

**Skagit County Planning Commission
Public Hearing: Comprehensive Plan 2016 Update
April 5, 2016**

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

Staff: Dale Pernula, Planning Director
Kirk Johnson, Senior Planner

Public Remarks
Commenters: Ellen Bynum, Friends of Skagit County
Jan Woodruff
Kit Rawson

Public Hearing
Commenters: Patty Rose, GIPAC
Nancy Fox, GIPAC
Hal Rooks, GIPAC
Mark Madden
Edith Walden
Stephen Orsini
Stephen Taylor, Lake Erie Trucking Geologist
Bill Wooding, Lake Erie Trucking Owner/Proponent
Carol Ehlers
R. Houston Foist, Concrete Concepts Owner/Proponent
Sarah Baker, Edison Granary Owner/Proponent
John Coleman, Sedro-Woolley Planning Director (UGA Expansion)
Ellen Bynum, Friends of Skagit County
William Jefferson Murphy
David Sherman
Dale Pernula for Burlington UGA Expansion Applicant Skagit County
Randy Good, Friends of Skagit County
Katie McNett
Connie Munsey
Marjorie Bell

Chair Josh Axthelm: It's Tuesday, April the 5th. Welcome to our Planning Commission meeting this evening. I call this meeting to order (gavel). At this time, if you'd take a look at your agenda. Do we have any changes to the agenda from the Planning Commissioners?

(silence)

Chair Axthelm: Okay, seeing none – actually we'd like to welcome our new Planning Commission member, Kathi Jett. Kathi, if you'd like to introduce yourself.

Kathi Jett: My name is Kathi Jett and I live on south Fidalgo Island. Anything else?

Chair Axthelm: Okay, thank you. Okay, so the first portion of the meeting is Public Remarks, if we have any. If I could have them by a show of hands. The general Public Remarks. And these don't have to do with what we're going through for the public hearing today.

Ellen Bynum: Good evening. Ellen Bynum, Friends of Skagit County. I just did put in comments for the Shoreline Master Program Update and I wanted to state the difficulty that I had in getting through the 1000 pages of the three main documents and then the other 2500 pages of the supporting documents. But one of the reasons I want to mention this is because the process for the Update – the Update was noticed on a certain date and I think I wrote to Dale about that, and then documents were added to that Update process, and I'd like to request that the deadline for considering the documents be extended 30 days to compensate for the 30 days that the public didn't have to look at those documents. I wouldn't ask for that except for the quantity of documents that were included in there.

The second thing I wanted to say is that the Shoreline Master Program Update was not docketed by the Board of County Commissioners for the 2016 Comp Plan Update. So I'm just putting that out there and I don't know if that means you have to docket it later or you can deal with it now or whatever.

The third thing is is that there was no notice to shoreline landowners. And we kept saying there was plenty of public notice but there was not a mailing and the County has its reasons for not wanting to do the mailing. But I wanted to say that if the County had shoreline parcel owners' e-mails, they could give them direct notice.

And to that end, I also want to talk a little bit about another shoreline management concept. In this county, if you own natural resource lands –

Annie Lohman: Excuse me. I need to interrupt a second. I don't believe she can testify on the SMP but she can testify on process, correct?

Dale Pernula: That would be a call I really couldn't make. I would say you're probably correct but I'm not an attorney. I couldn't tell you for sure.

Tammy Candler: Isn't she precluded only from the things that are on for public hearing *today*, which would be the Comp Plan?

Ms. Lohman: Or something that – the public hearing closed on the Shoreline Update and we're going to be deliberating soon.

Mr. Pernula: Comments were closed yesterday.

Ms. Candler: Well, and also it's part of the Comp Plan really. Okay.

Ms. Bynum: So the last thing is sort of a theoretical so you can pretend that it's not related to *our* Comp Plan. We have forestlands and ag lands and we require management plans for those lands, and a good suggestion was given recently about if you have a shoreline property, maybe you could do a shoreline management plan as a part of the way that you manage that and engage the owners in managing their own shorelines. I don't know what that would take to do, but I do think it might be a way to verify the baseline and monitor the outcomes. That's all. Thanks.

Chair Axthelm: Thank you.

Jan Woodruff: Hi, I'm Jan Woodruff from Skyline and I'm just beginning to roll out this new information that we finally compiled. About five years ago I read in the paper that Skagit County had the highest bladder cancer rate of any county in Washington, and that alarmed me because I come from a cancer family and I had just moved here and we had just torn our house apart and were getting ready to rebuild it. So we started – I started studying that pretty actively, formed a task force with five other retired women who were the citizen scientists that looked at what the cancer rates were here. We worked with the Department of Health and the Washington State Cancer Registry, and they determined that yes, indeed, our industrial fence line community, the 98221 zip code, has three high-incidence cancers. We have an 82% higher rate of melanoma of the skin; we have a 38% higher rate of bladder cancer; and we have a 32% higher rate of prostate cancer in our zip code compared to the rest of Washington state.

So the next thing we asked was, Well, why? And we began to look at what are called in cancer research "confounding factors." We looked at the Anacortes water reports. Everything looked fine. We looked at – we found some documents about health behaviors in Skagit County and all the counties and the state, and we compared Skagit County to the state and everything seemed fine. And then we looked at industrial pollution. On the back of this document are the recommendations from the Community Environmental Health Assessment Task Force and the biggest one that we presented last night to City Council in Anacortes is that we would like to have an independent study of community environmental health. In our zip code we are very concerned about children who are more susceptible to toxins because their cells are dividing fast. We have no idea about the health. I've heard stories of leukemia. We just really need a study.

So the second document that I gave you tonight, I'm just going to show it to you real quick – just give you a little introduction. I'm not going to talk about it but it seems that after four years of research into cancer, industrial pollution, and refineries that don't obey the law, that SEPA is broken here. It seems utterly dysfunctional. SEPA is the State Environmental Policy Act. It's our environmental charter and it guarantees people the fundamental, inalienable right to a healthy environment, and that's not the case, I don't think, where I live. We have three high-incidence cancers. Fidalgo Bay is heavily polluted. The fish are toxic. The beaches have carcinogens in them. It feels like a mess to me. And so we're here tonight to say, Is there anything that you can do to help us get our county –

Ms. Lohman: Could you conclude your remarks? Your time's up.

Ms. Woodruff: – to get back on track and to follow SEPA and to not issue unlawful permits to nonconforming uses? All of the information that's not on a link is available on this disk ___ paper

document that I had but I didn't have it _____. I'm happy to answer any questions any time. Thank you very much.

Chair Axthelm: Thank you.

Kit Rawson: Hi. Good evening. I know you have a busy agenda tonight and I'll talk about something that's a little more fun but really important to our quality of life here in Skagit County. My name's Kit Rawson and I live here in Mount Vernon, and I am an active – or I want to thank the Planning Commission and the County for all you do for active transportation here in the county. Thanks for the little eye to lock my bike to the building, too. We're hoping for a bigger bike rack next time to come back, but I appreciate the parking facility.

I try to get around on my bicycle to shop and other things and I also drive my car, so I'm a cyclist and a motorist and I'm really interested in ways of making our county safer for all road users. So one way I've tried to do this is become a certified bicycle safety instructor. Education is a really affordable way to increase safety through awareness and understanding. It definitely costs a lot less in infrastructure and really costs a lot less when the instructors are volunteers, as myself and my cohorts are.

So I want to invite Planning Commission members and everybody in the room to attend one of these classes – safe cycling classes – that's going to be offered later this month, one in Anacortes and one in Mount Vernon, free for Skagit County residents. Four of us that are all certified bicycle safety instructors – that'll be a pretty darn good teacher-to-student ratio. You can't beat that, especially for a free class – will be teaching. These classes will give you more confidence on a bike and make you a more attentive and aware motorist, too, a probably a lot of you do both like I do. We need to remember that bicycles and cars are both vehicles and have equal rights and equal responsibilities on the road. If we keep in mind there's a person in the bike and a person in the car we can work to treat each other with respect to safely make it work for everybody – make it to work, to the store, and back home. And that's what our class is about, and I hope you can attend. We have – I've got information on signing up. One of my co-teachers, Katie McNett, is here and she's got the information and will leave it in the back – several things to hand out. And I also have cards for the Planning Commission and members can sign up and have some information on Washington bicycle law as well. So thank you very much for listening, and have a great hearing tonight.

Chair Axthelm: Thank you. Any other general public comments?

(silence)

Chair Axthelm: Okay. Seeing none, we'll move on to the Comprehensive Plan 2016 Update Public Hearing. Dale, did you want to make any introduction beforehand?

Mr. Pernula: No.

Chair Axthelm: Okay.

Mr. Pernula: Just what we have written.

