

Skagit County Planning Commission
Work Session: 2016 Update – Transportation and Rural Element Draft
February 16, 2016

Commissioners: **Josh Axthelm, Chair**
 Annie Lohman, Vice Chair
 Tammy Candler
 Kathy Mitchell
 Hollie Del Vecchio
 Amy Hughes
 Martha Rose
 Tim Raschko (absent)

Staff: **Dale Pernula, Planning Director**
 Forrest Jones, Public Works Transportation Program Section
 Manager

Others: **Gabe Phillips, Skagit Council of Governments Transportation**
 Planner
 Jeff Arrango, BERK Consulting Planner

Public Remarks

Commenters: **Randy Good**
 Molly Doran, Skagit Land Trust
 Ellen Bynum, Friends of Skagit County
 Andrea Xaver
 Harold Lee
 Joan Melcher
 Kari Oden
 Carol Ehlers

Chair Josh Axthelm: (gavel) It's Tuesday, February the 16th and I'll call this meeting to order – or Planning Commission meeting – we'll call this meeting to order. Take a look at your agenda. We have Public Remarks and then Transportation and Rural Element Draft Discussion, and then Department Update. I notice there's a lot of people in the audience. Could I have a show of hands how many people would like to be part of the Public Remarks section? Because there're so many people to come today – we only have so much time allotted – so if you could keep it very tightly to that three minutes we'll start timing as soon as you come up. So keep as close to three minutes as you can, please.

Randy Good: Randy Good, 35482 State Route 20, Sedro-Woolley. The Skagit County Comp Plan Update: Rural lands make up 81,000 acres of Skagit County. We do not have information as to how many acres of the 81,000 acres are used for agriculture production, food, fiber, and seed. We should be reinstating the Ag Reserve zoning on these lands that are in the rural zones and that are being used for agriculture. This Update completely fails to address the county's rural agriculture transportation needs. In fact, this is a rural agricultural county with 800 miles of

roadway, 157 miles of rural major collectors, 153 miles of rural minor collectors, 374 miles of rural local roads. Nowhere in this plan does it mention farm food security and food safety, which is a daily concern for us in the farming industry. In our county it's a \$300 million a year industry. A major effort needs to be done to include transportation of farm products to the market and the transportation needs of our farm machinery on our rural roads. It's obvious this draft is geared toward non-motorized recreation uses.

Under the Transportation Technical Appendix, page 62 – and I have these comments I'll hand out so, you know, you guys will see it. We suggest adding a policy that would – the County'd create a legal markers and addresses on non-motorized and recreational trails to allow Sheriff deputies and first responders an address to respond to and to file and keep records of complaints and incidents. As of now they have no process. Implementation policy on page 68 – Public process and right-of-way acquisition. Language in 8A-13.7 of chapter 8 of the Transportation Element: Presently, as it reads, the County can take land for non-motorized and recreational trails by eminent domain along with the county roads. Remove – we suggest removing that language referring to non-motorized and other recreational projects and add language (that) it must be a willing seller and willing buyer. We suggest adding new policy. Farm and food security safety must be addressed before any non-motorized trail – pedestrian, equestrian, non-motorized – facilities in rural Skagit County be considered.

And then, finally, these are just a few suggestions I brought forward tonight. There are a few more suggestions on my comment paper that Aileen is handing out. Thank you for time.

Chair Axthelm: Thank you.

Molly Doran: Good evening. My name is Molly Doran. I'm the Executive Director of Skagit Land Trust. Skagit Land Trust is located at 1020 South Third in Mount Vernon. We have over 1500 members and most are residents of Skagit County.

And I'm speaking tonight to say that we are very pleased to see a 20-year non-motorized project list included in the Transportation and Rural Element proposal for the 2016 Comprehensive Plan. Skagit Land Trust is currently involved in many off-rail low impact trails, mostly for hiking, birding and viewing nature, but we also believe in getting people out to the lands that we are conserving. So we are collaborating on multiple-use trails such as at Barney Lake. The proposed Centennial Trail along Highway 9 and at Barney Lake is an example. We own quite a bit of land where the proposed Phase I part of this trail will go. We bought that land knowing that this was probably going to be a trail, but because there wasn't a project list out at the time we didn't know for sure. It was all sort of this-may-happen. We had over 400 donations to that project. Many gave in the hope of seeing that Centennial Trail come to fruition over time, and we still get questions all the time about that. We are happily collaborating to make this happen in any way with Skagit County. If there isn't a 20-year project list, groups like us who are trying to help meet the community's needs and desires have no clue of what's going on in the future, and this helps us collaborate, helps us plan, helps us save land that's important – we only work with willing landowners – helps us secure donations, and also put this in our grant. So we are very excited to see this inclusion of the 20-year project list in the plan. Thank you.

Ellen Bynum: Ellen Bynum, Friends of Skagit County, 110 North First, Mount Vernon. I want to talk about only one thing – I'll send you some written comments on the rest of the comments that we have – and that is the suggestion that the Rural Villages might be expanded, and that's on 3C-1.7 under your draft Element and public comment themes.

The first thing that I did is went back and looked at the code for some definitions of Rural Village because Rural Village – there's two zonings in Rural Village. One is commercial and one is residential. And it occurred to me that we – I mean, I had a really hard time finding the definitions except in the code. I don't know if you want to figure out a definition of that or not. One of the things that we've said for quite a long time is that we'd like to try and reach the 80/20 goal of putting 80% of our new residents inside of cities and 20% in the rural areas. We haven't met that goal except for I think it's five years out of 20, and we haven't done anything about going back and correcting the overage development that we have in the county. So if you just used that as a place to start, you might think that expanding the Rural Village would be a good thing, but it actually doesn't help you meet that goal and it doesn't correct the overdevelopment that's happened in the county.

So the other piece of that that I wanted to talk about was that I couldn't – I actually couldn't find a list of all – there's supposedly ten Rural Villages but Bayview was listed as one and I couldn't tell from that whether it was Bayview Ridge UGA – and I assumed that it was not. It's the Bayview community. And then some of those that were listed are also LAMIRDs, local areas of more intense rural development, which is a different designation from a Rural Center and a different designation from Rural Village. So I think before we think about expansion of those we kind of need to know exactly where they are and how many acres are in them and what they look like. And I would suggest if we do put together a process to examine this issue that we do so with a standing citizen committee that does the work for a year or more, and also bring it to a vote because I feel like the people that live in Rural Villages want to know some certainty about their future. And they certainly ought to be able to determine whether, you know, it would be a good thing or not. They may think it's a great idea to expand but I just feel like people need to be fully apprised and have some economic analysis of what that would do, and also there is a capacity problem with septic in a number of the villages.

So that was just brief comments and I have others. I was really happy to see that there's some coordination between SCOG and the Transportation Element.

(sound of beeper)

Annie Lohman: Time.

Ms. Bynum: Thanks.

Andrea Xaver: My name is Andrea Xaver. I'm at 19814 State Route 9, Mount Vernon 98274. I'm also concerned about the extension/expansion of UGAs, Rural Villages – whatever you want to call them – because it seems like villages turn into UGAs and UGAs can turn into towns and the towns we have it seems like nobody can take care of what they have anyway.

In this proposed draft Element it talks about Rural Villages represent historical communities and I would say at Big Lake, which is what I'm nearest to, that would not be the case. The Rural Village or UGA or whatever that mess is called out there takes in almost all of Big Lake, whereas the historic town of Big Lake was right at the very north end. And my family has been at that area since 1898 and we've seen it expand dramatically, and it's nothing like it used to be.

The other thing that concerns me is that these UGAs and Rural Villages and whatever else you want to call them along the way, they do extend onto farmland, and since 1940 we've lost about half our farmland here in Skagit County and the world's population and this county's population

has tripled. We need our farmlands. Nookachamp Hills is part of whatever that thing is at Big Lake. It used to be a 2000-acre ranch. It has not dwindled down to 250 acres.

I'd like to see Ag Reserve brought back, like Randy Good mentioned. It was abolished in the mid-1990s so they got rid of ag land just about the same time they were promoting UGAs and Rural Villages, and I thought that was kind of coincidental.

I thought I'd like to educate the Commission members, too, because things seem to happen and grow even though there are substantial problems within an area. Here is a Skagit *Argus* newspaper published in April of 1989 and there's an earthquake epicenter right at the base of what is now Nookachamp Hills. Nookachamp Hills is seen behind and to the right. I'll give you each copies of that. And while they are abolishing Ag Reserve and promoting all this growth and all this other stuff here the County has maps talking about volcanic and geologic hazards. And here's a map that shows it, but it's incomplete, and even though they wanted to have the Rural Village or UGA or whatever at Big Lake there's earthquake fault lines that go right through there. So why would you have more people that are compromised with these kinds of hazards?

The other thing is you see all the red and yellow on this map? That is the Skagit County potential landslide and erosion areas that covers more than half of Skagit County, and this was published – pardon me?

Chair Axthelm: You can put those map down on the projector and then they can show up on the screen, if you'd like to.

(sound of beeper)

Ms. Lohman: Time, Andrea. Sorry.

Chair Axthelm: Go ahead and just take a moment to put those down at least, so they're there.

Ms. Xaver: Okay. Well, you can see them here. They're red and the yellow, and I've got copies for all of you folks too.

Chair Axthelm: Okay. _____. That's great.

Ms. Xaver: Yeah. And so you can see here's around Big Lake, the west side of Big Lake. And I can just see these areas turn into Oso. And it's all over the place. And I would assume that you folks have this information. No? Yes? That's odd, because this was published by the County – Comprehensive Plan. It was either 1994 or 1995. And this thing with the volcanic stuff and geologic hazards, that was done in October of 1996. And here is Cavanaugh and then Big Lake and you can see lines that go right through, coming from Cavanaugh, going through Big Lake. But, you know, have more people so we can hurt them, I guess.

Chair Axthelm: Thank you, Andrea. If you'll just – if you'll give us copies of those that would be great.

Ms. Xaver: Yep, I will do that.

Harold Lee: Hello. I'm Harold Lee, 2500 South 18th Street, Mount Vernon. I'm a very big supporter of having non-motorized lanes and stuff, bikeways. I used a – before I retired, I biked to work from Mount Vernon to the airport most days of the week. I still bike a lot. So just

basically that's – and, you know, I use the Cascade Trail frequently so I want to keep it. I'd like to see it maintained properly. Anyway, thank you.

Chair Axthelm: Thank you.

Joan Melcher: Joan Melcher, 13595 Avon Allen Road. I'm here to show my support for including the non-motorized section in the overall transportation plan. I'm involved in a hiking group and a trail work group and getting outside, whether it's on a bicycle or walking on a path or walking on a trail – have so many benefits for people, both mental and physical, as well as the community at large. So if you need to make some positive changes in what you already have there, that's fine. But please leave the non-motorized section in the plan.

Chair Axthelm: Thank you.

Kari Oden: My name is Kari Oden. I reside at 3021 Cherokee Lane in Mount Vernon. I'm also here to support the non-motorized section in the plan. I'm a mom with a couple of teenage kids and we're all active. We have to get places for sports practices and other things. My kids like to ride their bikes. I'm a runner. I would love to see more safe places for families to be out, for kids to get to school, and I'd really love to see some connections in between the cities in addition. We have to go to Burlington frequently for soccer practice and there's no good way to get there safely through walking or biking. So I'd love to see some expansion of that. Make sure it stays within the plan. I think it really promotes a healthy community. It certainly promotes healthy kids. The schools want it. A lot of kids bike and walk to school and the more safe routes that we have, especially non-motorized routes, where we don't have to worry about cars and other traffic. I appreciate your support. Thank you.

Chair Axthelm: Thank you.

