

**Skagit County Planning Commission
Joint Business Meeting with Board of County Commissioners
March 7, 2017**

Planning

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

County

Commissioners: Ron Wesen, Chair
Lisa Janicki
Ken Dahlstedt

Staff:

Dale Pernula, Planning Director
Ryan Walters, Assistant Planning Director
Kirk Johnson, Senior Planner

Others:

Dave Chamberlain, Forestry Advisory Board

Public Remarks

Commenters: Ellen Bynum, Friends of Skagit County
Brian Lipscomb
Carol Ehlers
Ed Stauffer

Acting Chair Kathy Mitchell: (gavel) Welcome. I'd like to welcome everybody to our regular Planning Commission meeting. It's Tuesday, March 7th. Just before we hit the Agenda Review, I would like to welcome some special guests for this evening. We have Dave Chamberlain, who's the chairman for the Forestry Advisory Board, with us so thank you for coming. Our three County Commissioners – Chair Ron Wesen and Lisa Janicki and Ken Dahlstedt – and thank you very much for having this joint session with us. I know we were all excited about this time so thank you.

Anyway, Call to Order, and Planning Commission members, for an Agenda Review are there any changes or additions to the agenda?

(silence)

Chair Mitchell: Okay, seeing none, I'd like to move on for Public Remarks and at this time invite the public. This is the time – forgive me for reading this, but it'll make it simpler – this is the time

for the agenda as an opportunity for anyone to speak to the Planning Commission about any topic except items scheduled for the agenda for a public hearing that same day or items that have had a public hearing that are under Planning Commission deliberation. Public Remarks are not part of a formal participation process for any development regulation or Comprehensive Plan amendment project. It's limited to three minutes per speaker and up to 15 minutes total. I also want to emphasize that we welcome your remarks on most everything and we're glad that you've been here. So is there anybody that would like to come? One, two, three. Okay, Ellen Bynum first.

Ellen Bynum: Good evening, Commissioners and Commissioners. Ellen Bynum, Mount Vernon. I'm representing Friends of Skagit County though I didn't make the comments originally on this topic. On behalf of Friends I did submit written comments. I want to give you an update that I – a factual piece of statistic that you might want to know about grizzlies. We had a hearing about reintroduction of grizzly bears into Skagit County. The Canadian Broadcasting Corporation today did a broadcast about hunting bears, grizzly bears. And as a part of that, they stated that they were in the province of British Columbia. There were 66 bears killed with hunting permits and they divide the permits into, I suppose, it's guided hunting and then local hunting. But there were 300 additional bears killed for local hunters. So with the idea that we don't know how many grizzlies we have and the fact that we're not looking at them in a bioregion, I think we ought to consider putting in our comments that go back into the U.S. Fish and Wildlife Service that they need to look at cumulative data about populations, about habitat required, about BC's hunting practice, and also how that might affect the idea that they had proposed for the North Cascades ecosystem. That's all.

Chair Mitchell: Thank you. Who'd like to be next?

Brian Lipscomb: Hi. Brian Lipscomb, Sedro-Woolley. I would like to talk about the bears but alternative A is probably the best one so let's talk about floodways instead. How's that? Somewhere I think I've got – man, I don't know how to drive that so.... Is everybody here familiar with the floodways? ___ there's multiple definitions of a floodway. FEMA's got one, RCW, WAC, Skagit County. The bottom line it's a place where the water goes, right? We'd all agree with that? Where the water should go, not where we just draw a line. What's interesting about this is the C firm insurance study, 1985. So supposedly this is where all the water went. It wasn't done. They didn't do the cross-sections. The data you have is from 1963 and that's, you know, that's long before the dikes. We all know that there was a second flood insurance study, the D firm, and they were going to put that in. Well, that was still using the exact same 1963 data. So, yeah, there were a few cross-sections of 1977 but go ahead and find them.