Chair Axthelm: Okay. So I think at the back they had the opening statement. Just to run through that real quick:

The purpose of the public hearing is to receive testimony and written correspondence regarding Skagit County's proposed 2016 periodic update of its Comprehensive Plan Land Use/ Zoning Map and Development Regulations. First we'll take comments on various Comprehensive Plan map amendments proposals. We'll move through the map amendments proposals sequentially, one at a time, starting with the comments by the applicant, followed by comments from members of the public.

Each applicant will have up to five minutes to describe their amendment proposals. Members of the public who have signed their names on the sign-up sheet for that particular map proposal will then have an opportunity to speak in order that they are listed. There are sign-up sheets for each map amendment – actually I've got those at this point – and you may sign up to speak on more than one map proposal; however, each member of the public will have a total of three minutes to comment on the map proposals.

An opportunity will be provided at the end of the map portion of the hearing for those who wish to testify but did not sign up to speak. Once all comments have been heard on the map proposals, we'll move to comments on the Comprehensive Plan Policy & Code Amendments. There is a separate sign-up sheet in the back for those who wish to comment on the policy and code amendments – I have those as well, okay? Once again, members of the public will have a total of three minutes to speak on the policy and code amendments. An opportunity will be provided at the end of the policy and code portion of the hearing for those who wish to testify but did not sign up to speak.

Before you testify, clearly state your name – spelling your last name – and your address. A recording system will record your comments.

Written comments are also being accepted and can be placed in the box located on the staff table near the front of the room. Written comments must include your name, address, and a title of the proposal, and you're encouraged and are not limited in length or the number of issues that you may raise. E-mail comments are preferred and must be sent to the e-mail address on the screen.

All right, thank you for taking your time to participate.

So the map amendment proposals will be considered in the order in which they are listed in the proposals as follows: So first Lake Erie Trucking, and –

Mr. Pernula: Before that, you might want to begin with the comments by the Guemes Island people since they have to catch the ferry.

Chair Axthelm: Okay. Yep. So let's – we'll have the Guemes Island comments first, or the comments from the Guemes Island residents, and then we'll move on to the Lake Erie Trucking, Concrete Concepts, Edison Granary, Sedro-Woolley UGA, and City of Burlington UGA.

Okay, so let's start with the map amendments.

Kirk Johnson: Mr. Chairman, the people from Guemes Island, I believe, are all here to comment on the proposed code implementing the Guemes Subarea Plan. We're just suggesting that you let them go first because they have an early ferry they've got to catch.

Chair Axthelm: Okay, so at the very beginning. Okay. That's fine. So let's have the Guemes Island – are you – okay.

Patty Rose: Okay, yeah. Hi. My name's Patty Rose. I live at 4829 Guemes Island Road. I'm a member of the Guemes Island Planning Advisory Committee, also called GIPAC. My husband and I own property on North Beach on Guemes.

I'd like to begin with a word of thanks to the Planning Commissioners and to the County staff. Thank you very much for engaging with us on these issues that are really important to our small community. Guemes Islanders are somewhat isolated. We share remarkably unspoiled beaches. We literally rely on each other for our supply of water, and we share the rural heritage of Guemes Island. Our presence here tonight is another step in a very long process of intense citizen involvement that began over 20 years ago. The Guemes Island Subarea Plan was begun in 1991 and approved by the Skagit County Board of Commissioners in early 2011. During all of those years, GIPAC has had assistance from other island organizations from People for Puget Sound, Northwest Straits Foundation, American Institute of Architects.

The purpose of the plan is to allow growth that will conserve the island's groundwater resources, rural character, and sense of community. The current mission of GIPAC is to bring this vision set forth in the Guemes Island Plan to reality. We're using two ways to try to do that: One is public education on the island and the other is interacting with you all – the policy leaders in Skagit County. Hoping to convert community plan into county requirement whenever it's appropriate and possible. We GIPAC members are here tonight to express our support for the proposed Guemes Island zoning overlay and the new seawater intrusion section of the critical areas ordinance. These proposals flow directly from the Guemes Island Subarea Plan. We've also submitted broader comments.

I have a personal note. When my husband and I bought our place on Guemes, there was an existing well and there was some seawater intrusion. We were dimly aware that water was a problem on Guemes Island. We wish we'd made different choices when we built. If an alternative water supply system such as rainwater catchment or reverse osmosis from seawater had been a preferred option for new development on North Beach we likely today would have a much more sustainable water system.

To close, our island community has waited a long time and worked a long time for the implementation of the Subarea Plan. We urge the Commissioners to support us and to act quickly on these proposals. Thank you very much.

Chair Axthelm: Thank you.

Nancy Fox: Good evening. My name is Nancy Fox and I'm Chair of the Guemes Island Planning Advisory Committee. My address is 7202 Channel View Drive.

First I'd just like to echo what Patty just said. We're very glad to see the County moving forward with implementation of the Guemes Island Subarea Plan. Specifically, I want to express support for the proposed Guemes zoning overlay, which is included in the Comprehensive Plan Update. Guemes Island consists of almost exclusively of single-family homes, mainly one- and one-and-a-half-story houses, some of which were developed originally as beach cottages. The majority of lots on Guemes were platted before current zoning and before the Growth Management Act. Many beachfront lots are a half-an-acre or less in size, far smaller than the 2.5-acre minimum lot size of the Rural Intermediate zone. Similarly, many inland lots in the Rural Reserve zone are way less than the 10-acre minimum that's called for in that zone. Simply put, buildings built to their maximum potential under current zoning would be vastly out of scale with most existing homes on the island and could put untenable strain on the island's limited groundwater resources. And that's why the Guemes Plan asks for additional development standards. The overlay includes a height limit of 30 feet. It requires larger setbacks and creates a building envelope that steps up in height from 12 feet at the side setback line. And these standards were all developed with the intent of keeping views open on the island, avoiding tall building walls immediately adjacent to neighboring properties, and generally intended to reduce incompatibility between smaller existing homes and larger new homes. There are a couple other features of the overlay that I won't mention, but we've addressed them in our written comments and we support all the elements of the zoning overlay.

We are concerned, however, about one of our recommendations from the Guemes Plan that has not been included in the County's proposal, and that is that our plan recommends any open space designated through the CaRD process should be permanently preserved. And we understand that this recommendation may have been overlooked in the process of putting the Guemes overlay together, so we're just raising it again because we would like to have it considered and we would ask that it be added to the code. Because Guemes Island is located outside the urban growth area, and given its groundwater limitations, we don't feel that this is an appropriate location to reserve land for future urban development. It's been over five years since the County adopted our subarea plan and in that period of time a number of larger houses have been built adjacent to smaller ones, creating conflicts that did not exist –

Ms. Lohman: Time.

Ms. Fox: – at the time the Plan was adopted.

Ms. Lohman: Will you conclude?

Ms. Fox: Yes. Thank you. We hope the County will now move very quickly to adopt the Guemes Island zoning overlay. Thank you.

Chair Axthelm: Thank you.

Hal Rooks: Good evening, Commissioners. My name is Hal Rooks. I'm speaking as a member of the same committee that you just heard from, the Guemes Island Planning Advisory Committee. My address on Guemes is 5971 Upper Hollow Lane. I want to give you a little context for why we are so focused on protecting the groundwater of the island. Groundwater from an aquifer is the only source of fresh water available to the large majority of residents on the island. There are no rivers or surface water. Wells

provide water to nearly all the island's residents and those wells draw from the aquifer. Seawater intrusion along some of the more densely populated coastal areas of Guemes has been documented since the late 1970s. Chloride levels in well water have been elevated around West Beach, North Beach, and the west-central part of the island since the early 1990s. In 1997, the federal Environmental Protection Agency designated the island's aquifer system as a sole source aquifer under the federal Safe Drinking Water Act. All of Guemes Island also has been designated as a category 1 aquifer recharge area. This designation reflects the need to provide special protection to the entire island because the County, the state, or the federal government has determined the aquifer needs protection from future land uses that pose a risk to the quality or quantity of the aquifer. We are therefore pleased to support the proposed seawater intrusion area section of the critical areas ordinance. Incorporating and codifying the previous interim seawater intrusion policy into the CAO was a priority recommendation with the Guemes Subarea Plan.

Specifically, our committee supports the County's lowered pumping rates for wells, the proposed code language for reverse osmosis systems, and the proposed requirement that well drillers install a meter on new and existing wells. Water meters are very useful in promoting voluntary water conservation and enabling property owners to identify leaks that could adversely affect the aquifer. In public water systems where more than two homes are served by a well, we support requiring meters on each service connection in addition to metering the wellhead.