Carol Ehlers: Carol Ehlers, west Fidalgo Island. I agree with trails, too. I spent most of my young life on them. But I'm not able to use them anymore and I would like some trails that we can use. I want some trails where I can find parking close enough that I can park the car and go on it and see something. I don't want the parking places to be hidden. There're some wonderful trails in Anacortes. God knows where you park the car. And a long time ago when the Alpine Club was pushing for the North Cascades Park and the wilderness area and the recreation area so that we could have trails and we could have particularly trails that you could hike on during hunting season and wouldn't be killed, which was more of a problem in those days than it is now, I'm happy to say. We talked a lot about what happened when you got to the point you couldn't anymore. Well, here I am. I still want to see the scenery. I still would like to have a place I could walk. I'm told I can't go in this park and that park by myself because it isn't safe, and they're right. And there's a problem that Randy brought up in terms of vandalism. There's an RCW, 9A.52. The County Prosecutor tells me that what I'm about to tell you isn't necessarily true, but what I'm telling you is what the law says and what the Sheriff's deputy told me when I was vandalized. If you don't have a fence entirely around your property and closed, is what the law says, and you don't have a gate that you can lock and that you do lock, and you don't have a No Trespassing sign you can – anyone can go on your property and vandalize. Now if they go on crop land and vandalize the Sheriff's deputy can go after them. If you go into the kind of land Josh has talked about and tear down the fences and the cattle get out you can go after them. But the rest of us it must be enclosed. Now the game they've played with Cascade Trail all these years is because there's no address, well, the vandalism doesn't occur because there's no record kept. And if there's record then there is no data. Think of it this way. An anecdote is just an anecdote and we've all made fun of anecdotes. But when you have a series of

anecdotes on one trail, that becomes data. And this is a problem that many people – people who are honest and go on trails and like trails the way we did and keep track of them don't understand how many trashy people we have, so we have to deal with that kind of thing. But what I really wanted to tell you is about County Code, and I would like for Dale to send you copies of this. It's Skagit County Code 14.16.030.

Ms. Lohman: Carol, your time is –

Ms. Ehlers: And that relates the legal – that relates that the zoning map is an integral part of the written code of Skagit County. So don't let anyone tell you that the zoning code is only an indicator and the zoning code is this or that. Read this section and then pay attention to it while you're looking at the relationship of zoning and what people say. We haven't paid enough attention to that over the years and I think the time has come where we did. Thank you.

Chair Axthelm: Thank you, Carol. Are there any other public comments?

(silence)

Chair Axthelm: Okay, seeing none we'll move on to the next section of the agenda.

Chair Axthelm: Dale, would you like to introduce that?

Dale Pernula: Sure. I put the Transportation Element on before the Rural Element, mainly because we had a few people who were going to attend this meeting. We have Jeff Arrango from BERK Consulting. We have Gabe Phillips from SCOG. And we also have Forrest Jones from our own Public Works Department. So they're here to answer any questions you may have and as we go through this section.

You've got a lot of material. You have the Transportation Element with some proposed amendments to it. You also have a staff report. I'm not going to review the staff report on the screen. I think the staff report provides a lot of information why you'll see the changes that are being indicated on the screen. So you might keep it to the side and refer to it as we go through it. And there's also that – the – what was formerly the Transportation Systems Plan that's now going to become the Skagit County Transportation Element Technical Appendix. Currently we have the Transportation Element, then as a separate, standalone document we have that Transportation Systems Plan, and that includes the Non-Motorized Transportation Plan. What we're trying to do is boil that down a little bit, make it a little bit smaller and a little bit more usable, and not just adopt it by reference as it currently is, but adopt it as an appendix to the Transportation Plan. The policies that are in that plan, as well as what's being proposed in the Appendix are the same as what they have been in the past.

So what I'd like to do is go over the Transportation Element that we have on the screen and that you're provided with with your agenda. And some of the questions you may have may have been answered by the staff report, but I think we can go ahead and go through the document. It's on the screen. This is the first page of that element. If you have any questions about these changes, let me know and we can consider changing those. We can just go through it page by page like we did at the last meeting. Any questions about this first page?

Chair Axthelm: Hold on a second. I was just getting my computer opened up here. I've got some comments or questions. Okay. So if we do page by page, does that sound all right?

(sounds of assent from several Commissioners)

Chair Axthelm: Okay, so let's go ahead and start down here with Tammy.

Tammy Candler: I don't have anything on the first page.

Chair Axthelm: Okay. Kathy?

Kathy Mitchell: I don't either.

Annie Lohman: No.

Chair Axthelm: Annie.

Hollie Del Vecchio: No.

Chair Axthelm: Hollie.

Amy Hughes: No.

Martha Rose: I don't have any either.

Chair Axthelm: Okay. I did have a question here on the first page. In there you took out "regional government," and I guess my comment was, How does SCOG fit into this? Is it written in there? I wasn't seeing it. Right there to the right – you have "regional" – where it says "...services are...provided by the state, regional government, and the cities and towns..." But wouldn't SCOG be in there as well?

Gabe Phillips: SCOG doesn't provide any services ____.

Mr. Pernula: They don't provide the direct services of a transportation system. They provide staff services for the region.

Chair Axthelm: Okay. Okay, so that's covered. That's fine. Thank you. That was it from my side. So page 2. We'll start down at the other end down there.

Ms. Rose: I don't have any comments.

Ms. Hughes: No comments.

Chair Axthelm: Hollie?

Ms. Del Vecchio: Not on 2. I'm fine.

Ms. Lohman: Not on 2.

Ms. Mitchell: Not on 2.

Ms. Candler: Nothing.

Chair Axthelm: Okay. One question I had was here down at the bottom, the last section. It says “Senior Citizen and Handicapped transportation...shall be provided with an adequate budget to provide for those...” I guess I – I mean, I want you to provide for them but is that the right term in there – like “adequate”? What’s considered adequate?

Mr. Pernula: That is currently the language in the current Comprehensive Plan. That is not being changed.

Chair Axthelm: Okay.

Ms. Lohman: Well, you can still ask it.

Chair Axthelm: Yeah. Because that’s kind of far-reaching, so that’s the question I would have.

Ms. Mitchell: To define “adequate,” you mean?

Chair Axthelm: Yep, to define “adequate.”

Ms. Mitchell: That came up under Ferries, too, with Guemes Island.

Chair Axthelm: That’s all I have. I mean, I don’t have anything to tell you what to change it to but...Okay, so page 3.

Ms. Candler: I don’t have anything.

Chair Axthelm: Kathy?

Ms. Mitchell: I do. On page 3, number 1 – it’s a good thing Gabe’s here. This is one of the things I sent to you this afternoon, Dale. It’s just a question about the SCOG agencies. Under number 1, it says “SCOG member agencies” then you go down to number 4 on page 3 and it says “Facilitate cooperation, coordination and information exchange among SCOG...member agencies” – cross out “stakeholders in the Skagit MPO.” Just the question of how it’s going to be in the rest of the document. There’s a number of places where “stakeholder” was crossed out and changed over for “member agencies,” which I do understand, but there is one line later on where “stakeholders” is kept. And I guess my question is if somebody could tell me what “stakeholder” means in this situation.

Chair Axthelm: Go ahead.

Mr. Phillips: Do you know which reference the “stakeholder” is left in?

Ms. Mitchell: Yeah, I can tell you in just a second. Flip to page 23. The very last line says “SCOG maintains the regional transportation forecasting model and” facilities “discussion and decision-making among all of the stakeholders.” So the question is of “stakeholders” flipping to “member agencies,” which I do understand – are they interchangeable or do they mean different things?

Mr. Phillips: Where I think this comes from is we are updating our regional transportation plan right now so a lot of the – in the first section we saw where – was it page 2? – those are the SCOG regional policies and we’ve updated those, and what I’m guessing is that this “stakeholder” – that term was just overlooked.

Ms. Mitchell: Okay. So we expect that to be changed to the –

Mr. Phillips: I would expect so. What this is saying is we would maintain a travel demand model that's for use of our member agencies. It's not – I don't think "stakeholders" is really the appropriate term right there.

Ms. Mitchell: Good. That's what I was hoping you'd say. Thank you.

Chair Axthelm: Okay.

Ms. Lohman: My turn?

Chair Axthelm: Yep. Annie.

Ms. Lohman: Mine's probably a technical question, too. You talk about the Metropolitan Planning Organization and you shorten it sometimes "MPO" and then sometimes you put "Skagit" in front of it. Is one a generic and the other is specific, or is it just you haven't caught them all?

Mr. Phillips: It's a little bit of alphabet soup. Yeah, we haven't caught it all and really about a year ago, a year-and-a-half ago, SCOG updated its governance agreement and now the actual name of the Metropolitan Planning Organization is SCOG. It's no longer – it used to be known – it used to be separate and now the MPO is SCOG. So, really, anytime you see "Skagit MPO" or "MPO" in reference to the Skagit MPO it could be changed with SCOG.

Ms. Mitchell: And if we see a place where it just says "MPO" with "Skagit" accidentally left out?

Mr. Phillips: If it's referring to MPOs in general, then the "MPO" should stay, but if it's referring to the Skagit MPO, SCOG *is* the MPO for Skagit County.

Ms. Lohman: Then maybe we should – maybe I kind of lost it or tripped over it because of the tracking changes. I mean, I like the track changes. I don't want you to stop doing that, but at the same time sometimes when you're trying to read something you trip over it trying to tease it out. Because I thought it was two separate entities with two distinct functions.

Mr. Phillips: When this version – when the original version of the plan was written it *was*, and since then SCOG has updated its governance agreements and now SCOG *is* the MPO for the region. It's not just the lead agency for the MPO, as I think it used to be known. It – now when you say "SCOG," it means Skagit MPO.

Ms. Lohman: Okay.

Chair Axthelm: Are you done?

Ms. Lohman: Yes – sorry.

Ms. Del Vecchio: So I just have – it's not specific to anything that's actually on this page, but before we start getting into the specific goals I just wanted to note that for an agricultural county there's a surprising lack of reference to anything regarding agricultural-related transportation. So I don't think the word shows up anywhere. "Farming" doesn't show up. It does seem like the fact

of the matter is we do need to be balancing the transportation needs of our local farms with everything else. So I just feel like that should be spelled out here somewhere.

Ms. Mitchell: I'd like to co-sign that. The only place it shows up anywhere is in the appendix on page 39 where there's a sentence that says "The importance of agricultural products transport is noted in the plan," and that's it unless I missed something somewhere else.

Ms. Lohman: Well, and even when you get to the Freight section, because I had also flagged that issue only I was in the freight issue because I was looking for where it possibly might pop up. So three of us saw it – probably more.

Ms. Del Vecchio: That's it for me.

Ms. Hughes: Nothing on this part.

Chair Axthelm: Okay. I don't have anything either on page 3.

Mr. Pernula: Which page are we on? 3?

Chair Axthelm: 4.

Mr. Pernula: 4?

Chair Axthelm: Okay, Tammy, do you want to start?

Ms. Candler: I don't have anything on page 4.

Ms. Mitchell: I don't either.

Ms. Lohman: Nothing.

Chair Axthelm: Hollie?

Ms. Del Vecchio: No.

Chair Axthelm: Amy?

Ms. Hughes: No.

Chair Axthelm: Okay, so I don't have anything on page 4 either. So page 5? Start – Martha, if you'll start.

Ms. Rose: No, I don't have anything.

Chair Axthelm: Okay. Amy? Hollie?

Ms. Del Vecchio: No.

Chair Axthelm: Okay, Annie?

Ms. Lohman: No.

Ms. Mitchell: I don't have anything either.

Ms. Candler: I don't have anything.

Chair Axthelm: And page 5 – or 6. 6. I'm sorry. Okay, Tammy, if you start.

Ms. Candler: I don't have anything, just – I don't have anything.

Ms. Mitchell: Sure?

Ms. Candler: Yeah.

Ms. Mitchell: I don't have anything.

Ms. Lohman: Nothing.

Chair Axthelm: Hollie?

Ms. Del Vecchio: Yeah, so under Public Transportation, Goal A3, Coordination, and maybe I'm missing it but I don't see anything regarding the actual coordination of transit service with modes that would be used to access the transit. So I think it's especially important to be looking at those, you know, whether it's bike connections or walking or, you know, making sure that there's parking if it's something that you're depending on to take the transit it is. But we'd just like to see some recognition that we should be integrating the transit with the access to transit with whatever mode you're using to get there.

Chair Axthelm: Amy?

Ms. Hughes: Nothing.

Chair Axthelm: Martha?

Ms. Rose: I'm fine.

Chair Axthelm: Okay. And the only thing I had was, again, that word "adequate." It's not specifically under Senior citizens but it's our 8A-3.3, that "Supports adequate funds" – just some definition of it. This works better because it's *support* adequate funds. It doesn't put that number straight – or define it so hardly. Okay. So page 7. Martha, if you'll start.

Ms. Rose: Nothing.

Chair Axthelm: Amy?