An interesting part is I actually had went to build a building and I was told that I had to tear it down or do a zero-rise. I said, Fine, I'll do a zero-rise. So I went to the FEMA librarian here and I asked for the raw data so I could build my baseline study. And do you know what they told me? We've concluded our research. There is no floodway data where you're at. So the question is: How could you draw in this floodway line? I mean I just – it floored me so.

Start looking into it. Most of the cross-section was determined in 1977, *except for* Sedro-Woolley up to 1963. I'm not making it up. So but then we get – so in order to make it best available data, in 1981 where they say, Oh, Skagit County official requested widening the floodway boundaries between Sedro-Woolley and Concrete to follow the physical ground features. Great! How come it doesn't, though? It doesn't do that. They just drew a line so....

Unincorporated areas sections __, blah, blah, blah, blah – anyway, because the floodway was not generated using _____ methodology, data shown _____ *political* floodway boundaries, not the *hydraulic* floodways. This is my favorite part: “Conventional floodways are not appropriate on the other side of Highway 9,” right? Downriver then. Why? Due to the uncertainty of where the levee failures will occur. We don’t know where it’s going to blow out so nobody gets a floodway. Okay. The floodway itself __. That’s not so bad. What’s bad is the FWHCAS. I don’t know if you know what a FWHCAS is. That’s the Fish and Wildlife Habitat Conservation Area Study. And we don’t have a good acronym for _____ anyway.

Okay. And what do they say? Because of the BiOp, we have to have within 200 feet – is it 200 or is it 250 feet? Depends who you ask. That’s true! So but we have to have the study done. Okay, well, why? If we really get into how we draw a line here – this is just for fun where we’re looking at. This is river mile 27, river mile 28, river mile 29. Gilligan Creek is right about here. This is __ area that I have and I’ve also got this area here. So now this is – basically I don’t know – probably a 1990 picture, but this is the 1985 flood map _____ – okay – overlaid on a ’78 aerial. I don’t know if you can see this here. That’s an armored embankment. So when we do the overlay –

Annie Lohman: Can you summarize, Brian?

Mr. Lipscomb: Pardon?

Chair Mitchell: Can you summarize, please?

Mr. Lipscomb: Oh, yes, yes, yes. So what we did is we have a __. The bottom line: Here’s where you’re at. So this zero is coming in here _____ and this is all floodway. These are all trees here hundreds of feet high. Why is it that these trees in this dangerous floodway don’t displace here in this water? I mean, it’s __. Even more so, this is in that dangerous place where it sucks all the water out, you know, so we’ve got to keep the ground water in. These trees don’t pull water up? We can’t put a well in, but all these trees can be there? Anyway, it’s truly amazing. That was the end of it.

By the way, I don’t know if you’ve ever heard of sea level rise but that’s a little something that people do sometimes when they do that. One of my favorite things on one of the shoreline things was – well, I can’t find it because I’m in a hurry now.

Chair Mitchell: Thanks a lot, Brian.

Mr. Lipscomb: This guy right here. Sorry. I don’t know if you can see up here. That’s, like, the northwest and right here – the blue – it says 1.5. That shows that sea level has dropped in the northwest one-and-a-half millimeters per year for the past two decades.

Chair Mitchell: Thank you. And, you know, you’re welcome to send that stuff to us on e-mail, too, if you want us to have that for the record.

Mr. Lipscomb: Thank you. _____.

Chair Mitchell: Thank you. Carol?

Carol Ehlers: Carol Ehlers, west Fidalgo Island. I said a number of things this morning at public comment for the County Commissioners and I don’t think I shall repeat them. But back in the

