the process that you go through to apply those standards.

So we tried to explain here with each step how each section of the Plan affects your property. It gets a little muddled in there – step 3 – because you're looking at Part II and III together – or step 4 because you're looking at Part IV and III together.

Chair Lohman: Are you asking for comments on this?

Mr. Walters: I'm not asking but you can offer.

Chair Lohman: Knowing people, when you see Part IV you don't expect to go backwards to Part III.

Mr. Walters: Yeah.

Chair Lohman: So I would suggest that you maybe make – be sure to read Part III, number 4, and then talk only about Roman numeral IV as the next paragraph. So maybe you have seven things.

Mr. Walters: Yeah.

Chair Lohman: Just for clarity.

Mr. Walters: Well, and maybe there're a couple of sub-bullets under here because there's the height table – that kind of thing.

Chair Lohman: Because there is no section that is maybe less important, and if you're telling people to be sure to read it, there's something in there for everybody, so you don't want to skip it.

Mr. Walters: Right. So then I think maybe one of the important changes to the way the Plan is organized is to call everything a permit. There are four types of permits and Ecology, it seems, gets a little confused about what they call a permit or not. But for simplicity, we thought it made sense to call everything a shoreline permit so then throughout the Plan we can say, Go get a shoreline permit, and you look elsewhere to figure out which kind.

So most people are familiar with a substantial development permit. That's the permit that you need if you are doing what qualifies as development – substantial development. And there's a definition and it provides you a citation where you can get that definition. There's also this concept under the Shoreline Plan of an activity that is exempt from the shoreline substantial development permit. It's not exempt from the Plan. There is almost nothing that's exempt from the Plan, with the one exception being agriculture – and not all agriculture, but what \_\_\_\_\_ these. But there's an exemption from the permit, and I felt it very important to clarify that when we talk about shoreline – we tried to banish the term “shoreline exempt,” because it's not exempt from shoreline regulation. It's exempt from the permit that you need. So you don't have to come in and get the permit, but you do have to comply with the rules. You just do it without a permit. And people seem to get a little confused about that. So what we currently call it is a letter of exemption, so keeping that term but putting it right next to the substantial development permit and expanding that by saying it's a letter of exemption from the permit requirement. Then there's a conditional use permit, which should be fairly familiar, and then there's a variance. All of these are special shoreline permits – shoreline variance, shoreline conditional use permit – so we group them all as shoreline permit.

And then that exemption that I just covered is explained in detail following there. The big example, which is noted, is single-family residences – usually not requiring a substantial development permit.

Chair Lohman: Just for clarity, would those generate a fee? The letter \_\_\_\_\_. There would still be a fee schedule for getting the letter of exemption?

Ms. Stevenson: Yeah. Part of the reason that we went ahead and called it a permit, which Ecology doesn't really like, is because we still have to show that they comply with the Shoreline Plan, so they actually have to fill out an application form, which includes a JARPA because there may be other permits that they need from other agencies –

Mr. Walters: Joint Aquatic Resources Permit Application.

Ms. Stevenson: Sorry!

Mr. Easton: By the way, it is my favorite acronym because it's the coolest! It sounds like something from Star Wars.

Ms. Stevenson: That's great. Well, now you're going to get Ryan excited talking about Star Wars.

Mr. Easton: JARPA.

Ms. Stevenson: And there is a fee that goes along with that because we do have to do some review for them and then we issue them what we call an exemption that gives – you can add conditions to it and, you know, just so that you can say that okay, they do comply with our Shoreline Program and the Shoreline Management Act. And now they have something in writing that says they've got that approval.

Mr. Walters: And then the table of acronyms that you pointed out that follows – those aren't the definitions – definitions are elsewhere in the Plan – but they're just the handy table to help people through things. And, actually, I'm not sure that table has been – I think we've vetted it at least once, but it may need additional vetting to make sure that any of those are used, because sometimes we have been able to avoid just using the acronym entirely. For instance, actually I think maybe we do use an acronym in one instance and that's "SMA" to reference the Shoreline Master Act – Management Act rather than saying "the Act," simply as a style choice. It creates an acronym but it's also used everywhere. And then "OHWM," I think we did start using "OHWM" everywhere because it's very frequently used, so people do really need to know it, and it reduces by 75% the number of words in the document. Every time "OHWM" is used we have a four-letter acronym instead.

Mr. Easton: Approximately – we're checking with GIS on that. We'll get back to you.

(laughter)

Unidentified female voice: Which is? For the public.

Mr. Walters: The ordinary high water mark.

Mr. Easton: Yes, thank you.

Mr. Axthelm: Does the Shorelines meet the Building Code? If you read the Building Code, the first few pages actually has some stuff where it shows you where to go. This is excellent. Thanks. It doesn't give you all the answers, but it gives you somewhere to start from, because some of those documents can be very overwhelming for people.

Mr. Easton: Hang onto these compliments, buddy. We don't pass them out often! I can't wait to see the one for the Comp Plan. It's going to be a little longer.

Mr. Walters: The other thing I think we just added was a link at the top of every page – like if you're viewing electronically so you can jump to the table of contents and get back to a navigation place where you can find it there.

Mr. Easton: Nice!

Ms. Stevenson: He asked for that. I said, Can you do that? And he did it.