Ms. Hughes: My comment kind of works non-motorized with the tourism and rec, and so I'll wait until we get to the tourism and rec. It's kind of the same thing. Specifically where I was going with this: I've seen where we've discussed public education programs to increase safety, and when it deals with our non-motorized transportation and our rec I was wondering if maybe we want to include some awareness on public education with sharing the roads and safety, sharing the trails. It falls into our agriculture issue of we have mixed uses on roads that sometimes have heavy implement usage. And maybe a public education campaign could help those issues as

well as what trails are safe for this type of a use and what trails are safe for another type of use. So it kind of borders both.

Chair Axthelm: Amy – no, I'm sorry – Hollie.

Ms. Del Vecchio: I –

Chair Axthelm: No, I wasn't trying to skip you!

Ms. Del Vecchio: I'll just make the same comment for Ferry Service that I did for transit, that we need to be looking at how people are accessing ferries and providing/encouraging the pedestrian-bike connections in that – transit connections in that case, too.

Ms. Lohman: Nothing for me.

Chair Axthelm: Okay, Kathy?

Ms. Mitchell: Nothing on 7. Thank you.

Chair Axthelm: And Tammy.

Ms. Candler: Nothing.

Chair Axthelm: Okay. I did notice something. The ad that was in the paper today about the ferries, about how they're having reservations so it's decreasing the traffic. I mean, not that any less people are going on the ferries, it's just that they're at least – instead of lining up, they're going with a reservation. I thought that was interesting. Sorry. Okay, page 8. Start with Tammy.

Ms. Candler: I don't have anything.

Ms. Mitchell: I don't either.

Chair Axthelm: Annie?

Ms. Lohman: No.

Chair Axthelm: Hollie?

Ms. Del Vecchio: Just the flip side of what I've been saying, is when looking at non-motorized look at – we want to make sure we're looking at where people are actually trying to get connecting to other transportation modes. But other than that, I think it's – I like that it's in here.

Chair Axthelm: Okay. Amy?

Ms. Hughes: Nothing.

Ms. Rose: I don't have anything.

Chair Axthelm: Okay. The only thing I had was the second statement on there says "Increase education, information..." That statement, I like that. Education's important. And then on 8A-6.5 it says "Connect neighborhoods and communities with each other..." and I just emphasize, you

know, that's great. I think it's a great idea to connect them but I want to make sure that proper acquisition of that land is done. That's all I have. Okay, so page 9. Tammy, start.

Ms. Candler: I don't have anything.

Ms. Mitchell: I don't either.

Ms. Lohman: This is where I noticed the lack of accommodating the agricultural sector. I didn't see any mention of how we get our stuff from the field. And it's getting to be more of an issue now because we're sharing the road with faster traffic and a lot more traffic than we used to. That was all.

Ms. Del Vecchio: I'll second that.

Ms. Mitchell: I'll put a third in. So, Dale, how would that be recognized?

Mr. Pernula: I think we'll have to give it some thought – on that. It's both the faster traffic and maybe some slower bicycles and pedestrians, as well. So if you're driving down a road – a county road – with some big farming implement, it's a little bit tricky.

Ms. Lohman: Well, sometimes you can't get out of the field. You can't get a break in the traffic, and the path maybe that you have to take to make all right turns takes you farther than you need to go in order to make that happen. And then sometimes there isn't a break to go across – for example, Cook Road – if you're on the wrong side. It's dangerous trying to go fast when you're driving something slow.

Ms. Del Vecchio: Yeah, it seems like at least identifying the roads where that's an issue and being aware of that as we're planning for designating truck routes and that sort of thing – that it should at least be something that is being looked at.

Chair Axthelm: Amy?

Ms. Hughes: With that issue, coordination with special events – it's during the heavy agriculture months that we also have heavy tourism months and maybe bicycles having an event that goes through a community. And so if there could be better coordination that a long string of bicycles aren't going through when implements are being taken on the same roads, or that there's some safety – you know, one bike in a row, not double bikes travelling side-by-side – those type of issues – just better community awareness of how to share the roads.

Chair Axthelm: Martha?

Ms. Rose: I agree with all of the comments and have none to add.

Chair Axthelm: I agree with that, too. And then also the – you know, I used to see signs that said "Share the road" or there was education on what you could do with farm vehicles in making sure that people don't conflict with them. You know, I've had a few times when I've been on the road with a tractor or baler and had somebody just fly right on by. And equally with horses – is when you're out beside the road or on the road with a horse and somebody flies by going 50 miles an hour it's not safe, so if people could be more educated in a farming community or in a rural community what is appropriate and how they need to respect the farming community.

And then my comment on 8A-6.11 at the top: Again I like how it emphasizes “safe, efficient and convenient access to residential neighborhoods” – so the safety being an important factor. You know, so many times where you have it – you can’t get between areas because there’s no trail, and that trail or that biking path would be very helpful with that. That’s all I have on page 9, so page 10, and, Martha, you start your –

Ms. Rose: I have no comments.

Ms. Hughes: Nothing from me.

Chair Axthelm: Hollie?

Ms. Del Vecchio: No, I’m good, thanks.

Chair Axthelm: Annie?

Ms. Lohman: No, I didn’t see anything.

Chair Axthelm: Okay.

Ms. Mitchell: I don’t either.

Chair Axthelm: Kathy. Tammy?

Ms. Candler: I don’t have any comments for change but I think this starts to get into some of the education, and the next page even more so, and sharing the road and stuff, so I think it’s in here. I think it’s just we haven’t gotten to it yet.

Chair Axthelm: Oh, there we go. Yep. Okay, I don’t have anything then. So page 11. And, Tammy, if you’ll start.

Ms. Candler: I don’t have anything.

Chair Axthelm: Kathy?

Ms. Mitchell: I had a question mark on number 76 on the memo which equates to 8A-13.5. We’re on page 11, right?

Chair Axthelm: Yeah.

Ms. Candler: But 13.5 is on 12.

Ms. Mitchell: Oh, sorry. Okay, never mind. I’ll wait.

Mr. Pernula: Next page.

Ms. Mitchell: Yep. Sorry.

Chair Axthelm: Dale, are we going to go through, like, the Technical Appendix and stuff as well?

Mr. Pernula: I think you can. It's a huge document, though, mainly composed of highly technical information. If there are some high points that you want to cover, go ahead, but I wouldn't go into too much detail. I'll go over just a summary of what it's trying to accomplish at the beginning of it, right after we're done with this element.

Chair Axthelm: Okay. Thank you. Annie?

Ms. Lohman: Not here.

Chair Axthelm: Hollie?

Ms. Del Vecchio: No.

Ms. Rose: Nothing.

Chair Axthelm: Page 12.

Ms. Lohman: Wait, it's – go ahead. I'll wait till the end.

Chair Axthelm: You're at the end. Page 11?

Ms. Lohman: Yeah, 8A-12.2. It's that listing Skagit Council of Governments *and* the Skagit Metropolitan Planning Organization as if it was two – back to that first point that it's SCOG now. It's at the bottom.

Chair Axthelm: 8A-12.2? Okay. So page 12, Land Use and Development. Martha?

Ms. Rose: Nothing.

Chair Axthelm: Amy? Hollie?

Ms. Del Vecchio: No, I'm fine.

Chair Axthelm: Annie?

Ms. Lohman: Maybe on number 8A-13.6 you could insert agriculture in there too because you talk about major industrial and commercial areas – possibly, unless you wanted to give it its own.

Chair Axthelm: Okay. Kathy?

Ms. Mitchell: I don't need – no. Pass.

Chair Axthelm: Okay. Tammy?

Ms. Candler: No, I don't have anything on page 12.

Ms. Del Vecchio: Can I – can you go back to me? Sorry. It's more of a general – it's not specific to any one provision in here, but I think this is a really important section. Coordinating land use and transportation is pretty crucial, and I feel like it's here but not really emphasized or specifically stated that we really want to be looking at where the land use – we're really looking

at the land use and what's driving transportation when we are planning out our facilities, and I think if we can clearly state that really the land use should be driving our transportation decisions, and no pun intended – good grief! And again, I think it's here. It's just not very strong that there does need to be coordination there and really figuring out where are people going, where is the development going to be occurring, what type of development, and how does that – that should dictate the types of transportation. You know, if it's schools we really want to make sure that the non-motorized access is strong. If it's stores, we want to make sure that people have good access to spots within their neighborhood and their community. Anyway, yeah, it's more of just a general – we'd like to really emphasize the importance of understanding our land use when making the transportation decisions.

Mr. Pernula: Actually I was going to bring that up if you wanted to talk about the Technical Appendix, because one of the reasons why this is such an important element is that the – as you say, the land use drives the Transportation Element. It's probably the element that's getting the most attention and the most updating with this entire Comprehensive Plan Update. It's more of a theme that hasn't been stated outright, like you suggest. But it is certainly a theme.

Ms. Del Vecchio: Right. And I agree. I feel like it's there. We understand that, but it would be nice to really have that spelled out.

Ms. Mitchell: I'll second that.

Chair Axthelm: Mm-hmm.

Ms. Lohman: Well, it kind of quietly says that in each policy without being really very demonstrative.

Ms. Del Vecchio: Yeah. Yeah. I want to be more demonstrative. But I agree. It's *there* but it's subtle and I'd just like it to be ___.

Ms. Mitchell: Well, we've been clear on other things.

Chair Axthelm: Okay. Amy?

Ms. Hughes: Nothing.

Ms. Rose: I don't have anything.

Chair Axthelm: Okay. And I'll echo it – Hollie here said it. You know, with developments, if you don't have the proper elements there, it makes it really difficult for development – not necessarily for development but for people around it. So it's important.

Okay, so the next page, page 13, Concurrency. Tammy? Or did I start – Martha, if you'd start.

Ms. Rose: I don't have any comments. The only question I have is when you're talking about under 8A-14.4 and 14.5, this discussion about the County may or may not choose to use impact fees. And so I don't know enough about the big picture to know whether – how they decided or, you know, like they may or they may not and that's a little bit of an ambiguity. So that's my only question, is to just – maybe it's somewhere else where it's discussed in greater detail, or maybe it's simply saying that they will come up with their policy later, you know? No, I understand

they're reserving the right to charge the fees, but it seems to say that they *may* charge them but then they may not. You know what I'm saying? It's not like they *will*.

Ms. Del Vecchio: I think that's – with the policies, most of them are *may*.

Ms. Rose: Are they *mays*?

Ms. Del Vecchio: Yeah. I'm just glancing through them all right now.

Ms. Rose: Yeah, I see that. It was my only comment.

Ms. Hughes: Nothing further.

Chair Axthelm: Annie?

Ms. Lohman: Nope.

Chair Axthelm: Hollie?

Ms. Del Vecchio: No.

Ms. Lohman, Ms. Del Vecchio, and Chair Axthelm: (speaking unintelligibly together)

Chair Axthelm: Kathy?

Ms. Mitchell: Nothing.

Chair Axthelm: And Tammy?

Ms. Candler: Nothing.

Chair Axthelm: I do have – you know, I'm in construction so impact fees to us make a difference sometimes, but I'd just like to make a general statement that making sure the impact fees, if they're charged, are used for that development or used for the general area. You know, I don't want impact fees charged in Concrete and then used way down in Mount Vernon. I think they need to be – and if there is an impact fee that it needs to be a justified impact fee. And I'm not saying that they aren't. I just want to make sure that that's considered – is that –

Ms. Del Vecchio: If illegal. If they – so –

Ms. Rose: Say it again.

Chair Axthelm: Yeah. So just that they're used for that area or used for what they were stated they were going to be used for.

Ms. Rose: Right. And to elaborate, to make sure that they're not in excess of what the impact really is.

Ms. Mitchell: That's a good point. That's a *really* good point.

Chair Axthelm: Okay. I think I've seen some developments go in that probably should have had impact fees and should have had changes done and didn't, and then another one goes in that might be a smaller one that has to make all these improvements around the old one. Okay. That's it. That's all I have for page 13. Anything else from anybody?

(silence)

Chair Axthelm: So page 14. Tammy?

Ms. Candler: I don't have anything.

Chair Axthelm: Kathy?

Ms. Mitchell: This is Annie's. It's got the Skagit MPO thing again in number 8A-15.1. Just make sure that's what you want it to be. Nothing else.

Chair Axthelm: Okay. Annie?

Ms. Lohman: Nope.

Chair Axthelm: Hollie?

Ms. Del Vecchio: No.