We understand that additional work is needed to address critical groundwater issues on Guemes beyond that which the County can tackle in the 2016 Comp Plan Update. Specifically, giving preference to rainwater collection systems, which you've already heard about a little bit, and discouraging new wells is a top priority for Guemes Island; therefore, we are pleased to see the County expressing its intent to encourage alternatives to wells in areas of known seawater intrusion.

We would also like to see the definition of "adequate water supply" reduced from 350 gallons a day to 150 gallons a day because this would make rainwater collection systems less expensive and more feasible on many of the smaller lots on the island.

In closing, GIPAC believes that County Code 12.48 should be revised as soon as possible and we would like the County to commit to a timetable for this work in the second half of 2016. We stand ready to work collectively with the County in this effort. Thank you for considering our comments.

Chair Axthelm: Thank you.

Mark Madden: Good evening. I'm Mark Madden, M-a-d-d-e-n. I live at 4910 North Indian Village Lane on Guemes Island. I live in north Guemes Island on the west side in a community called Indian Village. I'm speaking against the proposed new section 14.16.360, Guemes Island overlay. I believe it is a regulatory taking by miniaturizing new construction on narrow lots and destroying property values for no useful purpose. This proposal limits structure sidewalls to 12 feet above the ground level and restricts the size and the placement of any second story rooms with varying height limits. The GIPAC tells me that the code is needed to protect views and reduce scale differential; however, it does exactly the opposite on the Indian Village. The proposal targets the narrow lots on Indian Village, increasing scale differential by reducing the size of small homes while

having no impact on existing larger homes, and it reduces view windows of Bellingham Channel. The proposal also reduces design options for features like modern open concepts, great rooms, side gables for low front roof lines, and weather protection. All the existing small beach homes on narrow lots exceed the proposed new standards. Indian Village has a flat beach area with about 21 building lots that are fully developed. About 18 of these 21 lots are only 50 feet wide. All lots are three to five feet below required floor elevations. These lots are almost 300 feet deep. About half the homes in Indian Village are at low elevations that are vulnerable to flooding. Newer homes meet current standards with higher floor elevations of three to five feet above the ground line. Most of these homes are two-story buildings. A perfect storm will flood the lower homes and initiate a lot of reconstruction. This mild winter I had driftwood within 10 feet of my house. If the lower elevation homes wish to reconstruct a legal floor elevation with the 12-foot side wall limitation and a floor height of four to five feet, there wouldn't be room for full height ceilings on the first level. Second floor master bedrooms would be limited to 14 feet. Outside dimensions would have to be in the center of the house. To support this structure, you'd have to have load-bearing walls on the first level. That would mean no open spaces and no great rooms. Side gables would not be allowed. Side gables give roof overhang in front to protect against rain and sun.

Ms. Lohman: Could you conclude?

Mr. Madden: Homeowners now like to have chairs and benches to enjoy sunset views and views of the bay. All reconstructed homes would look identical, making the community look more like a low income housing project than a diverse community.

Chair Axthelm: Your time is up. You're free to submit your comments, but if you would –

Mr. Madden: Okay. Potential buyers of the property would be turned away because they'd have a choice of either having potential flooding or else building a home much smaller that would even be more out of scale from existing homes. Thank you for your time.

Chair Axthelm: Thank you.

Edith Walden: My name is Edith Walden. I live at 6203 South Shore Road. I've lived fulltime on Guemes Island for 10 years after being a part-time islander for 11 years, and I currently serve as the Editor-in-Chief and lead reporter of the community's island newspaper, the *Guemes Tide*.

It has taken the citizens of Guemes Island 25 years to arrive at this point of having an opportunity to implement some of the recommendations from the Guemes Island Subarea Plan. 35 islanders have served on the Guemes Island Planning and Advisory Committee in those years, volunteering their time and expertise and working with County staff, professional groups, and other governmental agencies, in addition to communicating with the Guemes Island community at large. Sadly, 5 of them have already died before seeing their work implemented.

Five years have passed since the Board of Commissioners adopted the Guemes Island Subarea Plan. As you are aware, the Subarea Plan is designed to protect the environment, natural resources, and rural character of a unique and clearly confined section of Skagit County as we all deal with the sometimes competing issues of growth

and land use. Guemes Island is an island. We have unique transportation issues. Guemes Island is the only area in the county that has been designated as having a sole source aquifer. We have limited water resources. According to the U.S. Census of 2010, there is a fulltime population of 667 residents living in 348 households on Guemes Island. There are 406 additional households that are occupied by part-time property owners. Under current zoning regulations, 830 more homes could be built on the island. It is imperative that growth be managed to protect the natural resources and rural character of this fragile environment. Adoption of the Guemes Island zoning overlay and the seawater intrusion policy are welcome additions to the 2016 Comprehensive Plan Update.

In 2006, 188 islanders gathered at the end of a three-day sustainable design assessment team visit sponsored by the American Institute of Architects Center for Communities by Design. The roundtable sessions, which were attended by islanders and County representatives alike, were designed to help islanders plan for a sustainable future. What the community of diverse individuals with diverse opinions discovered was a common vision that has been articulated in the Subarea Plan. Please adopt the GIPAC recommendations for this Update. They reflect decades of wide community discussion, planning, and support. Thank you.

Stephen Orsini: Good evening. My name is Stephen Orsini. It's spelled O-r-s-i-n-i. I reside at 4971 Guemes Island Road on Guemes Island's North Beach. I grew up on the property acquired by our family in 1954, and returned to live on the same property in 1989.

I was a member of the original Guemes Island Planning Advisory Committee, GIPAC, which completed the Guemes Island Subarea Plan in 1992, so I am most impressed with the work of the current GIPAC board in not only attaining recognition of the Subarea Plan in January 2011, but achieving the possibility of its implementation as part of Skagit County's 2016 Comprehensive Plan Update. Since the completion of the original Subarea Plan, many wells have failed on the north end of Guemes Island due to seawater intrusion, including the 30-hook-up development of Potlatch on West Beach in 1998 and my own well. The current GIPAC recommendations strongly endorse the use of water catchment for new buildings on Guemes, but this recommendation cannot be implemented without significant modification of the Skagit County health code chapter 12.48. This County Code and, indeed, the building permit application process, still discourages rainwater catchment.

On March 21, 2016, the State Department of Ecology's Water Resource Advisory Committee presented to Skagit County their policy 1017, which states that – quote – “A water right isn't required for onsite storage and use of rooftop- or guzzler-collected rainwater” – end quote. It was noted in that presentation that some landowners in the Skagit River basin have obtained building permits for homes using appropriately designed rainwater collection systems. Given the number of well failures and the major problem of seawater intrusion on Guemes Island, the Skagit County Code language needs to be changed post haste to prioritize rainwater catchment as the preferred solution in the attainment of a building permit on the island.

Currently, no permit or review process is required prior to putting in a well on any lot on Guemes Island. Additionally, permitting rainwater catchment instead of well drilling in areas of known seawater intrusion on Guemes stops the insidious “taking,” mving a

senior water right holder's access to potable water in its de facto transfer to a junior water right well inland, as the new well is further from the sensitive freshwater/seawater interface and for a period of time less subject to seawater intrusion. Thank you.

Chair Axthelm: Thank you. Any other comments from the Guemes Island residents?

(silence)

Chair Axthelm: Okay. Any written comments – or any comments that you make at the microphone, if you have handwritten notes or if you have any additional comments you didn't get to, you're free to submit those to the Planning Department and they will include those in the public comments. Thank you.

Ms. Lohman: And don't worry about whether they're typed or professional or what. Handwritten's okay.

Chair Axthelm: Okay, so let's move on to the zoning map amendment proposals.

Mr. Pernula: Lake Erie.

Chair Axthelm: Okay. I was reading something differently there. Okay, so Lake Erie Trucking.

Stephen Taylor: Hello, Commissioners. My name is Stephen Taylor. I'm with McLucas & Associates, a mining consulting company out of Lacey, Washington. We prepared the MRO Comprehensive Plan Amendment for Lake Erie Trucking. What we have here is – I would like to explain the real purpose of why we wanted to do the expansion.

The heart of the reserve, as you can see with the photo, the bubble in the middle is what is the MRO zoning that is currently in place. What we are asking to do is expand that zoning east and south to encompass four parcels, which are 23 acres. That's P19165, P19164, P19158, and a little parcel in there, 90028. The heart of the deposit lies to the south and to the west and a little bit to the east. Approximately three million cubic yards of material lie in that area. So what we are trying to do is not increase the mining tomorrow because that's dictated by the economy. What we want to do is preserve that deep reserve of sand and gravel so that it can be used in the future to supply the infrastructure needs. Of course if this expansion is approved, we will be required to provide for a special use permit which will be entailing going through and doing a hydrogeologic study, traffic study, noise. It's our purpose to make sure that everything is sound, environmentally addressed in a sensitive area.