Mr. Easton: That's good. That's good. Cool!

Chair Lohman: Okay, anything else on the Shoreline Update?

(silence)

Chair Lohman: Thank you very much. That was very helpful. Department Update, item number 7 on our agenda.

Mr. Pernula: A couple of quick things: The TDR, or the Transfer of Development Rights project, is moving along. Staff and the consultants met with a number of groups today, including agriculture, forest and developer interests, and the TDR Citizens Advisory Committee meets this Thursday at 1:30.

Shoreline Master Program: Betsy mentioned that the aquaculture group meets Wednesday the 15<sup>th</sup> from 10 till noon.

Those are some of the things that are moving along right now. That's about it.

Mr. Easton: So much for the Department. Estimated time of the – I don't know if I saw it here or maybe I missed it, but do you have an estimate of when you're going to get in front of the Commissioners, get an approval on your work plan, and when will we start seeing things like Bayview and some of that stuff?

Mr. Pernula: I don't really have an estimate on Bayview Ridge and what's going to occur. I would like to get a little bit more feedback both from the Port and perhaps from the School District, present the information to the Commissioners and see what direction they would like to take. And I hope that that's within a month or two so that we can get the docket going on the entire 2013 docket. But within probably two to three months we should have the docket ready to go.

Mr. Easton: Well, when do you expect to have your work plan meeting with the Commissioners and when will you be able to work your actual work plan? Because last year that like took into April.

Mr. Pernula: Yeah, it took a long time. Well, we're way ahead of it now. We've got everything ready but the docketing's kind of slowing putting the whole work program together. But, other than that, I think not knowing exactly where Bayview Ridge is going

affects the other projects that we were talking about. So it'll be a month or two before we get it going, I think.

Mr. Easton: So is February all about Shoreline then? Is our February meeting going to be all about Shoreline, Madame Chair?

Chair Lohman: Well, she said that the draft won't be ready for our meeting, but we may have like a plan on how to deal with the Shoreline.

Mr. Easton: As we discussed last November, we continue – I'll speak for more than one member – we continue to believe in your guidance and wisdom with the Department about not scheduling extra meetings unless we have a meeting's worth of work. So we look to you in the new year – and your Vice Chair – to keep us on that path.

Chair Lohman: But I think, with all respect to the Commission, we want to try to be as close to our regular day as possible unless there's just circumstance that won't allow it.

Mr. Greenwood: Well, if we have a list as long as we see here and some of them tend to be recurring items, it seems like some elements could come next month, at least on a work session/scoping session. The Rural Forestry Initiative comes to mind – one that seems to have come up – surfaced – the most times. Even if the Forest Advisory Board were to present their position, that might help, with staff.

Chair Lohman: But some of that bottom – some of the bottom list may not come to us this year.

Mr. Pernula: That's correct.

Mr. Axthelm: It's not that we don't have time. It's that *you* don't have time. Is that –

Chair Lohman: Go ahead, Dale.

Mr. Pernula: Some of these other items may come up at the next meeting. We may put those on the agenda. But the intention right now is to deliver a hard copy of the Shoreline Master Program at the February meeting. It's not where we're going to give it to you a week or a month in advance and then review it that period. This will be a time when we'll take the hard copy, deliver it to you, and explain its contents. Then we will work on a program of how to review it over the next – hold workshops and review it – over a few-month period, eventually holding a public hearing on it.

Mr. Greenwood: Right. I was just thinking if we were going to cancel a meeting that would be somewhat disappointing at the beginning if there's opportunities to fill before we're – while we're waiting for Shoreline, which is going to take up some substantial review time.

Chair Lohman: But just to clarify, you said it's likely – because the meeting's at the beginning of the month – it may not be ready.

Ms. Stevenson: We're doing everything we can. At this point, I'm going to tell you that it will be.



Chair Lohman: Okay. Well, we'll think positively.

Ms. Stevenson: Yep.

Chair Lohman: Okay, anything else from the Department?

Mr. Walters: So make that very clear: It's just not going to be ready a week advance. You know, it'll be printed that afternoon.

Chair Lohman: Yeah, we won't have that week luxury.

Mr. Easton: So we're going to have a meeting where you walk us through what you just handed us.

Ms. Stevenson: Right.

Mr. Walters: And if that's a problem –

Mr. Easton: Without any expectation from us –

Ms. Stevenson: Right.

Mr. Easton: – of being to weigh in, other than to ask questions.

Mr. Walters: Right. It'll be far from the last time you see it or anything. If that's a problem –

Chair Lohman: But it's not a decision-making meeting on that subject anyway.

Mr. Walters: No.

Mr. Easton: Is that a meeting's worth of stuff? I mean, that's a pretty big plan, although it's smaller than it used to be.

Ms. Stevenson: It could be.

Mr. Walters: It's smaller than it used to be and then it has those appendices.

Ms. Stevenson: Yeah, that's true.

Mr. Easton: Don't get me started about appendix.

Chair Lohman: Anything else on the Department Update? Any questions to the Department?

(silence)

Chair Lohman: Okay, moving on: Planning Commission Comments and Announcements.

(silence)

Chair Lohman: I guess we don't have anything. So is there a motion to adjourn?

Mr. Easton: So moved.

Chair Lohman: (gavel) We are adjourned.