Chair Axthelm: Amy?

Ms. Rose: I haven't anything.

Chair Axthelm: Go ahead.

Ms. Lohman: I mean, there again that whole section – the SCOG/MPO, because it's further down, too.

Chair Axthelm: I think that's your general statement for the document – that it be fixed or clarified. Okay. So page 15. How about this: Do we have any comments on page 15?

Ms. Del Vecchio: Thank you.

Several Commissioners: No.

Chair Axthelm: Okay. So no comments on page 15! So page 16, Dale –Transportation Profile.

Ms. Candler: I don't have anything.

Chair Axthelm: Okay. Kathy?

Ms. Mitchell: Nothing.

Chair Axthelm: Annie?

Ms. Lohman: Nope.

Chair Axthelm: Hollie?

Ms. Del Vecchio: I'm just wondering if there's – if it's worth – if the agricultural demands on the transportation are worthy of their own section. I know it's not a required element, but I'm just looking for places to incorporate that. So even though it's not a required element, I'm just throwing out that maybe it makes sense to have a section on it.

Ms. Mitchell: Could you repeat what section you said?

Ms. Del Vecchio: Just regarding the agricultural – just given that that is a pretty prominent characteristic of our county.

Ms. Mitchell: And this would be a good place for it.

Mr. Pernula: Where specifically are you talking about inserting it?

Ms. Del Vecchio: Adding it as a – to the – as a separate Transportation Plan Element. You know, we have our required ones but there's nothing saying we can't *add* one, right?

Mr. Pernula: I think we can take a look at it. It might be that the ag Transportation Element can be just inserted in several of the policies that we have here. We talked about the movement of goods and services. Be more explicit that some of those are agricultural and some of the issues that it causes – slow-moving, large vehicles, et cetera.

Ms. Del Vecchio: And I think it could be addressed that way as well. If we feel there's enough to give it its own section – just considering the possibility for giving it its own element, or if it makes more sense, though, to incorporate it throughout then that works for me as well.

Mr. Pernula: Okay.

Chair Axthelm: Amy?

Ms. Hughes: Nothing.

Chair Axthelm: Martha? You know, that brings up a good point with having its own section because your non-motorized transportation has its own section. Why wouldn't an agricultural transportation have its own section?

Ms. Mitchell: Right.

Chair Axthelm: And it doesn't mean it isn't incorporated in the rest of the sections as well, but having its own section would give an emphasis to it.

Ms. Mitchell: And back in that Technical Appendix there was the line that stated how important it was that the whole section of I-5 how it was designated an agricultural highway – right?

Ms. Lohman: Scenic.

Ms. Mitchell: Scenic highway, right. So that already says it's important.

Ms. Del Vecchio: I will backtrack on that. I mean, the reason I mentioned it is because exactly as Kathy mentioned. There's the pedestrian bicycle component is now listed as its own element. But the rest of, I feel like it was just kind of added on, which it was. That's exactly what happened. But the required elements are not broken down by mode. They're broken down by other categories. So if we now start adding an agricultural element, then we need a transit element, then we need a – we're completely restructuring the way it's set up, and so – yeah, I mean, I take back what I said a little bit so that maybe the alternative is, like he said, incorporating the agricultural throughout, but then also incorporating the pedestrian and bicycle throughout all of these other sections. But that's a – I know it's a required – maybe I just don't like the way the state set that up. It seems like they're adding the pedestrian and bicycle as its own element, which doesn't – is not consistent with how the rest of it is laid out. So I do not have really an answer there. It just seems odd the way it's set up.

Ms. Candler: Can I weigh in on this, Josh?

Chair Axthelm: Yeah.

Ms. Candler: The concern that I have about adding it is also that, you know, people need to share the road. They're not separate roads. And so I'm concerned that there's going to be some idea that these are going to be different byways and I don't want to give that impression. I think in those places where farm equipment needs to move around they need to be able to use the road to do so – the roadway that everything else is using. And I think the bicycle paths and things like that are a little bit different in that sense.

Ms. Del Vecchio: I would disagree and I would say I think the pedestrian and bicycle – I mean you do have separated paths but that's not the only way that pedestrian and bicycle needs are met or should be met. So I think that those needs should really be incorporated in rather than standing out as their own, but for the same reason that I think that you're saying that agricultural should be incorporated in rather than _____.

Ms. Candler: But I think we are encouraging under the plan to expand some of those separate ones, and that's significant to me.

Ms. Lohman: Mr. Chair?

Chair Axthelm: Annie?

Ms. Lohman: I think you could almost argue that, number 1, Land Use Assumptions is kind of incorporating agriculture and timber or whatever other NRL; however, in 2016 you have to state the obvious because – I just think that it's a different paradigm than it was maybe 20 or 30 years ago where everybody knew about agriculture and all of its warts and everything and understood it because they had more connection. Now you don't have that kind of connection so we have to kind of almost put some defensive language in there or reminder language that this is a rural county. But it isn't just agriculture. It's timber and some of the other stuff, too.

Ms. Candler: But I think a better way to do it would be to add agriculture to some of these sentences rather than giving them in their own section.

Ms. Lohman: Well, I kind of think that, too, because then you can get such a – then who else did you leave out?

Ms. Mitchell: Well, agriculture and forestry can always be added together because they're such a – both of them are huge sections of the economy for the county.

Ms. Lohman: But part of it is the danger of writing lists.

Ms. Mitchell: Well, that's true but it comes back to just what you said earlier about the ___ having to state the obvious. The county is largely agriculture – also forestry-based industry and we're proud of that, and we would like to make sure that it stays or has the opportunity to be viable in both those sections, and if we embrace it more by including the language in there then we're coming right out and stating it.

Ms. Lohman: Maybe the issue is when we're using very broad generic terms like "land use assumptions." Some of us that have been involved in reading code and learning planner-speak, we kind of get what that means but it really is very vague – so maybe if we had a little bit more robust language just right there. You wouldn't have to give different enterprises their own chapter but you would basically be acknowledging Skagit County's circumstance.

Chair Axthelm: Where are we at now? Did I get through everybody? Okay, so page 17?

Ms. Mitchell: 16.

Chair Axthelm: Did we cover 16 yet?

Ms. Candler: I have something on 16.

Chair Axthelm: Yeah, we got 16.

Ms. Candler: I don't think so because I had something on there.

Chair Axthelm: Okay. So go ahead.

Ms. Candler: So my question is – and maybe it's a GMA-driven prospect, but we're calling it here "Pedestrian and bicycle component" and we've been sort of referring to it as "non-motorized transportation." At least I think so. Is there a reason why we're not sticking sort of more consistent with that language, or are we really talking about something different?

Mr. Pernula: Where specifically are you talking about?

Ms. Candler: Okay, so in the second red line you have here – last dotted section right here on this – "Pedestrian and bicycle component." Why are we not calling it "non-motorized transportation" element or component?

Chair Axthelm: Right above your cursor.

Mr. Pernula: I see that.

Unidentified male voice: The GMA says "pedestrian and bicycle component." You can call it non-motorized ___, but this is the GMA requirements and GMA refers to it as "pedestrian and bicycle."

Ms. Candler: Okay, I understand that. So is there some reason why we called it non-motorized? Or do we want to stay consistent? It's just something to think about.

Chair Axthelm: Was that addressing the horses?

Ms. Candler: Well, yeah, basically it is. There's the horse trails, there's – I feel like "non-motorized transportation" is a better word. And I understand the GMA might not use that word but if we can use it anyway, that, I think, would be preferable.

Ms. Mitchell: We could always ___ it and put something down below, right?

Chair Axthelm: Or put "non-motorized" in in brackets there or something. Kathy?

Ms. Mitchell: I've got nothing else. Thank you.

Chair Axthelm: Annie?

Ms. Lohman: No.

Ms. Del Vecchio: No.

Ms. Hughes: Nothing.

Chair Axthelm: Martha? No. Okay. And I don't have anything else there. Now there's a page 17. Would you like me to ask if we have any comments on this page? Or should I just keep going down the line?

Ms. Candler: That would speed things up.

Chair Axthelm: Okay. Is there any comments on page 17?

Several Commissioners: No.

Chair Axthelm: Okay, so if you just raise your hand if you have a comment, and that way we can cover that. Okay, so page 18. Do we have any comments on page 18?

Ms. Mitchell: Yes.

Chair Axthelm: Okay.

Ms. Mitchell: Just under the pie chart, the whole section was stricken out. And I realize a lot of the language moved to the appendix, but within that it says the "functional classification system." When it rolls over onto the next page then it starts "Another aspect of the functional road classification system," and if we delete that whole paragraph the way it is then we lose something – whatever another thing ties back to, number one. But, number two, perhaps if some of this language could be kept then that paragraph that was stricken out minus maybe the numbers, or however you can massage that –

Mr. Pernula: Makes sense.

Ms. Mitchell: – it would – yeah.

Chair Axthelm: Okay, any other comments on page 18?

(silence)

Chair Axthelm: Okay, so page 19. Any comments on page 19?

Ms. Mitchell: Yes.

Chair Axthelm: Okay, Kathy?

Ms. Mitchell: Real quick – Dale, on page 19, second paragraph: “Most County Major and Minor Collectors” was stricken. It’s such a simple sentence that explains a lot. Can that be kept?

Ms. Lohman: Where? Where are you, Kathy?

Mr. Pernula: Right here where I’ve got it highlighted.

Ms. Mitchell: Yes, sir. Is there a reason that was taken out?

Mr. Pernula: Forrest, do you know why that was taken out? Was that you?

Ms. Mitchell: Is it the numbers? Have they changed?

Chair Axthelm: Could you – for the record, if you could approach the microphone.

Forrest Jones: I will double-check this but I believe that there was a more detailed freight study that was done around 2003 when the old Transportation Systems Plan was done, so there was some more specific figures that are not available now. So I believe that’s why it was taken out.

Ms. Mitchell: Okay. Thank you. I appreciate the explanation. Just from a lay person, it was nice to have it in there. Thank you.

Chair Axthelm: Okay, thank you. All right, any other comments on page 19?

(silence)

Chair Axthelm: Okay, so page 20. Comments on page 20? No?

Ms. Mitchell: No.

Chair Axthelm: Page 21 – comments? No? Page 22?

(silence)

Chair Axthelm: Is it going too fast or is this all right?

Ms. Mitchell: It’s good.

Chair Axthelm: Okay. Okay, page 23.

Ms. Mitchell: Yes. It was just to bring your attention, Gabe, back to what we talked about earlier about the stakeholders thing – and Dale. This is where that tied back, at the bottom of the page.

Ms. Candler: You want it changed to “member agencies”?

Ms. Mitchell: Yeah, it could be changed to “member agencies,” if that’s what you intended, since it’s done most other places in the document.

Chair Axthelm: Okay. Any other comments on page 23?

(silence)

Chair Axthelm: Okay, so page 24. Any comments on page 24? Okay, go ahead, Hollie.

Ms. Del Vecchio: Yes, and I don’t know if this is the right place to be considering it, but being that the pedestrian and bicycle component is new, and I know we’ve had a lot of people – I’m not going to quantify “a lot,” but I’ve heard a number of people comment on the desire for some kind of a citizens advisory committee or something so that we could get some feedback from people as to where these facilities are needed and what some of the key issues are, if we can incorporate some – just to allow for the creation of some kind of advisory committee, or even a broader – it doesn’t have to necessarily be just pedestrian and bicycle or non-motorized, but it seems like the fact that this is an expanded area for us and we have a lot of stuff to stay on top of, especially for that _____ takes people who are down literally on the ground using the facilities to know where the gaps are. I think that would be helpful to us in planning for that system.

Chair Axthelm: Okay. Any other comments? Tammy?

Ms. Candler: Just I would ask that they consider changing “pedestrian and bicycle” to “non-motorized.” I know on page 25 – jumping a little bit ahead – they do list bicyclists, pedestrians, and equestrians so it just makes more sense, I think, to call it “non-motorized.”

Ms. Mitchell: Right, because it includes mules too.

Ms. Candler: Right. It includes things and I’m probably not even thinking of everything, but ____ – whatever! You know, I don’t know – something that I’m not thinking of people are going to be using.

Chair Axthelm: Okay. Any other comments on that page?

(silence)

Chair Axthelm: Okay, so page 25. Any comments on page 25?

(silence)

Chair Axthelm: There we go.