Let me take another look at this, if I can get it straight. That is – it shows – the reason I wanted to bring this along is the owner, Bill Wooding, of Lake Erie Trucking and the property and landowner for Lake Erie Mine is going to address how the original mining, which took place back in the '60s on the old McCorkle pit, which is part of P19158 which lies to the southwest of this photo. As I said, the main purpose is to reserve this vast reserve of sand and gravel for future uses. And, again, it will be subject to a new special use permit and a new Department of – Washington State Department of Reclamation DNR permit for reclamation purposes.

At this time I'd like to have Bill Wooding come up and give a little talk, and I thank you, Commissioners.

Bill Wooding: Bill Wooding, 1601 Georgia Place, Anacortes. The area that's marked "SITE" is the original gravel pit that I acquired in 1964 and that site has been a gravel pit since the mid-'30s. In the '80s – let me back up a little bit. In the mid-'60s when George McCorkle was developing his properties, Rancho San Juan Del Mar, he had me hauling materials for him, and I'll see if I can – and this area right here is – was the McCorkle property, and in the mid-'60s we started excavating out of that site for the McCorkle subdivisions for building roads, septic tank drain fields, and so it was a separate piece of property from mine, a separate gravel pit from mine. And then in the '80s, I acquired everything that the McCorkles had from my property all the way down to Seaview. And my number one reason for doing that was I wanted a buffer between my properties and the neighborhood so I didn't infringe on their privacy or impact with noises and whatever. So in subsequent years I acquired other surrounding pieces of property just to create a larger buffer.

And when this mineral overlay was designated, I wasn't contacted by the County or anyone else to get my input to what my plans were or what I would be doing with it, but at the same time there was already an existing site which should have been included in that mineral overlay because it was an active gravel pit from the mid-'60s on to present time. And my original plan was to combine the two, this one along with this one, and create one mine so I didn't have to – so I could tie all the reclamation in at one grade instead of having two-to-one slopes, __ plateau, then another slope going off the other side. So it only made sense to do that. But somehow when this mineral overlay got left out, it made me curtail what I was doing in that area. So I could no longer remove materials from that area even though I thought I had a pre-existing, nonconforming pit because it was part of the McCorkle estate and it had been an active pit. And when you look at the overviews over the years, you can see that it had been kept active continuously from the '60s all the way up until they made me curtail removing materials from there. But without the mineral overlay, we can't continue operating there. But it is where the largest portion of the mineral overlay that we needed – materials that would be used in the future. None of this –

Chair Axthelm: Bill, your time is up.

Mr. Wooding: Okay. None of this is going to increase any traffic in the area because that's all regulated by the construction in the area. But it's – for the future it needs to remain a viable source of materials. Right now they're hauling materials in from Oak Harbor and Mount Vernon. Thank you.

Chair Axthelm: Thank you.

Tim Raschko: May I ask a question? Say, Bill?

Mr. Wooding: Yes?

Mr. Raschko: How many acres are you allowed to have open and operating at a time?

Mr. Wooding: Actually the way the DNR has that set up is they like you to open it up and continue as long as it's viable, you know, to start reclaiming as you go. And this pit here,

well, it wouldn't be 23 acres because those are just areas that we just tied in. We have right now probably eight acres total that's open. But we have to maintain all the topsoil and vegetation onsite for the reclamation, and so eventually when this site is excavated out it'll be at road level and it'll daylight through from both the north and the south.

Mr. Raschko: Right. So then instead of the whole thing being open it's just the operating area just moves over time and you're reclaiming behind you.

Mr. Wooding: That's right. Thank you.

Mr. Raschko: Thank you.

Chair Axthelm: Thank you. Next on the list is Carol Ehlers.

Carol Ehlers: Carol Ehlers, 3998 Wind Crest Lane, which is somewhat south of here on the edge. Bill has been an excellent neighbor all these years. He has grown up using that pit along with an astonishing number of houses that these P-numbers represent, which, according to County doctrine, shouldn't be there. They should not exist because you should have either gravel mines, mineral overlays, or houses. God help us, we can't share. Bill has always been able to share. I just hope that, since he's the same age I am, that later the people who are the successor owners share, and that's why I would like the special use permit to be careful because not everyone is like Bill Wooding.

Over on this side next to Rosario Road is a telephone remote for most of Fidalgo Island. It's hidden. If it's destroyed, the phone system is destroyed and so is the Coast Guard connection up on the top of Mount Erie and a lot of other connections. So I'm saying this for the future. Bill has always protected it. Someone else might not think of that and that's why I think it needs to be a condition of the approach.

But I'm here to defend Bill and hope that you approve it. I am also here to point out that when the Comp Plan says that the zoning out in rural Fidalgo Island, Rural Intermediate, is 2½ acres or better, nonsense. That has been in the Comp Plan for years and it's the source of major problems in terms of Rural Intermediate zoning and conflict, because the County doesn't know what Rural Intermediate really is. So this is an example of where it works. The marijuana problem is an example where it doesn't. And that is more subtle than a lot of things in these plans are. Okay?

Chair Axthelm: Thank you, Carol. So is there anybody else that wants to speak on the Lake Erie Trucking?

(silence)

Chair Axthelm: Next in line is Concrete Concepts.

R. Houston Foist: Hello. My name is Houston Foist. I own Concrete Concepts and Design. My initial plan is to turn a piece of property that I bought in Bow from a residential – Rural Residential to Commercial Rural designation. I'm an artist and I make all sorts of different things for different people, from concrete to wood, from stainless steel, glass, acrylics. That property originally was the place where they built the Deadliest Catch ships that they would put on the slough and then take them out to the open water. What I plan to do there is just basically do art and have a little shop where I

can sell my stuff. If you allow this to happen, Bow will also have a potential to have two or three people in the town work for me in my store and also to assist me in making the designs that I make for all sorts of different people. So I hope that you decide to turn the property from Rural Residential to Rural Commercial. Also the property around me are all designated as commercial property. Thank you.

Chair Axthelm: Thank you. He was the only one signed up on the list. Is there any other public that would like to comment? Okay.

Sarah Baker: My name is Sarah Baker, B-a-k-e-r, and I live at 3556 Colony Mountain Drive in Bow, and I just wanted to speak in support of Concrete Concepts. The property that he's talking about is right next to a lumber mill, a workshop that does wood and cabinetry and a number of other things. It's not at all out of place and it's very much in the character of Edison, which supports a lot of artists and local artists, and so it's a small town ___. Thank you.

Chair Axthelm: Okay. Any other public comments?

(silence)

Chair Axthelm: The next one is the Edison Granary.

Ms. Baker: Hello again. Also Sarah Baker, 3556 Colony Mountain Drive, from the Edison Granary, and our proposal is to redesignate a portion of parcel 48536 to be Rural Village Commercial instead of Rural Residential. It abuts a number of other zonings right across the street and is a Rural Business. You know, a couple blocks down, more Rural Business and Rural Village Commercial. And our purpose in doing this is to convert an existing granary building that's already there into a community events space so that people could have classes, host public or private events – to be sort of like a grange-type thing, and we'd also love to host a small female farmers market. And it's great because we can provide parking. There's already a lot of concrete there. It's an old dairy farm. And if you've ever been in Edison, you know that parking is a bit of an issue. So that would be a great asset for the community, as well as our business, and also in preserving the building. We hope to serve both as a resource for the community and also to preserve some of Edison's rural agricultural heritage for future generations and take an active investment in a building that's been around since the 1930s and ensure that it stays around for at least as long because it's built very well and very beautiful. So we'd like to share! Thank you.

Chair Axthelm: Thank you. And any other comments for the Edison Granary?

Mr. Foist: Hello again. My name is Houston Foist. I live at 14793 Gibraltar Road, Anacortes, Washington. I didn't give you that information previously, but now you do.

I support them in the fact that they are truly doing something that's going to be benefitting the town. As most of you know who've gone to Bow or Edison to go to the Longhorn or to just walk around and go to the bakery, parking is a mess and traffic there becomes a mess, and it's dangerous for people that walk by. There's a lot of you who ride bicycles and motorcycles, and I think that property that they want to change will be an asset to that town – give municipal parking. Also the fact that they want to turn that

building to a community service center for people to come and visit, have different events there. It's a great idea so I'm in favor of that. Thank you.

Chair Axthelm: Okay, any other comments for the Edison Granary?

(silence)

Chair Axthelm: Okay. And the Sedro-Woolley UGA Expansion – are the proponents here?

John Coleman: Good evening. I'm John Coleman, Planning Director for the City of Sedro-Woolley. And I wish I could say that our UGA expansion and modification is as simple as the previous requests, but our map amendment is quite complicated.