Ms. Lohman: I would like to have a general comment. There is an awful lot of acronyms in some of these sections. Some are really heavy, and I – we don’t need to make an acronym for every single thing. It makes sense if it pops up all the time to punt to an acronym, but, my gosh,

when you've only mentioned it three times and you've written an acronym I just kind of wonder if we have to do that.

Ms. Del Vecchio: "SCOG" can stay.

Ms. Lohman: "SCOG" could stay.

Ms. Mitchell: You've earned your wings!

Ms. Lohman: But I know when I got down into the more technical section I could tell somebody else wrote it because all of a sudden there was just like the FGTSs and – *what?* So, anyway, a bit of a peeve of mine.

Ms. Mitchell: I'd agree with that.

Ms. Candler: I would too.

Chair Axthelm: Okay.

Mr. Pernula: Okay, I guess that's the end of the Transportation Element itself.

Chair Axthelm: Okay.

Mr. Pernula: I don't know if there's something specific that you would like to take a look at in the Appendix.

Chair Axthelm: Do we have any general comments on the Appendix? Commissioners, do you have any?

Ms. Lohman: I do.

Mr. Pernula: It's a big document.

Chair Axthelm: Okay.

Ms. Lohman: I like that we're going to – you know, put it with it, rather than just reference some other box that you've got to go hunt for.

Chair Axthelm: It's a lot to review. Okay. So I guess that does it for that portion. Next?

Mr. Pernula: Okay, the next would be the Rural Element. And once again there is a staff report that goes with it and that gives a lot of the explanations of why there were some of those changes. So I hope you've had a chance to review those. If you need a copy of that staff report I've got a couple extra copies.

Chair Axthelm: Okay, do you want to do the same thing – go through the document in the same way, Dale?

(silence)

Chair Axthelm: Are you guys ready? Do you have any other clarification or you want to just go through this ____?

Mr. Pernula: Just go ahead. The first changes are on page 2.

Chair Axthelm: Okay, so anything on the first page?

Ms. Hughes: Josh, may I ask a question? Are we going to go through both documents or just them kind of together?

Chair Axthelm: Dale?

Mr. Pernula: I would suggest that we only look at the actual Rural Element.

Ms. Hughes: Okay.

Mr. Pernula: And the staff report is really there to explain why a lot of these changes are being suggested. So if you look at the Rural Element and you see some additions or changes, there are some footnotes on the side but there are better footnotes in the actual staff report – a lot better information, more thorough. But I think what's most important is to take a look at the document that's being prepared so that as we go out for a public hearing it's what you guys want to have.

Chair Axthelm: Okay, page 1. Any comments on page 1?

Several Commissioners: No.

Chair Axthelm: Okay, so page 2?

Ms. Candler: I have a comment –

Chair Axthelm: Go ahead, Tammy.

Ms. Candler: – on page 2. Well, I'm only bringing it up because it's there. I found these little – even though, like you said, the staff memo is much more elaborate, these little comment boxes are incredibly helpful. They save a lot of time, I think, and I found them very useful, Dale. That's all.

Chair Axthelm: Okay, any other comments on page 2?

Ms. Lohman: Yes, I have something. The second red new language where it starts off “Rural commercial and industrial development,” you talk about the potential of having industrial development in the rural area yet further in the document you propose striking the NRI, Natural Resource Industrial. And I'm wondering how at the front you talk about the industrial development in a rural area but then where are you going to put it if you don't have a spot? And I understand there's quite a bit of discussion and there may be some public comment coming from some of the ag groups about that very thing, because there's a bit of tension in that taking up resource land for things that maybe should be somewhere else.

Mr. Pernula: I'm probably not the best person to answer this question because I wasn't here at the time when the language that's being proposed to be eliminated was inserted. What I

understand is that there was an argument that perhaps some area that included some agricultural land could be converted to industrial uses if they're ag-related industrial, mainly because there was a lack of suitable industrial-zoned property. Well, part of the argument in favor of the elimination is that we recently rezoned a large area up at Bayview Ridge for industrial that certainly could accommodate a lot of agricultural industrial kinds of uses. So that's part of the rationale.

Ms. Lohman: I think we need to look at the definition of what we're classifying as industrial, because what becomes a tipping point? There might be some argument over, Is a potato processing – is that industrial or not? Is broiler chickens in a building – is that industrial or not? And so before we just throw out something I think we need to know what we're defining as what's industrial, especially if you're talking about NRI, or natural resource-*related* industrial. I mean, a fertilizer plant is one thing, but maybe handling a produce line is something else, but somebody else might call that industrial. So maybe having some clear direction on what we mean and maybe the ag community can help you with their public comment.

Ms. Mitchell: That's a good point.

Chair Axthelm: All right, Hollie?

Ms. Del Vecchio: No, not yet.

Chair Axthelm: Martha? Okay. There's nothing on page 2. So page 3 – comments on page 3?

Several Commissioners: No.

Chair Axthelm: I don't see anything. And page 4 – comments on page 4?

(silence)

Chair Axthelm: Okay.

Mr. Pernula: You can see we changed a lot of the "assuring" to "encouraging" based on some comments we got.

Several Commissioners: Yep.

Ms. Del Vecchio: Thank you.

Chair Axthelm: Okay, and page 5. Any comments on – Tammy? Or not Tammy – Hollie!

Ms. Del Vecchio: Looking at 3A-2.4, I know we've had some conversations in recent months about the CaRDs and just kind of taking another look at those. I didn't know if we wanted to maintain the language of *encouraging* CaRD land divisions or if that's something that we were wanting to take another look at. I just wanted to bring that to everyone's attention.

Chair Axthelm: Which number was that?

Ms. Del Vecchio: 3A-2.4. And I think it shows up some other place as well, but that seems to be the main policy statement.

Chair Axthelm: Okay, any other comments?

Ms. Rose: I have a comment on 3A-2.1 about the water availability. And I don't know whether there should be a c. under the little a. and little b. that talks about explicitly allowing and encouraging rainwater harvesting as being a viable source for constructing homes. So it's allowed by our state legislature but the question I have is, Does it deserve a place – a stated place – in this document? Because a. is talking about, you know, you need the water availability certificate of some sort and then b. is talking about working with the state legislature and stuff, but there really is that third choice, which is simply gather up the rainwater. And you can gather enough to build a house. Why not? Why not allow it then? So do we actually include that in here and state that?

Mr. Pernula: Yeah, I understand your point and it might be included in item a. We probably could be a little more explicit. That's giving some examples such as we have issued building permits for a few homes – not many – that have rainwater collection systems as their source of water. They have to have it sized properly, they have to have some storage, and so on.

Ms. Rose: Engineered right – mm-hmm. Okay, so you think – okay, it's under a.

Mr. Pernula: Well, perhaps we could tweak it a little bit.

Ms. Del Vecchio: Could we actually use the words “rain water”? I mean I think it would be nice to just let people know there is another option.

Ms. Rose: Well, it is – yeah, it's formally called “rainwater harvesting,” and I think the state allows – I don't know if it's 10,000 or 20,000 gallons per property or per house.

Mr. Pernula: We require it to be designed so they can show that it has an uninterrupted source of water for the dwelling and it's engineered and sized accordingly. But we have allowed them.

Ms. Rose: So it's in – okay.

Mr. Pernula: Perhaps we'll take a look at it and see if we could tweak it to include it specifically.

Ms. Rose: Right.

Ms. Mitchell: Just out of curiosity, what are the normal sizes or size range that you've seen – like up to 30,000 or, you know, something as high as that, or are you talking just like a thousand?

Mr. Pernula: I don't recall. I would have to get with our people. We have one person who deals with – specifically with rainwater catchment systems and he could spout it right off, but I can't.

Ms. Mitchell: It'd be nice to have that information some time. Thank you.

Mr. Pernula: Okay. I'll see if I can get that information.

Ms. Mitchell: Thank you.

Chair Axthelm: Okay, any other comments on page 5?

(silence)

Chair Axthelm: Okay. Page 6?

Ms. Del Vecchio: Actually Annie and – do you mind if I put your name on it? Sorry!

Ms. Lohman: Go ahead.

Ms. Del Vecchio: Before we go on –

Chair Axthelm: You talking on page 5?

Ms. Del Vecchio: On page 5, this is the added red language. I think if it stays in there it would be nice to expand the options for the water, but now that we look at – I'm not sure that the red language really belongs in a policy. It seems like there's a better place for that. I can see why it – I mean, I can see why it was added in there but I don't know if a policy statement is the best place for it. I will agree with Annie that a policy statement might not be the best place for it.

Ms. Lohman: Well, there's an awful lot of other things you could have put in there.

Ms. Mitchell: Is it there because it's been such a hot bed legally – for public information?

Ms. Del Vecchio: Yeah, it seems like if you put that in there there's a lot of other stuff. Yeah.

Mr. Pernula: There are other places we could put it as well, but this is one of the places – well, it's in the rural areas of the county where it's most important.

Ms. Lohman: But you didn't say anything about septic or the other infrastructure that you have to have before you can build.

Mr. Pernula: Sure. Usually there's not the kind of limitation that we have here either, unfortunately.

Ms. Mitchell: And it really is because this is such a big deal for people.

Ms. Del Vecchio: Or maybe it's a different – there is a – we're in a unique situation now, which is worthy of calling this out but is the policy – should it be sub-points under a different and new policy then that specifically addresses the water challenge, rather than this more general 3A-2.1?

Chair Axthelm: That is specifying water resources on 2.1, though.

Ms. Del Vecchio: Well, water resources and cultural resources and traffic volumes and – I mean, there's a lot of stuff in there. It's a pretty general statement.

Chair Axthelm: Yep, that makes sense.

Ms. Del Vecchio: I think the water situation might be worthy of its own policy statement, and then a. and b. would make sense underneath it.

Mr. Pernula: Okay, we'll take a look at it. I think it needs to be stated somewhere in the plan until it's resolved in some other manner.

Chair Axthelm: I thought there was – I was speaking to someone about it – about rainwater harvesting – and they said that that was even an issue. I don't know what the truth of that is. I've heard that as far as *any* water usage.

Mr. Pernula: No, it hasn't been here.

Chair Axthelm: Hasn't been.

Mr. Pernula: My understanding is that the water doesn't become the state's water until it's in the ground, but if you catch it as it falls from the air that it is something that you can harvest.

Ms. Lohman: Unless you don't catch too much. There is a prohibition if you catch too much.

Mr. Pernula: Could be.

Ms. Mitchell: Yeah, you know, check with WSU's extension offices, because when I was in with the Master Gardener Program there was – but that's been a while – there was language to that effect. And what I don't know if there were misunderstandings then or if there's more clarification or if it's usage – you know, numbers, as in gallons, that are collected or something. But a lot of people were almost leery putting in rain catchment systems because the language was scary enough saying you can't have the water. And that could have just been misunderstandings, but the questions are out there, in other words, Dale.

Ms. Rose: I'd like to comment on that. So it was about ten years ago, if I remember correctly, that the state legislature put in some clarification – you know, like actually gave rainwater collection the blessing. But they did state a maximum number of gallons. It was a large amount. It might be 20,000 gallons. It might be 10. But it's a pretty large amount – enough to supply a household as long as the people that live there are conscientious about how they're using their water, which, if that's your system, you become very conscientious.

Ms. Mitchell: I bet that's true.

Chair Axthelm: Okay. So any other comments on page 5?

Ms. Mitchell: Well, just to sew that up, so I think what's going to happen is if we know that there's little confusion that we've heard with people – what they know or don't know – then chances are it's going to come back in public comment, so I guess we should be ready for that.

Mr. Pernula: Sure. We've expected that on this section all along.

Ms. Mitchell: Thank you.

Chair Axthelm: Okay, so page 6. Any comments?

(silence)

Chair Axthelm: Okay. No comments on page 6, so page 7, Limited Areas of More Intensive Rural Development. Any comments on page 7?

Ms. Candler: No. Well, other than I echo Hollie's questioning of the CaRDs. I guess if we don't have a lot to say on this section we're not going to be dealing with it now, but we have talked about looking at this and I guess at least for the next little while this would be the time.

Mr. Pernula: That might be something that comes up once we're done with the Comprehensive Plan is to decide whether or not we want to take a very close look at CaRDs, and whether or not you want to change some of the policies regarding those. To say that we need to change our CaRD program right now would be kind of difficult. It's a huge issue in itself. But it's probably timely.

Ms. Candler: Yeah.

Mr. Pernula: There has been significant discussion about it.

Chair Axthelm: Okay. Any other comments on page 7?

Ms. Lohman: No.

Chair Axthelm: Okay, page 8. Any comment on page 8?

Ms. Mitchell: Nope.

Chair Axthelm: Page 9?

(silence)

Chair Axthelm: Okay. Page 10, Rural Residential Designations.

Ms. Lohman: No.

Chair Axthelm: Any comments?

(silence)

Chair Axthelm: Okay. So page 11.

(silence)

Chair Axthelm: Okay, and page 12.

Ms. Mitchell: Yes. That was a good question. Should we go ahead and read what the question was that was posed to the Planning Commission in here? Dale, do you want to handle that? Page 12, under – there was comment, A11.

Mr. Pernula: Okay, if I can read it. Let me blow it up a little bit here so I can see it better. I'm getting bad eyes. "Does the Planning Commission want to propose a policy that discusses possible designation of additional areas as Rural Village that meet the Rural Village criteria and look and act like other already-designated Rural Villages? Commissioner Lohman has raised this issue in the past. The two most frequently mentioned areas are Blanchard (currently zoned Ag-NRL) and Allen (mostly zoned Rural Reserve). (In the past, when the Ag Advisory Board has

been asked if areas such as Blanchard should be redesignated from Ag-NRL to something else such as Rural Village, they have advised against it.)”

Ms. Lohman: My comment is that we have different Rural Village-type designations but we’re not consistent. You might call something like Allen a Rural – you call it a Rural Center. You don’t call it a Rural Village but it has a store. I mean, and then you call Edison it’s a Rural Village and it legitimately meets the criteria what people imagine a village to be. Same thing with Conway. It’s your visual. But then you get someplace like Blanchard. It’s historic. It truly is a historic and it really hasn’t expanded beyond its boundaries. It used to have a lot more commercial than it does now. It used to have its own post office. It used to have a lot of things. But yet it’s inexplicably zoned Ag-NRL, which is a 40-acre minimum for this densely – well, relatively dense for a rural area place. And I just find it kind of an anomaly and that’s why I keep using it as a poster child. I do not – but this is not – I heard several people say they didn’t want to expand Rural Villages and that’s not what my point was when I point out the history with Blanchard. Further, when you’re talking about inventory of ag land, which we talk about that a lot in this county, you’re including places that are arguably not agriculture but yet they’re in the inventory. There’s also the other side, too. There’s places that are arguably agriculture and for whatever reason they got zoned something else. So it’s error on both sides. But the issue is that when you overlay the Comp Plan map on your property you’re bound by whatever that designation is, and that’s why it’s important that you be as accurate as you possibly can but realizing that you’re not going to be perfect.

Ms. Mitchell: I’d like to make a comment too, if that’s okay.

Chair Axthelm: Kathy.

Ms. Mitchell: On something like this, it really does get pretty complicated because everyplace that could be a Rural Village has its own character. It has its own soils. It has its own boundaries. It has its own natural things, whether it’s a stream or right on the coast or mountains or anything else. So it becomes so dependent on the location and the specifics, and I can’t help but thinking nobody knows better what’s there than the people that live there and work there. And circular reasoning, I can see both sides of the coin, but it keeps coming back to the point, I think, that the people there would be well served if somebody thought they should be a Rural Village as to what that would mean – so an education process for anybody and everybody on what that would mean, what it would look like, what it could look like with zoning, and then leave it to them to decide whether they want to do it rather than having an outside entity come over top of them and say, You shall be a Rural Village. So just tossing that up for other people to consider.

Chair Axthelm: Any other comments?

Mr. Pernula: Well, for right now the question is, Should we have this written as considering those designations, which would include a process where we would talk to the people, define the areas, and possibly make the change, or should we just strike the whole thing and not consider creating such areas?

Ms. Lohman: If you leave it in, you’re going to encourage public comment, which is good. Because the way that it’s written it sounds almost like you could have arguably the equivalent of a PUD, a planned unit development, that could possibly meet the definition. So are you starting from bare earth or are you starting something that is a map error? It’s two different

circumstances. Because the way that you wrote it, you're talking about as long as they can meet the criteria. Well, is that the criteria in the future or the criteria now?

Ms. Del Vecchio: And is historic one of the criteria?

Ms. Mitchell: That's a good question.

Ms. Rose: Well, it says right in there – it says as areas that are already designated as Rural Village. Would they be designated that way if they weren't already either historical or – I don't know that answer. I'm just –

Chair Axthelm: Well, and that's part of it that's inconsistent. And then some communities – you know, once a viable community are no longer a viable community and a lot of the land might have been reclaimed or farming a little closer to the community now. But if they want to grow, can we give them that possibility to grow or to – when is it appropriate? Unfortunately, that's not easy to decide because each community is different. You know, even Birdsvew and Birdsvew Brewery when we were doing that one – it's like, When is it appropriate to allow something to go in? A little ways down the road there were more – there was more development but where do we restrict it?

Ms. Mitchell: There certainly are inconsistencies.

Chair Axthelm: Yeah. Yep.

Ms. Del Vecchio: I'll second Annie's comment that I would like to keep it in just to get people's comments –

(sounds of agreement from several Commissioners)

Ms. Del Vecchio: – and thoughts on it because it is something that's come up.

Ms. Mitchell: It's a good way to get it.

Ms. Candler: I agree.

Chair Axthelm: Yep.

Ms. Mitchell: But the only thing is is if that's the way you want it worded when it goes out to the public or if you want to massage it for any more clarification before it goes.

Mr. Pernula: Okay. We'll consider massaging it but even if it's in, it's just considering this, and whatever's considered a year or two from now could have major tweaks to it.

Ms. Mitchell: Sure.

Ms. Lohman: I mean, there's a lot of sensitivity on preserving our rural and there's argument over whether we've met that 80/20 in the past. So some feel that maybe we need to slow down on the rural. So I don't want this to be perceived as a back door that we're putting the pedal down on just not adhering closely or harder to that 80/20.

Ms. Candler: But it seems like this could actually be part of a discussion about the CaRDs, as well. Like in lieu of, you know, where's that going to go.

Ms. Lohman: Well, maybe this is like a next step.

Mr. Pernula: Sounds like a consensus to leave it there for now.

Ms. Lohman: I guess when I think of a Rural Village – and if you look at a longer period of history and – the population builds up and it goes down and it flexes back and forth. So you don't want to put bookends on it so if you're looking at it in a down period and you say, Well, there's hardly anybody here; therefore, it's not viable. Because ten years later maybe some new blood or the population turns over, it's a little bit different, but yet it's still in the same boundaries but it might be a little bit different. Or maybe somebody comes in with some different ideas and they get it revitalized again and kind of reinvent itself. But it still stays within that boundary and it still has character and it still has all the quirks that you like, but it's different than it was earlier. And then it's going to quiet down again. That's – it's just the way it works.

Ms. Mitchell: I've got a question. On something like this, Dale – forgive the way I'm wording the question because I'm doing it on the fly – so when GMA puts what could be done way back when, that pretty much froze what could be done. Is that correct? So – within reason.

Mr. Pernula: Pretty much with some redevelopment or some similar kinds of development within these boundaries that we defined, yes.

Ms. Mitchell: So when you look at the map, does that mean that the ring around an existing Rural Village is frozen or not? I mean, how much – I think what I'm trying to bump up against is how much latitude does the County have to do expansion when it needs to for justification, and how much it has to stick with the way the map says it is now.

Mr. Pernula: I think that somebody else could probably answer that better than me. Gary or Kirk. I would say that many of these Rural Villages are surrounded by Ag-NRL and it would be very difficult to have that ag land changed to a Rural Village. But how much leeway we have specifically I could check with some other people and see what they say. I would say limited. But they sure seem like some pretty nice attractive places to live.

Ms. Lohman: But I want to make sure that I'm not advocating expanding boundaries.

Mr. Pernula: Okay.

Ms. Lohman: But within those boundaries, things could change.

Mr. Pernula: Probably, and I don't have a real good answer for you but within those boundaries that are already zoned for it, yeah. And it would probably be limited.

Chair Axthelm: Anything more on page 12?

(silence)

Chair Axthelm: Okay, so page 13. Comments? Amy.

Ms. Hughes: Dale, is there a place under here that we would be talking about a noise ordinance again? We kind of left the noise ordinance as something that might need to be looked at, but where does it fit?

Mr. Pernula: I don't know that it would fit in this area. That might be something that would be – would encompass not just this zone but many other zones as well. So not just the rural areas but other areas of the county.

Ms. Hughes: So what is the process of bringing a discussion of that up? Because I've heard of it in different rural communities that the noise ordinance is evolving into an issue, and so I'm just wondering at what point in a process do we deal with that?

Mr. Pernula: Brought up right now and I'll look into it and find out where that might be best addressed.

Ms. Hughes: Thank you.

Ms. Rose: I'd like to comment on that. So in my experience – I'm the city girl – the City of Seattle addresses their noise ordinance in their building code, which I don't know if that's the correct way to do it but that's how they do it. And they address it in this type of language: They say something like if you're a commercial use or industrial use that borders on a residential use, it's up to you to make sure that – as the property owner and the owner of the use – to make sure that your noise does not migrate into the areas that are zoned residential. So it becomes a building code issue because you can solve it with building code pieces such as sound walls.

Mr. Pernula: In my experience – it was in a different community. It was in Juneau, Alaska, where part of it was in the building code because you had certain construction hours where you limit the time when they can construct – that kind of thing. But some of it was also just in the standalone ordinance. There you had lots of industrial activities very close to a lot of residential activities. In particular you had a lot of barges and ships coming in at any hour of the day or night in a fairly deep fjord where the noises were quite loud, and an international airport as well, so it was a very loud place. It took a long time to develop a pretty comprehensive noise ordinance that was a standalone ordinance for the community. That's how they addressed it. Different situation than rural Skagit County. So there's a lot of different ways to address it.

Ms. Del Vecchio: Is lighting something that could be addressed in the same manner, as far as if you've got commercial industrial up near rural residential and just measures to protect the night sky and – Martha can speak much more –

Mr. Pernula: I'll get back to you on both noise and light. See what policies we have and where we could address those.

Ms. Del Vecchio: Okay, thank you.

Mr. Pernula: I know that with a lot of our commercial developments that require special use permits we're requiring full cutoff fixtures where light doesn't go up. It's parallel or down.

Ms. Rose: Yeah. Dark sky fixtures – yep.

Ms. Del Vecchio: Great.

Mr. Pernula: I'll have to get back to you on some of those policies.

Ms. Rose: And there again, in (the) Seattle area that particular thing is addressed in the land use side.

Ms. Del Vecchio: Whereas I would think it would be in the building.

Ms. Rose: Isn't that strange? Yeah. It becomes part of their SEPA review and it shows up as a condition of a SEPA review.

Mr. Pernula: I'll put something together and I'll show you how we address those issues now and get back to you.

Chair Axthelm: Okay, anything further on page 13?

(silence)

Chair Axthelm: Okay. Page 14 – any comments?

Ms. Mitchell: No.

Chair Axthelm: Page 15?

(silence)

Chair Axthelm: Page 16?

Ms. Mitchell: No.

Chair Axthelm: Okay, page 17?

(silence)

Chair Axthelm: Page 18?

Ms. Del Vecchio: Give us long enough to change the page.

Ms. Mitchell: So are we on 17 or 18 now?

Chair Axthelm: 18. Sorry – are you fine with 17?

Ms. Mitchell: I'm fine with it.

Chair Axthelm: Okay, let's see. Page – just a second.

Mr. Pernula: I have it on 18 now.

Chair Axthelm: Sorry. I caught something on 17 but I think it's all right. Okay, page 18.

Ms. Lohman: Josh, did you have something on 17?

Chair Axthelm: No, I – well, it was more questioning the shoreline but it's a different discussion. Well, I suppose it would be something to discuss. It's just a thought – is that it seems like shoreline tries to protect the natural shoreline. You provide access in certain situations but other ones it's like we don't want to see anything from the shoreline; we want to enjoy the shoreline without having to see any public. But yet here it's talking about Small-Scale Recreation and Tourism and incorporating with the scenic. So it's just a thought – are those good –

Mr. Pernula: Which – where is it?

Chair Axthelm: It's the end of – it's the Policies on –

Ms. Mitchell: 3C-4.1.