And so what we're trying to do is accommodate 20 years of residential and commercial growth. It started with all of the county jurisdictions getting together and making a recommendation on what our proposed county population and employment growth would be. Each City was – we analyzed each City's past growth and potential growth, came up with likely growth numbers. Each City was then assigned those growth – assigned the task to go and study those growth numbers to make sure that our urban growth areas and existing zoning could manage that existing growth – that projected growth.

So the city of Sedro-Woolley was – we were given a number – I'm sorry I don't have them right in front of me. We did a Buildable Land Analysis to start to see how much land the city has that is dedicated towards commercial land, so that's meeting – that could meet our potential employment growth over the next 20 years. And then we looked at how much residential we have in our urban growth area. And when I say "urban growth area," there's the area outside of the City's jurisdiction that is designated urban growth area, but also the urban growth area is the city itself. So we analyzed how much land is available to each of those. We found that we had a shortage of land primarily for commercial growth, and so we set about trying to find additional land to accommodate our projected jobs growth.

Now we went through a long process. At the docketing hearing you heard from property owners that were concerned about potential rezoning happening in the northwest part of the city. As you can see from the map, there's nothing in that – through the public hearing process there was no commercial land allocated in that area. So no changes are happening in the northwest part of the city.

In order to accommodate most of our jobs growth, what the City elected to do is rezone one parcel – about 21 acres – as Mixed Commercial. And what that achieved was accommodating almost all of our projected jobs growth over the next 20 years. You've seen that we did one small part just to the north of city limits – and ___ the map – of 6.5 acres. That's also proposed to be Mixed Commercial. That would be in the urban growth area outside of the existing city limits.

So that left us just with the need to accommodate our residential growth. So I apologize I don't have the numbers in my head but they're all in the staff report. The County did a pretty good job of summarizing the City's proposal. So we had a need for, like, 20 or 30 acres of land to accommodate the residential growth *before* we did any rezoning. Then

once we took 21 acres of Residential-7 land out, that created a need for a lot more residential land outside of the city. So that's why you see up north of city limits there's the yellow-colored area that proposes R-5 zoning. That's about five units per acre. There's 106 acres of that. And then there's another 42.8 acres of R-1 zoning, and that would be designated for just one unit per acre. And that's a little different for inside city limits; however, that's around that area. The reason that the City has proposed that lower density zoning is that's around Bottomless Lake. Bottomless Lake is a unique lake – extremely deep lake. Some people say it has no bottom but that's not true. But it is an extremely deep lake and it's surrounded by wetlands and several streams coming out so there's a lot of environmental constraints in that area. And based on the geography of those and how they actually play in the field, they kind of break the land up in such a way that it didn't seem appropriate to have high density zoning in that area. So to protect the environmental sensitivity of that area, it was elected to designate that as R-1.

Ms. Lohman: I'm sorry – your time's up.

Mr. Coleman: That's five minutes already? There is one thing that I've been asked to address by somebody in the crowd that I need to get to. That is the 35 acres of additional residential land that we have requested to put up north. On the eastern UGA – that's this area around here in the hashed are. It's about 200 acres that's been largely developed over the past 30 or plus years that cannot be served with public services. So what we did is we had our consultant review the amount of developable land in that area and he found that there's about 35 acres of developable land in there; however, that land can't be developed because we can't serve the area with sewer and roads and sidewalks because of the nature of development in the area. We talked about this at length at the docketing hearing so I'll spare you the details.

So the proposal is to take that 35 acres and not remove any land from the UGA in that eastern UGA, but take that 35 acres of developable land that can't actually be developed and take that credit and apply it to the northern UGA around the area that we've been discussing already – right up in that area. So hopefully that explains the concept to the Planning Commission and to the crowd. There's a lot of information in here. If there's a way for the Sedro-Woolley Planning Department to give any additional information to the Planning Commission and public, I'm happy to do so any way I can. Five minutes is really not enough to explain the past four years of planning that we've done on this project. Thank you.

Chair Axthelm: Thank you. Okay, first on the list is Ellen Bynum.

Ms. Bynum: Ellen Bynum, Friends of Skagit County, 110 North First, Mount Vernon. I made an attempt to read the Buildable Lands Analysis and the Land Use Analysis, which is two different documents. I don't think we have – we don't have anything prohibiting using the credits that John was talking about, but I think we need to be pretty careful about how we correct past developments that didn't fit into what we expect out of cities and urban areas. He's dealing with something that happened over a period of 25 years with residential development that did not – wasn't dense enough or wasn't designed to have sewer extension. The sewer extension – when you say sewer services are not possible, of course they are possible but at a very high cost, so the question is, you know, What will you do in the future? And we don't ask those questions when you're talking about UGA annexations – UGA expansions and annexations – but I think maybe we should do that. Because in the end you'll be left with basically what we consider

sprawl because you'll have very low density. There's no one correct answer and there's no one way to remedy all of it, but it just gives me an opportunity to ask that maybe the Planning Commission in the future wants to look at some of these areas that have been problematic and see if there are other ways to solve those problems as you accommodate growth. So thank you for that.

William Jefferson Murphy: I didn't sign up. Can I talk anyway?

Chair Axthelm: Yep.

Mr. Murphy: I'm William Jefferson Murphy, 7630 State Route 9, just the other side of Bottomless Lake, north side, and I've got 11 acres there which I bought 38 years ago when the city of Sedro-Woolley was going to go to Moser Road. Then we had the '93, '94 Growth Management Act came in and that did that. Well, it was going to be the rest of my retirement. As you can see, and I'm not asking for pity, I'm just saying that that was going to be the rest of my retirement for _____. So I would consider that – hope you consider letting John put that in with the area of Sedro-Woolley. Thank you.

Chair Axthelm: Okay. Thank you. Any other comments for the Sedro-Woolley expansion?

(silence)

Chair Axthelm: Next is the Burlington UG – oh. Would you still like to comment on the other one?

David Sherman: Yes. Yeah, my name's David Sherman of Island Associates. I represent a property owner that owns three parcels to the north that are being looked at to be pulled into the UGA. We support that. And, I think, just backing up a little bit on the 35-acre item, that I wanted to make a comment. I've been involved with this for the last three years at least with the City, so I've been working with it a long time. Finding that that area was never served with sewer and it continued to get developed all on septic and so forth, you kind of – the City *is* in a position where they are left to either provide service with that and distribute those costs to the existing citizens or they create growth to a point that they can start saving for that. And I think that's what they're trying to do here by expanding and growing. It is years away, decades away from being able to do those improvements to the east, and I think the way they're going about it is the only financial feasible way to do it. So thank you.

Chair Axthelm: Thank you. Okay, so the Burlington UGA Expansion.

Mr. Pernula: I'll make a brief presentation of this because the County is the applicant. This deals with the Raspberry Ridge area east of Burlington. Raspberry Ridge is an area east of the city of Burlington and east of the UGA – outside of the UGA – where there's been developed two phases so far of a potentially four-phase farmworker housing development. The first phase had 51 dwelling units. The second had 30 dwelling units, all of which are currently on septic systems that have failed in the past. The Housing Authority of Skagit County approached the County and the City of Burlington about a further expansion to include seven duplexes in this third phase, for a total of 14 additional dwelling units, and all involved – the Housing Authority, the County, and the City – all agreed that it would be best if not only the new development but the old – the

first two phases be on public sewer. The only way to get the new phase – and that would also provide funding for the first two phases to have sewer service – is to put it into the Burlington UGA. That's the only way that it could be accommodated. So the County is proposing that the entire Housing Authority property be brought into the Burlington UGA.

It has been endorsed by the Housing Authority, of course. They're the applicants to the County. And it also has been endorsed by the Burlington City Council. The property involved would be a total of 32 acres owned – about 32 acres – owned by the Housing Authority, and of all four potential phases there could be as much as a total of 125 dwelling units. As I mentioned, there's already 81 there now.

To form a logical boundary, we added those three other parcels that you can see, one to the north and two to the south; however, those haven't been evaluated by the City of Burlington through its process. And although it would be more logical boundaries, it's not necessary to implement the proposal to expand for the Housing Authority.

So that's basically the proposal that we're proposing at this time.

Chair Axthelm: Okay. So do we have any other comments for the Burlington UGA Expansion?