Chair Axthelm: Yeah, there you go. And it's more just a general comment just to make sure that our shorelines and our – and this aren't necessarily conflicting with each other, because Skagit County has so much of its resources in water. You know, and are we restricting the water and the recreation? Just more of a general question.

Mr. Pernula: It's really a balance, you know. The 200 feet's within the shoreline jurisdiction but also you want to have these kinds of recreation facilities there as well.

Chair Axthelm: Yeah. Yeah.

Mr. Pernula: It's a balancing.

Chair Axthelm: I guess that's something to consider with the shoreline, is that is it allowing for that or accounting for the tourism. Okay. Page 18. Any comment on page 18?

Female Commissioner: Nope.

Chair Axthelm: Okay, and page 19? On page 19?

Ms. Lohman: Dale already addressed my concern earlier.

Chair Axthelm: Okay.

Mr. Pernula: Okay. The deletion is basically because we do have a fairly large industrial area now.

Chair Axthelm: Okay, page 20. All right, Rural Marine.

(silence)

Chair Axthelm: No comments on page 20. Page 21 – comments on page 21?

Several Commissioners: No.

Chair Axthelm: Page 22? Tammy, do you have anything?

Ms. Candler: No.

Ms. Mitchell: No.

Chair Axthelm: Page 22? Nope? Okay, so page 23. I think I had some comments on that from the memo. I did have some comments on the memo. Give me a second. There we go. It had to do with the business. No, maybe I didn't. Okay. I don't see it.

Ms. Del Vecchio: I have a question, I guess, as long as we're here. So Home-Based Business 1 is the smallest, right? ___ there's a, with the rationale, it's behind limiting those to single-family homes. If there's no client or customer visits, no signs, do they – why can they not be in a – I guess maybe we don't really have any – _____ that would have to be single-family home.

Ms. Mitchell: Do you mean versus, like, a duplex or something?

Ms. Del Vecchio: Mm-hmm.

Ms. Rose: Weren't there three levels of Home-Based Business and the smallest level, didn't it say they were allowed outright in any zone?

Ms. Del Vecchio: Well, but it says it has to be in a single-family home or accessory outbuilding.

Mr. Pernula: It might be part of a definition because if it's a Home-Based Business, it is your home.

Ms. Del Vecchio: Yeah. If there are other types of homes –

Ms. Mitchell: Right. Like she's getting at, like, if there was a duplex or something like that, would that limit somebody from having a Home-Based Business in a duplex?

Ms. Candler: Unless single-family home is defined differently here.

Ms. Mitchell: Right.

Ms. Del Vecchio: Yeah, _____. It may be a perfectly rational requirement. It just –

Mr. Pernula: This may be something that I have to talk to Brandon Black about because he's been issuing these for a long time. He knows what situations have come up. It may not be an issue. We allow these all over the place.

Ms. Del Vecchio: Okay. Yeah, we just need some clarification on that.

Mr. Pernula: Okay.

Chair Axthelm: Okay, I found my comments. Am I cutting anybody off? No? Okay, so on 59 – well, it's number 59 on the other list. Let's see –

(unintelligible comments from several Commissioners)

Ms. Del Vecchio: I'm on 24.

Chair Axthelm: Okay, 24?

Ms. Mitchell: Yep.

Chair Axthelm: So 3C-10.2 there's a red statement that was added: "HBB activities may consist only of business activities that are compatible with the primary use" or "use of a property as residential or resource based." So my concern is to have something compatible with residential but it's a Home-Based Business, is it too restrictive in making that statement? For a Home-Based Business. So a lot of Home-Based Businesses aren't necessarily compatible with the residence, but because they're so small and they're a Home-Based Business they're okay.

Ms. Rose: I'm a good example. I have a construction company. I run it out of my home. And that construction company is not a part of my home – I mean, it's not supporting my home activities. My home, you know, it does indirectly because I get money from it that helps pay the mortgage but – you know what I'm saying? So I think you're right. I'm agreeing with you that it sounds a little restrictive, or it could be interpreted in a way that might be more restrictive than what was intended.

Ms. Lohman: Well, further, if say you were in the ag zone and you're on one of those teeny, tiny lots but you're not an aggie. You're a bookkeeper. There's no sign and you'd have no idea that you were actually doing that there. But it doesn't really support the natural resource industry but I think arguably nobody would care that you were doing bookkeeping.

Chair Axthelm: And if you had a – let's say you have a welding business in your garage, either small-scale welding or you're an artist that does things that's more industrial, yet – and you want to operate that business out of your home, but here it seems like you can't.

Mr. Pernula: Well, I'm not so sure about that because I know that we've allowed some things similar to that. The way it's been working – and I could get you some more – this is kind of general policies. In our code it's probably been worked over over the years to where it's worked out fairly well. You have Home-Based Business 1, which are the minimum; Home-Based Business 2, which is kind of intermediate; and then Home-Based Business 3. And then you have all these different zones. The different zones may have different processes for getting those permits. A Home-Based Business 3 may require a Hearing Examiner special use permit in a given zone; Home-Based Business 2 may have an Administrative special use permit granted by the Department; or a Home-Based Business 1 that is just permitted outright. So over the years, you know, they've set up this 1, 2, 3 and have a different process for each of those uses in each of the zones, and I think it's worked out pretty well. If you'd like, I can get that information on, you know, more specifically what processes are used in each of the zones and you can take a look at them. But these are general policies that would guide how we apply those permits.

Ms. Candler: Josh, can I make a comment?

Chair Axthelm: Go ahead.

Ms. Candler: I suspect what it's really trying to say is a little bit clunky language that would say HBB activities may consist only of business activities that are not incompatible with the primary use of a property. Is that – does that make sense? I think they probably just didn't like that language but I think it's more adequate to describe or to protect neighboring properties.

Chair Axthelm: The original portion of it's fine. I just – that second portion, I have a hard time with that because it seems like it's conflicting almost with the first portion of it. So that's my

feeling, is it's just adding – almost like it's adding restrictions here where it's not a place where it's not a place where it should be added.

Mr. Pernula: Are you talking about that second sentence?

Chair Axthelm: The red underlined – yes.

Mr. Pernula: The “activities must support and may not diminish rural character.” Okay, I would – well, maybe that's not the best language, but I would argue that not having those –

Chair Axthelm: (unintelligible)

Mr. Pernula: Pardon?

Ms. Lohman: It's the first one.

Chair Axthelm: No, it's the whole statement in general.

Ms. Mitchell: 3C-10.2 is I think what he's looking at.

Mr. Pernula: But that's what I'm looking at.

Chair Axthelm: All the red just seems like it's a little more restrictive. I'm hesitant with that because, you know, there're so many Home-Based Businesses where people that start out at their home – it's in their garage – you know, as long as it's not – the noise compatibility and other issues I don't see an issue why it shouldn't be able to be allowed there.

Mr. Pernula: And that *is* the case.

Chair Axthelm: Yeah, okay.

Mr. Pernula: I would say I understand Tammy's perhaps changing the language to “not incompatible,” but that's kind of a double negative. That may be a better description. And then the second sentence – “may not diminish the rural character” – sometimes having those kinds of uses *are* the rural character.

Ms. Lohman: Mm-hmm.

Mr. Pernula: So I don't know that it would diminish it. It might enhance it by having a lot of those uses.

Chair Axthelm: Yeah. I mean, you know, the farmers – a lot of farmers do a lot of different things and that's – it's appropriate, so where – I would just – I'm just concerned on –

Mr. Pernula: It may not be the best language but I think it's pretty descriptive of what's happening.

Chair Axthelm: Okay.

Ms. Del Vecchio: Can I make –

Chair Axthelm: Go ahead.

Ms. Del Vecchio: Just to make a general comment, you mentioned that there the supporting code has been worked down pretty well and seems to be working. I'm wondering if – these policies seem to be a lot more detailed than we have in some other areas, and I'm wondering if these policy statements shouldn't be a little more broad and then allow the code to have the details. Because it sounds like maybe the code has evolved but the policies – I don't *know* that there's inconsistencies because I haven't compared them side-by-side, but it seems like there's room to make these a little bit broad. Take out some of the detail; leave that for the code.

Chair Axthelm: And that's what I feel like with the red, that that's adding too much detail in. If the code does specify which ones, I almost feel like that should come out. So that's my two cents.

Mr. Pernula: We'll take a look at it and see how we can tweak it, because I do think that there may be some problems occasionally but it seems to be working pretty well.

Ms. Lohman: But we want to make sure that the words that you have written there, that you're not precluding things –

Mr. Pernula: Sure.

Ms. Lohman: – that reasonable people agree what we want home-based businesses to be.

Mr. Pernula: Sure.

Chair Axthelm: Okay, and the other one is 3C-10.3. This one, it consists of services or fabrication and changes it to a business. And so my concern with that is that some things aren't necessarily businesses. They are services or fabrication. They don't operate as a business. I want to make sure this isn't giving them a little more leeway.

Ms. Lohman: But isn't a business even more general?

Mr. Pernula: It is more general.

Ms. Lohman: I think when you call it services or business – or fabrication then you've shrunk what their opportunities might be.

Chair Axthelm: Okay. All right, my thought went away on that one.

Ms. Lohman: But aren't what you're after, Dale – you don't want conflicts with the NRL or whatever is going on in the vicinity?

Mr. Pernula: Absolutely not.

Ms. Lohman: But that's more or less dealt with in the code, correct?

Mr. Pernula: I think it is.

Chair Axthelm: Okay, I think I know what I was getting at there, is that here it's Home-Based Business “consists or services or fabrication,” so it's talking about a use, where a business is

very specific. What I don't want is – some things may not be businesses but carry on as such. So where you had “services or fabrication” you're able to regulate it because it's not just a business. It's somebody that's operating like a business but may not be a business. So if somebody's doing some activity somewhere or doing something on a property that they shouldn't be doing, they're not operating a business but they have, you know, 15 tow trucks sitting out there, is that – when is it inappropriate? It's not a business.

Mr. Pernula: That might be a separate issue because if you had that the “services or fabrication” wouldn't cover that either.

Ms. Rose: You're saying they don't have a business license. They might be running a business but they might not be properly licensed.

Chair Axthelm: Mm-hmm. So then we can still consider it a business. Is that correct? One is talking about a use. One's talking about something specific, and that's what I'm getting at, is if somebody's using their property it's a use, versus the business itself.

Mr. Pernula: Yes.

Chair Axthelm: I'm not coming across clearly?

Mr. Pernula: Your example of all these cars: If you just happen to have a lot of cars, they're all licensed and so on, that's okay. But if they're not licensed and are junk vehicles then it may not be permitted. But that doesn't have anything to do – maybe – with that being a business or not. But that would be a different issue outside of the Home-Based Business issue.

Chair Axthelm: Okay. All right.

Ms. Rose: I have the example of when I lived in rural Grays Harbor, I had a neighbor who has amassed about 50 cars, or maybe 200. They're everywhere. They're scattered amongst his cows. This is kind of a – and he might say, Well, I have these because sometimes I need a part. He does. That's exactly what he says. So how do you regulate that type of behavior?

Ms. Mitchell: Right, because there's pack rats of all kinds!

Ms. Rose: Say it again.

Ms. Mitchell: Yes, because there's pack rats of all kinds.

Ms. Rose: Well, I know, but so – I mean, it kind of looks – it does look – I don't know how you do it. I don't know if that's exactly in line with what you were asking but I think that these words here are trying to regulate that type of activity a little bit. But _____ succeed.

Ms. Mitchell: Right, because what you're saying is it was looking and acting like a junkyard without selling to somebody else. Is that right?

Ms. Rose: Correct. There was no business there yet there was the activity of accumulating all these things.

Chair Axthelm: Yeah, where it's not appropriate in that area. So I guess that's covered elsewhere in the code then.

Ms. Rose: Mm-hmm.

Mr. Pernula: A different code. Yeah, it might be Junk Vehicles or some other code.

Chair Axthelm: All right. All right, so what page are we on here? That was 24. 25? Any comments on 25?

(silence)

Chair Axthelm: Page 26?

(silence)

Chair Axthelm: Okay. Page 27, Rural Profile – no – yeah. Okay, sorry. 26? Nothing on 26?

Ms. Candler: Well, I was just wondering – I do have something – sorry – on 26. On this comment A16, what – when is that issue going to be looked at? It says – it indicates you just don't know exactly what it might look like yet. We're getting close to the time we need to – is this something you're talking about way down the road or for this Update?

Mr. Pernula: We had a code amendment – a proposed code amendment docketed by the Board of County Commissioners that would allow the expansion – the *further* expansion – of a rural business. They provide services to repair agricultural implements. And in this Rural Business zone you're only allowed to expand a small amount, and what's being proposed is allowing that building to expand as long as the footprint of the use doesn't increase. And part of the logic behind it is that it's an ag implement repair place that services the agricultural industry and the equipment has grown larger and larger over the years and they can't accommodate those implements. Rather than moving into town or someplace else where they can build it, why not keep it where they're needed but allow them to expand without – as long as they don't encroach further into ag land? That's the proposal. So it might need a bit of a tweak here, not much.

Ms. Candler: So this is something that's in front of them right now, will be decided –

Mr. Pernula: It'll be in front of you as part of the Comprehensive Plan Update. There are several code amendments that are coming along with the Comprehensive Plan itself. This is one of them.

Ms. Candler: And that will answer this question.

Mr. Pernula: As we go through and work on that, we may need to tweak this just a little bit. It won't be a major tweak.

Ms. Candler: Okay. Thank you. That's my question.

Mr. Pernula: So you're allowed to – the Rural Business is to allow those rural businesses that have been established before that date – before 1990. They're allowed only a very small amount of expansion, but that appears to be unreasonable for some of these uses, particularly ag implements. So that will be considered at your hearing.

Ms. Candler: Okay. I was just curious on what the timeframe on that was. But I understand.

Mr. Pernula: It'll be coming at the hearing.

Ms. Candler: Thank you.

Chair Axthelm: Okay. Sorry – page 27? Anymore on 27?

(silence)

Chair Axthelm: 28. Comments on 28?

Mr. Pernula: A lot of data. Small data changes.

Chair Axthelm: Yep. Page 29. Comments on 29?

(negative sounds from several Commissioners)

Chair Axthelm: Okay, page 30?

Ms. Mitchell: Nope.

Chair Axthelm: No comments on 30? Page 31.

(silence)

Chair Axthelm: No comments? Page 32 – last one – Rural Water. There's your rural water.

(silence)

Chair Axthelm: Okay. There are no comments on Rural Water? There's no other comments?

Ms. Del Vecchio: ____ a more appropriate place.

Ms. Lohman: Well, yeah, especially when you look in the section – when you look in the section on page 5, that was why it prompted the question: Is that where it belongs and should it be there? Because it's in the Rural Area Characteristics.

Mr. Pernula: We will take a look at it, but notice that the introductory part of it, it says "Manage development in rural areas through density requirements" to maintain the rural character, et cetera. When we're talking about the densities and we've got to make sure that our densities are consistent with this limitation on water. So it's a slightly different issue.

Ms. Del Vecchio: Can you add something like that back on page 5 just to explain why we're calling out water in those, both a. and b.? I think that's – once you say that, it makes a little bit more sense.

Mr. Pernula: Okay, I've got it on your screen if you want to look at it.

Ms. Lohman: But I think it's more than just a density issue because you're in a sparsely dense area to start with. You're not talking about a dense area that's lacking water. These are rural properties that are, like, 10 acres, 20 acres, and some of them a little larger.

Ms. Rose: This requirement to produce water availability is pretty common whether you're building in the city or anywhere, so I don't find it unusual, you know, that it's under 3A-2.1.

Mr. Pernula: Let me see if we can tweak this one to make it a little clearer.

Ms. Del Vecchio: I felt even a separate policy that specifically addresses the water. Well, that's – I mean a separate policy in this section, because you're saying it's important to have it up in that section, which I'm not disagreeing with. I just think it – either some language in 2.3 and 2.1 that clarifies the need to really be looking at rural water in connection with density requirements. I mean, I think it's deserving of its own policy statement there.

Ms. Mitchell: Well, the water is such a big issue I don't see how it could hurt to explain a little bit more. It may change hopefully in a few years when they get this stuff straightened out, but it sure is important now for people to know and understand.

Ms. Lohman: But the explanation is at the very end of the document.

Ms. Candler: I'm not understanding why it needs to be there at the front.

Mr. Pernula: I'm not sure we can address all of your concerns here, but maybe we can refer from page 5 to this Rural Water issue.

Ms. Candler: Okay.

Chair Axthelm: All right, anything else?

(silence)

Mr. Pernula: That's it.

Chair Axthelm: I did have one general comment as far as the 80/20 and making sure we're a little closer or under those goals as far as the county. And then actually back on the non-motorized I did have one question. I didn't find my comment.

Mr. Pernula: In the Transportation section?

Chair Axthelm: In the Transportation section. But it was to do with the trains.

Mr. Pernula: What page is that on?

Ms. Candler: Page 6 maybe? Page 6 is the passenger trains.

Chair Axthelm: Yeah, no, I'm looking at that – there we go, 8A-4.3. And, anyhow, I go from personal issues, and one of the issues that I had was that they closed the Hickox Road. And all the people that came to the hearing were not – or all were against it, but there were some public agencies that were for it and it was closed. And I would just be very careful in – this is to determine the location of potential rail closures – is that be careful on closing them because

once you close them it's very difficult to open them back up again. And so – and, you know, with Hickox Road that made a big difference on us because instead of going – for anybody – instead of going straight to the freeway or even getting to town we have to go zigzag all the way through all these other areas to get to town, where that was a way for farm vehicles to get right to the industrial area there for maintenance or even for access to some of the processing plants and stuff like that. So I just think that needs to be considered as far as rail crossings – that once they're closed, it's too late. So as we – as a county, as we expand our rail – so like the railroad sidings for the passenger trains, so we might instead of one track go to two tracks, that they don't just close off the railroad crossings – that they put money aside to provide railroad crossings across those intersections and not just close them. I think that was the situation with Hickox, is it went from one to two and it was more difficult to get across. But even though it's more difficult, there are ways to do that and keep that railroad crossing open. So I just would like to see that considered.

Mr. Pernula: Okay.

Chair Axthelm: And I'm sure it's happened to other people but I've heard about different railroad crossings coming in – or, sorry, being closed recently and I just would like that considered. That's all. Does that make sense how I said it? I hope it did.

Ms. Candler: I didn't know that happened.

Ms. Mitchell: I didn't either.

Chair Axthelm: Yep, it totally closed it. I think that's it. Does anybody else have any general comments – or comments for the Transportation or Rural Elements?

(silence)

Chair Axthelm: With that, let's move on to Department Update.

Mr. Pernula: Okay. First of all, good job. You did an awful lot of material tonight in two-and-a-half hours. I think that's pretty commendable. These are two of the more difficult sections, I think, to deal with and the hearings are going to be coming up.

I sent you a copy of a flyer about a Short Course on Local Planning that's coming up at the Whatcom County Courthouse on March 31st, 6:15 to 9:15 p.m. I've been through it a couple of times and it's very worthwhile. They usually have some really good instructors so you'll learn a lot. You're certainly encouraged to attend.

Chair Axthelm: This is – when was this one? March 31st?

Mr. Pernula: March 31st.

Chair Axthelm: Okay. All right, yeah.

Mr. Pernula: You should have an e-mail.

Chair Axthelm: There's other ones before then.

Mr. Pernula: Okay a couple of scheduling things coming up. Remember that – let me see; let's see what we've got here. Your next meeting, March 1st, will be a workshop on the Shoreline Plan. There will be a workshop in here and there will be like an open house in the lobby where we'll be explaining various parts of the Shoreline Master Program.

Ms. Mitchell: Does it have an early start time?

Mr. Pernula: I believe so, yes. Pardon?

Ms. Mitchell: Like 5:30, probably.

Mr. Pernula: I think it's – yeah, it's before the 6 o'clock meeting. It'll be out in the lobby where there'll be some displays.

Chair Axthelm: And, Dale, you said the workshop is one where we'll be sitting down on the front row down here?

Mr. Pernula: It could be, if that's what you wish.

Chair Axthelm: Because there's a presentation pretty much. There's not a – there's open comments –

Mr. Pernula: Pretty much, because it has been released and public are getting ready to comment. There's a 60-day review period so there's a pretty good, long period of time. So on the SMP, the workshop will be on March 1st, then there will be a public hearing on March 15 and public comments can come in until April 4.

On the Comprehensive Plan, we hope to release that probably in a couple of weeks and hold a public hearing on it on April 5th, and maybe have a second – if we can't get through the hearing on the 5th, have a continuation of the hearing on April 12. Public comments end on the Comprehensive Plan probably about mid-April. And once that notice goes out, we'll inform you exactly what those are. But that's your next few meetings coming up: Shorelines and Comprehensive Plan. A lot coming up.

Chair Axthelm: Does that Comp Plan, does any of those conflict with any issues with the Tulip Festival?

Mr. Pernula: With what?

Chair Axthelm: With the Tulip Festival. Is that right in there?

Mr. Pernula: Usually the Tulip Festival is the entire month of April.

Chair Axthelm: Yeah.

Mr. Pernula: You will have a public hearing on April 5th. If you don't get through it that evening – it'll probably be on April 5th, and if you don't get through with the public hearing on that date it'll be continued on April 12th. But hopefully you will get through it on April 5th.

Ms. Lohman: Josh, I have a question.

Chair Axthelm: Yeah, I'm just saying just double-check and make sure it doesn't conflict with any major public things going on in the county for the Tulip Festival.

Ms. Lohman: Dale, question on – I thought there was something with the Comp Plan Update on their website – something about March 1st.

Mr. Pernula: March 1st? All I have is we would have the workshop on the Shorelines. I can't think of anything on the Comprehensive Plan on March 1st. I'll check into it. There might be some notices and things that we have to deal with by then. That's *about* when we will be releasing the Comprehensive Plan and publishing the notice. It's about the same time, but it might be like March 3rd or something.

Ms. Lohman: Oh. Now I'm – it was the public notice.

Mr. Pernula: That's about that time, yes. Yeah, that's probably when the notice was going out. And that's all I have.

Chair Axthelm: So we're getting the clear version March 1st.

Ms. Lohman: Because on the website, Dale, on the Comp Plan website it says Notice of Availability, public hearing, and how-to-comment expected about March 1st. That was why I –

Mr. Pernula: That's about right. It'll be March 1st, 2nd or 3rd – about then.

Ms. Lohman: Okay.

Chair Axthelm: It's the Notice of Availability for the public hearing. It doesn't mean the public hearing's happening at that point. Does that make sense? So it's not the public hearing itself. It's when the Notice of Availability goes out.

Mr. Pernula: When it's ready we'll publish the notice. It'll be around the 1st of March.

Chair Axthelm: Okay, so is that good for Department Update?

Mr. Pernula: That's it.

Chair Axthelm: All right, so Planning Commissioner Comments and Announcements.

Ms. Mitchell: I've got one – an unofficial public service announcement. There was a landslide on Monday that covered both lanes just slightly north of mile marker 11 close to mile marker 12 on Chuckanut Drive. So they've got the roadblock signs up. It is a state highway, and I've not seen anything come around from a notice because it's certainly not a county road. But anybody headed that direction's going to be turned around and it's a *long* way around if you started that way to go to Bellingham. And they don't know how long it might be, but you know with all the rains and stuff and landslides continue to come down. There's another place just in our neighborhood that just keeps coming down right now too. Just for people to be aware of that closure and also wary elsewhere, and the water was rising a lot of places out through the field. I think Annie saw that coming on her way in, too.

Mr. Pernula: When did that happen?

Ms. Mitchell: Monday. I saw a picture that somebody had posted on one of their – something like – you know, one of the social pages, and I believe the timing was probably mid-morning on Monday. It did not look good.

Chair Axthelm: The ground is much more saturated than past years.

Ms. Mitchell: Yeah.

Ms. Del Vecchio: I also just wanted to let folks know that I will be out of town March 1 so I will not be here for the workshop.

Chair Axthelm: And then you were talking about the Short Courses. If you don't get to go to the Short Course they do have multiple videos available on the site.

Mr. Pernula: They do. I believe Kathy's taken the Short Course online.

Chair Axthelm: Yep. Okay. Any other announcements or comments from the Commission? Thank you.

Ms. Del Vecchio: I'll move to adjourn.

Female Commissioner: Second.

Chair Axthelm: The meeting's adjourned (gavel).