Ms. Bynum: Ellen Bynum, Friends of Skagit County, Mount Vernon. This is another instance where the history of the property has dictated what the County and the Cities have been able to do. In making your decision, you want to make certain that the way that you permit this – if you decide to do so – that you don't say that this can be done anywhere else in the county, or, you know, I don't know exactly how you do that. But we need – we certainly need affordable housing, and the Housing Authority does a great job of adding units when and how they can. The history of that development was that the original land was donated – and it was ag land – and it was donated from a farmer because they needed farmworker housing. And so that sort of influences or it clouds the hard line that we have about not expanding UGAs for any reason. Also the fact that the Housing Authority went out and attempted to continue working on the problem of farmworker housing when there was hardly anyone else doing that. So I just wanted you to have that information when you make your decision.

Chair Axthelm: Thank you. Any other comments for the Burlington UGA Expansion?

(silence)

Chair Axthelm: Okay, so next is just the general Comp Plan Policy & Code Amendments. First on the list is Patty Rose. Oh, that's Guemes Island. And then Nancy Fox, Guemes Island. Hal is Guemes. So, Ellen, you're the first on the list.

Ms. Bynum: Okay, I obviously will submit – oh, Ellen Bynum, Friends of Skagit County, Mount Vernon – I'll obviously submit a longer, detailed written comment on the Comp Plan Update, but I had a few things that I wanted to talk about that had to do mainly with the code.

Okay, I went through and looked at the different things that are being asked in the code update. Some of the things were concerning to me because I thought that the way that the code changes were being proposed didn't incorporate the language of the existing

code. So there's a conflict in the way that the code was being written, and then – and it changed – it did sometimes change the meaning and sometimes it didn't. So I'd ask that you, when you're reading the code updates, that you go back and read the original. There's a strikeout version that is pretty well organized and you could use that.

The other thing is there seems to be sort of a disconnect in the discussion of LAMIRDS, local areas of more intense rural development. There are quite a few decisions – Growth Management Hearings Board decisions – on LAMIRDS, and one of the things – the Growth Management Hearings Board is the appeals board that Friends has made appeals to for land use decisions that we didn't agree with, and the County has had to change some of the things that it was doing based on those requests to that board. One of the things is that the LAMIRD is limited to *existing* properties, but it doesn't mean – it actually – there's another ruling that says it doesn't mean that the LAMIRDS – you couldn't establish a *new* LAMIRD if there were certain criteria. So that needs to be more clear in the code because it sort of implies that the LAMIRD is like a Rural Village or a Rural Center, and there are rulings about Rural Centers, as well, in the code. So that's something to look at.

I had some comments about the changes that you wanted to make to the code under C-19, and those were to do with administrative reductions of setbacks. Saying that it needs to be more simple is not a reason to change the code.

Ms. Lohman: I'm sorry, Ellen, your time is up.

Ms. Bynum: And I wanted you to look at what the original intent of setbacks were and who has the authority to do that before you did that. I'll put this in writing.

Chair Axthelm: Thank you, Ellen. Next is Randy Good.

Randy Good: Mr. Chairman, Aileen's signed in behind me and we have about four minutes so it'd be possible we do it together?

Chair Axthelm: Is that all right with the Commission?

(Several Commissioners makes sounds of assent.)

Chair Axthelm: Okay, yeah. Go ahead.

Mr. Good: I'm Randy Good, 35482 State Route 20, Sedro-Woolley, Washington. I'm speaking for myself and also on behalf of Friends of Skagit County. I have a letter to hand out to each of the Planning Commission members – so you don't have to take notes – here tonight with support documentation. So first we wanted to address these – on exhibit 26 on page 57 of the Skagit County Transportation Plan Element, Transportation Appendix. So it's on that Transportation Appendix. Okay, that page 57 – that's the page 57 there – it's called the "Transportation Improvement Program Project List." Now this list – this project list was reviewed by this Planning Commission and adopted by the County Commissioners just last December. Somehow – and then so – and then so what we want to address tonight are these – there's – the numbers with the – or the ones that have an ID – like that top there has "29 - Peterson Road" – okay, all the ones with an ID have gone through that process last year. Okay, the ones we want to address tonight are the ones that have an X over to the side, or a check, and without

an ID number. Okay, so go ahead and put the rest of them. Okay, so somehow these 11 projects – and they're under the Non-Motorized heading – have mysteriously been added to this list without going through the process of a public meeting, that public hearing with the Planning Commission, and a public hearing with the Commissioners, as was done last year. This fast-track scheme raises many red flags. All other projects on this list were adopted, as I said, last year and have an ID number. There's no record of any public involvement, no record of the County Commissioners ever voting on these 11 projects with an over 70 million dollar project cost. There's no public knowledge of these 11 projects. For example, a trail along Chuckanut Drive next to homeowners' front porches. Another is a trail from Higgins Road to Hopper Road through farmland, and a trail through private property farmland east of Big Rock. Skagit Council of Governments is the state, federal and – source for transportation funding distribution of our gas taxes that we pay at the pump. Now the Skagit Council of Governments, SCOG, made it clear that projects included in this Comp Plan are eligible for funding. Let me repeat that: SCOG made it clear that projects included in this Comp Plan are eligible for funding. SCOG has also made it clear that it is the duty of the local jurisdictions to provide early and continuous –

Ms. Lohman: That's your first time.

Mr. Good: – public participation on projects before being forwarded to SCOG for funding. Please remove these 11 projects. They need to be put through the proper TIP process already in place in Skagit County that was done last year to get proper public notice and review. Okay, that's all on that.

And also on this Transportation Technical Appendix, page 70, under Implementation Policies, C. Public Process & Right-of-Way Acquisition. There's a paragraph. Please delete the following language in this paragraph. And it's – quote, "whether the acquisition is through eminent domain," – end quote. County government should not use eminent domain for optional non-motorized transportation recreation projects.

And one more, D. Trails on Dikes. The Skagit County Dike Trail Feasibility Study should not be referenced or even included in this Comp Plan Update. Dikes are private property and are not open for public use.

Thank you for considering our comments.

Chair Axthelm: Thank you. Next on the list is Carol Ehlers.

Ms. Ehlers: Carol Ehlers, Wind Crest Lane out on west Fidalgo. I'm bitterly disappointed that there are so few people here. I have a Comp Plan from 1998 in which there were 2,245 comments – substantive. This monstrous piece of work is 450 pages. It was supposed to be just a change in the Rural chapter, so I thought I'd be reading about 40 or 50 pages. But you can't because there's comments and changes throughout this. Now there's nothing wrong with that. Most of the changes are the kinds of changes that ought to be made. Some of them shouldn't. But instead of reading one chapter, you have to read this whole book and you can't do it in the amount of time you've given us. Especially you can't do it if you're trying to correlate the Shoreline Management Element, which is supposed to be part of this, and a series of documents done by the Watershed Company – 200 pages' worth – that have never gone to public hearing.

Now there are those who say that we're only supposed to deal with the big picture. But it's the details in these documents that are used by the County and, even more, interest groups to enforce, nail, and attack you. That's particularly true with the Shoreline Plan. It will also be true with some of these things in this Comp Plan.

One of the things that I have noticed as we're doing, this is the 2009 information from the Assessor in terms of the value of the county by tax acreage. And under that, full market value was 10.99% of the acreage. That's not much but better than it is now. Now it's 8.25% of the acreage. So since the last Comp Plan we have lost a significant amount of full market acreage. Full market is that which pays full property tax. That's why, when I talk about various things in this next couple of weeks. We can't afford to lose more tax land and particularly Fidalgo Island can't. This plan is not at all good for Fidalgo. It starts with the fact that the Fidalgo area plan is changed, written with no input whatsoever from anyone that I know of on Fidalgo Island. That is a violation of law. You can talk about changing a subarea plan. You can talk about all those kinds of things when you need to, but you don't do it in an office without – I mean that's the basic principle of public participation.

Ms. Lohman: Sorry, Carol. Your time.

Ms. Ehlers: Well, I've already made my comment about the fact that Rural Intermediate is not a 2½-acre zone, as it has said, and I'm going to turn this map in, which I showed you with the Shoreline Plan, but I think the Comp Plan needs it just as desperately. This is the acreage owned by government – state and federal government. I can't find city and county government on this.

You talk about resource lands, farming –

Ms. Lohman: I'm sorry, Carol. Your time's up.

Ms. Ehlers: I know – farming and forestry. Tax money is ever bit as much of a resource for this county as what comes off of farmland or forestland.

Chair Axthelm: Next is Katie McNett.

Katie McNett: Katie McNett, M-c-N-e-t-t, 13797 Trumpeter Lane, Mount Vernon. Good evening, members of the Planning Commission, County staff, and public. As a county resident and cyclist who just this morning enjoyed a beautiful, scenic ride through Skagit County's roads and foothills, thank you for including non-motorized transportation in the Comprehensive Plan Update. Bicycle riders spend over \$3.1 billion in Washington state and they significantly support rural economy statewide. Skagit County's support of non-motorized transportation is support for our economy, good health, and the environment.

First I noticed in Appendices A-3 and A-4 that the maps of existing bicycle facilities and trails in Skagit County use maps from 2008 and I know that those maps have been updated in recent years and I just propose that we use the most updated versions because they do include the more recent additions to those trails and changes to the bike routes.

Next I strongly support Policy 8A-6.12 in the Non-Motorized section on page 262, which states that the County will emphasize "development of smooth and

continuous...shoulders, including asphalt overlays or enhanced chip sealing where appropriate and feasible.” While I wish every road was brand new and smooth, as a bicyclist, I understand that chip seal is a necessary part of the county road maintenance, and in order to increase the longevity of county roads. But this part of the policy increases awareness that chip seal is dangerous and also just really, really uncomfortable for bicyclists, and that as a county we should try to promote bicycling as much as possible because it’s a great tourism generator and also it’s a great thing to have in our community to have these kinds of resources available to all people who recreate here.

And then finally, I found the Non-Motorized Transportation Plan to be really well-written and it sufficiently addresses the needs of non-motorized users in the county. My only concern is that there are no goals, benchmarks, or performance measures by which the County can gauge continued progress toward improving bicycling and walking. There are great goals, objectives, and policies but there’s no way to know if they’re successful if we don’t know how they’re progressing and what our goals are for those. I hope that the benchmarks can be included before approval and that an advisory committee that represents non-motorized users be involved and that there’s some public process for that. Thank you very much.

Chair Axthelm: Thank you. Next on the list is Connie Munsey.

Connie Munsey: Good evening, Commissioners. I’m Connie Munsey, 2411 Skyline Way in Anacortes. This Comprehensive Plan – anything from government that’s comprehensive is going to be hard to figure out, particularly for the uninformed. The people who’ve spoken before me really know their stuff. I only have certain things that just push my buttons and one of the things was, because I’ve been involved with SCOG and the Transportation – the TIP list, is that when – as I recall, the scope of this Update did not include a whole bunch of these projects that just appear out of nowhere. Now these things are like cockroaches. If you approve this with those on there, even though they don’t have a number, we’ll never get rid of them. The five that really get me going are – sorry, Katie – the bicycle trails. I’m sorry, but there’s things in life called necessities and there’s nice-to-haves. And this is a rural county that does not need paved trails all over it and these are nice-to-haves that we cannot afford. The money that comes from these grants is taxpayer dollars. It’s not a secret stash that the government has so they can give out goodies. Taxpayers should not be subsidizing any kind of a hobby. It just – that’s just not right. No one subsidizes my boat license. That’s – I pay for it myself.

A few months ago there was a SCOG transportation – one of the visioning projects, and it was very well attended down at the Skagit Station. And it was a typical visioning thing where they had the postcards and they give you little Avery dots – I really think it’s an Avery thing that – so we can sell a lot of dots. And if they did not actually put bicycle trails to the people that’s ___, people would not have put the dots there. They just put the dots because that’s nice to have. If they had said “none of the above,” there would have been more dots on the “none of the above” because when it came to asking, the moderator said, How many here have ridden – how many of you ride bicycles? Not one hand, and there was quite a few people. Because we’re older. This is an aging – right now we’re an aging county. And another one was, How many of you think that having bicycle trails should be a priority of taxpayer transportation dollars? Not one hand. I have nothing against bicycles but we should not be subsidizing hobbies. We’ve got too many important things to do, and remember our federal government that’s giving this money

out is bankrupt. Therefore, I respectfully request that if you adopt this plan, drop those unnumbered projects and we'll deal with them sometime in the future. Thank you.

Chair Axthelm: Thank you. Next on the list is Mayjorie Bell. Marjorie – sorry.

Marjorie Bell: Good evening. Marjorie Bell, B-e-I-I. Address is 45501 Main Street, Concrete. I'm speaking to the council tonight. I'm in favor of the proposed updates to the Comprehensive Plan Transportation Element, especially the ones that take into account all modes of transportation and acknowledge and support non-motorized trail use. I work for United General District 304. We are very interested in community and public health. We would like to see people be healthier – people of all ages. Trails and sidewalks, modes of transportation that are available to all users are very important. If we make the healthy choice the easy choice, more people will get out of their car and move their bodies, fewer people will be having chronic disease issues as they age. And currently the Town of Concrete – the mayor, who's going to submit written comments but could not be here tonight; United General; the Town of Concrete; the National Park Service; and other partners. We have a Friends of Concrete trail systems group. We've been meeting for a year-and-a-half. We have a trail system concept plan that has recently been released and we are very interested, as I said, in creating healthier communities through active transportation. We work with the Concrete School District also to support pedestrian and bicycling education curriculum with children to teach them how to follow the laws of the road, to be safe bikers, and to want to get out there and ride bikes, enjoy their community. And so, again, I am in favor of the Transportation Plan Element updates. Thank you.

Chair Axthelm: Are there any other comments from the public for the Comp Plan and the Policy and Code Amendments?

(silence)

Chair Axthelm: That's it for – any questions from the Commissioners? Planning Commissioners, do you have any questions for anybody or any of these proposals?

Ms. Lohman: I do.

Ms. Candler: I have a question for John Coleman.

Chair Axthelm: Annie, go ahead.

Ms. Lohman: I did have a question for staff. At an earlier Planning Commission meeting when we first talked about this – I believe it was June or July of 2015 – I asked the question if the Ag Advisory was given the proposals where you were talking about deleting the notification for being in the ag zone. There were, like, three policies for that.

Mr. Pernula: I specifically talked to them about all of those proposals, yes.

Ms. Lohman: Okay. I was just following up on that.

Mr. Pernula: I did.

Ms. Candler: Thank you. My question for Mr. Coleman: Looking at your idea about the north side of town being included and the cost/benefit analysis like Ms. Bynum was talking about with retrofitting the area that was previously there down the _____. So, you know, the old area, which I guess can't support new growth without very expensive upgrades to the sewer or inclusion in the sewer, is very close to, I think, Highway 20, right? Highway 20's running right through there? Is that right?

Mr. Coleman: On the north end, yeah. That would be – Highway 20's the northern boundary.

Ms. Candler: Okay. The other area you're talking about doesn't have any major artery like that. What is the plan in terms of servicing a bunch of additional housing?

Mr. Coleman: Are you referring to the northern area where we're proposing the expansion?

Ms. Candler: Yeah. I'm concerned about the westward flow of traffic out through that area. There's just a lot of back roads.

Mr. Coleman: Oh, for transportation?

Ms. Candler: Yeah.

Mr. Coleman: Okay. Well, first to just see where it's at – it's at a hill, so we can address it by gravity. The city sewer goes right up to the edge of the city limits to the north where we have our fire station, too. So for many years we've been anticipating growth to the north. So we could extend our sewer northward just by gravity without any pumps or anything. And, you know, there's no development out there that would be in the way of it.

Ms. Candler: You mentioned that last time you spoke regarding the difference between the cost of installing it at development versus installing it after the fact. But I was more concerned about the transportation piece.

Mr. Coleman: Okay. So this is something I wanted to mention to Mr. Good. We're doing our Transportation Element currently now and our Planning Commission is addressing it at our Planning Commission meeting in April. And there'll be a public hearing on that document when it'll be available, hopefully at the end of this week. So we've done the travel demands, looking at the – we actually have our transportation consultant looking at transportation opportunities in the area. Now it primarily is served right off of Highway 9, which is the benefit of expanding to the north. There's a major artery that –

Ms. Lohman: Could you put your finger on that?

Mr. Coleman: Yes. So this is Highway 9 coming down, and then it comes across and then back down. So and Highway 9, you know, is a major arterial so it can accommodate additional traffic on it. Then we would have to address connections to that. And so then it's just a matter of making safe connections for site distance and collector arterials and local collectors that would then go to Highway 9.

Ms. Candler: There's no plan to have traffic go east of – out toward the freeway or any expansion of any roads out that way?

Mr. Coleman: No. There would be access to Bassett Road, which goes to the north of Sedro-Woolley. That's a county road so it would be, you know, like a minor arterial for local people to be able to get to other parts of Sedro-Woolley easier, but it wouldn't – I don't believe that would be part of our – like one of our major arterials. The idea is traffic would continue to move south towards the city on Highway 9, which is the major arterial. It's really only – all of that area's only, like, 100 and – is it 106 plus 48? So it's only about 150-some acres so it doesn't get very far off of Highway 9. So it's not creating a demand for long arterials heading to the east or west. It's mostly focused along Highway 9 and then we'd funnel the traffic to Highway 9. And then it would give us the opportunity to address deficiencies on Highway 9 as development occurs in that area as we discussed. Let's see ____ with traffic. As development occurs, development helps pay for the improvements to those facilities and it's one of the ways to get the improvements – is for developers to pay into it. Now with traffic, obviously, there's state funding, especially for state arterials to be improved to city standards. But that would be anticipated in the long run – to improve traffic flow on Highway 9.

Ms. Candler: Looks like Ms. Rose has a comment or a question.

Martha Rose: Yeah, I'd like to ask a question. So how did the density R-5 come about? In other words, if you're going through the trouble of trying to include an area that's not served by sewers and you're going to bring them out there, why wouldn't you go with higher density? What was the thought process that ended up with R-5?

Mr. Coleman: Well, R-5 is intended to buffer to rural lands and it would be sort of a stark transition going from, you know, high multifamily densities to rural lands on five-acre lots. There's one area of town that is called Wildflower that's right outside the entrance to Northern State Hospital. It's really hard to see. It's this tiny little community right there. It's about – oh, I want to say it's about 35 homes in it. It's very high density single-family homes. We get a lot of comments from people saying, Why do you have such high density on the edge of town? So it strikes people as odd. So the natural progression of growth in the urban areas is to be a little less dense on the exterior and then the center over decades and decades can then be completed with infill at higher densities. And the central business district and areas closer to town are higher density.

Ms. Rose: Right. Thank you.

Mr. Raschko: I have a similar question about the Bottomless Lake area where you have your R-1. Was that based on any sort of studies or scientific thing or is it arbitrary?

Mr. Coleman: Yeah, there's – when looking at the properties involved, fortunately most of the west side has been surveyed through short plats or for other surveying purposes, and there's already protected critical areas that are mapped and known in the area. So, yeah, we know in particular around the Bottomless Lake area the critical areas are well understood, so that is why we are proposing it to be environmentally constrained. Because, again, the resolution on this is a little hazy, but if you look coming south out of the lake and then heading – there's two creeks heading off to the northwest off of that creek, and then, of course, wetland areas along all of those creeks and wetland areas all around the lake itself. So it's created a patchwork of areas that would even be potential for development. So the R-1 zoning is intended to have a less impact on all of those known critical areas.

Ms. Rose: Will that be treated as a cluster development on the areas that aren't sensitive? So it says the R-1 is over the aggregate, or is it –

Mr. Coleman: The way the zoning is proposed, it would be one unit per acre. So it could be clustered.

Ms. Rose: It could go either way.

Mr. Coleman: Yeah. Yeah, our zoning is flexible that way. Of course, that would be preferred, you know.

Ms. Rose: To do a cluster.

Mr. Coleman: To do a cluster – always. Yeah. And just to follow up on that: The staff had mentioned that they weren't particularly – that their recommendation is not to include all of the 35 acres. We, of course, feel that that's an important part of our proposal. We've already heard testimony from the northernmost property owner in the yellow area along Highway 9, Mr. Jefferson. He very much wants to make sure that his property does get included in the UGA as it is proposed at this time.

Further developments in this process is the City actually purchased 10 of those 35 acres of developable land adjacent to the cemetery, so that would be another 10 acres removed from the 10 acres that would be designated as public zone that would not be now developed in that area except for public uses – potentially expansion of the cemetery or other public uses. So that would remove another 10 acres from this area from the available buildable residential land. And this only occurred in the past month where the City was able to acquire this land. So out of that 35 acres, now it's actually down to 25 because we'd be removing 10 acres from that land that we would definitely like to apply to the northern area, which just complicates this whole puzzle.

So I wish there was more opportunity for me to talk to you at length about this, but I understand that you're a little short on time. But the City definitely is standing by our request for the UGA as proposed in all areas and would prefer our proposal compared to the recommendations that the County staff has made, with the exception of – I don't have – here it is – with the exception that, number 3, they request that – number 1 and 3 are not a problem. Just recommendation number 2 in the northern UGA is the area – is – they request that that 35 acres *not* be transferred. We think that there's ample reason for that to be included and that the scenario has actually changed with the City purchasing the property, where the County's recommendation number 2 should no longer apply. So if the Planning Commission were to recommend to the County Commissioners approval of our northern UGA, we would like item 2 to be removed from the recommendation.

Chair Axthelm: If you could submit that in writing – that way the Planning Department can respond to that – that'd be great.

Mr. Coleman: Yeah.

Chair Axthelm: Okay. Thank you.

Ms. Candler: Thank you.

Chair Axthelm: Any other comments from the Planning Commission, or questions?

Mr. Coleman: Thank you for the opportunity to follow up.

Chair Axthelm: Yep. Thank you – and from the public?

(silence)

Chair Axthelm: Okay. So that would close this portion of the hearing, and we'll go on to the next item on the agenda, the Department Update.

Mr. Pernula: About all I wanted to talk a little bit about is your upcoming schedule. As I mentioned, it was going to be very tight. We had potentially a meeting next week scheduled, and on the schedule we said it was a possible public hearing continuation from tonight or possible initiation of discussion of the Shoreline Master Program Update next week. Apparently we're not going to need the additional meeting next week for continuation of this public hearing because it has been completed. Now public comment will end on the Comprehensive Plan Update on April 14th, and we will be assembling those and making some – a staff report on those shortly thereafter.

Now on the Shoreline Master Program, the public comment period ended yesterday and we proposed to start assembling the information and getting it to you perhaps – at least some of it, depending on how much we get – in a week or so and for deliberations to be on April 19th. If you wish, we can still meet next week and begin discussion about the Shoreline Master Program Update, or we can wait until the 19th to initiate that discussion. It's up to you. But in any event, we will have a meeting on – the first formal deliberations on shorelines on the 19th.

Chair Axthelm: Does that sound all right to the Commission – wait till the 19th?

(Several Commissioners voice sounds of assent.)

Chair Axthelm: Yep, sounds good – 19th.

Mr. Pernula: You want to wait until the 19th? Okay.

Ms. Lohman: So nothing next week?

Mr. Pernula: That's two weeks from now.

Kathy Mitchell: Well, we need the time to read it.

Chair Axthelm: Yeah, we need the time.

Mr. Pernula: As I mentioned, the public comment ends on – the Comprehensive Plan – on the 14th, and right now we are hoping to respond to the comments early in May and to begin your deliberations on this on May 10th.

Ms. Lohman: Is it possible to get the materials for the SMP earlier than a week, a week in advance?

Mr. Pernula: Well, it just closed yesterday and to put it together for two weeks from now that gives us a very short period of time as it is. We'll do the best we can.

Ms. Mitchell: When you say "put it together," do you mean for the staff report part?

Mr. Pernula: Assembling all the comments and as much staff report as we can put together. Since it was just done, I really can't tell you how much work's involved, but we'll do it just as fast as we can.

Mr. Raschko: Is it impractical to try to do a partial delivery?

Mr. Pernula: It might be. That may be what you get.

Mr. Raschko: Okay.

Mr. Pernula: Since we have multiple days for deliberations – we're showing April 19, April 26 and May 3 for deliberations on the SMP, so perhaps we can divide it up.

Ms. Mitchell: It'd be nice to have the raw comments, if you will, to start reading through those and then get the staff report to go with to back that up afterwards. That would give us a little more time to wade through it.

Mr. Johnson: Okay. Typically what we do is scan those as soon as the comment period closes and put them on the website, and then send you a link to the website. So that – I mean, I can't speak for Linda's schedule, but that can usually happen fairly quickly.

Ms. Mitchell: Super. That helps.

Chair Axthelm: Okay. Anything else from the Department?

Mr. Pernula: That's all I have.

Chair Axthelm: Okay. Planning Commissioner Comments and Announcements?

Ms. Rose: I have none.

Chair Axthelm: Is everybody going to be here on the 19th?

Several Commissioners: I don't know.

Chair Axthelm: I'm actually – my son gets back from Japan on the 19th after two years, so I'll – I think he gets back in the morning. I'll have to check. But I may or may not be there so I'll try to let you know ahead of time as soon as I find out.

Ms. Mitchell: Okay, so just to be clear then, we will *not* have a meeting on the 12th then?

Mr. Pernula: I left it to your option and what I heard is no, you will not.

Ms. Mitchell: Okay. How do you handle that for public notice?

Mr. Pernula: Well, there's no hearing and we do have the – we have to have it at least three days' notice so we won't provide that.

Ms. Mitchell: Okay.

Ms. Candler: And you'll just indicate on the website "cancelled"?

Mr. Pernula: Yes.

Ms. Mitchell: Thank you.

Chair Axthelm: Anything else from the Commission? Do we have a motion to adjourn?

Ms. Lohman: Motion to adjourn.

Ms. Mitchell: Second.

Chair Axthelm: Okay, meeting is adjourned (gavel).