'60s when I was a youngster working for the college, I was in the Alpine Club and the Alpine Club responded with Senator Jackson to the creation of a national park to buy out the timber companies that owned the crest of the Cascades so that they wouldn't have to log it, because they had discovered by the '60s that if you logged you couldn't replant successfully. So in order to protect the Skagit River water for fish because silt kills them, for drinking, for agriculture, et cetera, and to provide a decent highway through east county so the economy would increase – State Route 20 is that highway. If you have no idea, go on Challenger Road and you'll see what it was – up to Concrete. And then we were going to have a place for people to safely hike and camp because we expected millions of people to be here by now, and we all knew that in the DNR forestlands you can hunt bear and people are still – that poor woman was still killed recently by somebody who didn't know what he was seeing. So this map shows – the dark green is what we created. The dark green includes a recreation area for Lake Chelan, a Ross Lake recreation area. Recreation for people to hike and camp. And there's another map in here – this is the EIS – another map in here that shows the dozens of campsites. But this is where they want to put the grizzly bears. They haven't given a good description that I have found yet – I have yet to finish this – that shows what bears are going to eat what food in what site at what season of the year. And they're talking about putting the bear there in the mid-summer or the early fall or what have you and no discussion in the text yet about we're going to put a bear in the middle of a blueberry field so that the thing can find enough to eat before. So part of my sympathy is in favor of the bear. The other part of it is crucial. The Republicans in this county did not want this national park or recreation or anything because they were terrified that the U.N. would take it over. We told them that was ridiculous. It has been ridiculous. But part of what they were worried about is represented by this map because this map is the core grizzly area for in the future to have 2 to 400 grizzly bears in it. And take a – go online, look at it, because look at how much tax land is completely vulnerable because the State Department of Wildlife that can't manage the elk is supposed to manage the grizzlies. Please pay attention. Comments are due March 14th.

Chair Mitchell: Thank you, Carol.

Ms. Ehlers: You can ask for a supplemental EIS if you want to.

Chair Mitchell: Thank you – appreciate it. Ed, (are) you next?

Ed Stauffer: Good evening, boatload of Commissioners, staff. Mr. Chamberlain, it's good to see you. I'm Ed Stauffer. I live in the Chuckanut foothills west of Alger, rural Skagit County.

I've been reviewing minutes of Planning Commission meetings back to the first one I could find and I just want to recognize my Planning Commissioners, what I consider to be the very bedrock of what's important about our constitutional form of government. You truly are in this format and this forum the voices of, by, and for the people. I've been encouraged lately to hear particularly Commissioner Dahlstedt at public comments pointing out that the Board considers you the eyes and ears as their appointed representatives of their constituents. So you can imagine how delighted I am to find a work session where you're going to have a roundtable on how to work together successfully with your Board for the coming year. I'm here, and so are most of the people here, wanting you to succeed, standing ready to assist you in any way possible. The most important way I could help from the readings is I actually read the ordinance under the Planning Enabling Act that created your body by the Board of Commissioners, and your role is quite well defined there in ways I haven't heard before. But the operant word is "advise," so I'd like you to look it up, and as you enter the new year make a decision among yourselves. And I do hope you get a chance to dialogue; to take charge of your bylaws; to use

your abilities to appoint committees and subcommittees; to call people in to testify; to take the lead in setting your own agenda; to discuss items amongst yourselves; to delay decisions until you feel you're ready to make them; to take time for yourselves to study issues ahead of time so that you're assertive and aggressive rather than passive.

In 1965, shortly after the Planning Enabling Act, Skagit County was given a grant and a consultant by the name of M.G. Poole & Associates who wrote for us under this legislative – state legislative guidelines our first Comprehensive Plan. It was adopted in Skagit County in 1965. If you go to the main page of your County webpage and look up in the little search box “comp plan,” it'll give you the whole list at the – going down that page, including our most current version which you worked on last year, that explains what our Planning Commission very early in its history did with that 1965 plan. So go to the 1968 and if you read that 1968 document that will background you from the very beginning of what you're doing now with our Comprehensive Plan. Thank you.

Chair Mitchell: Thank you, Ed. Is there anybody else?

(silence)

Chair Mitchell: All right, thank you very much. Now we'll start with the Joint Business Meeting with our Board of County Commissioners. Thank you all for coming and for calling the meeting. We really appreciate it. We've been looking forward to this for a long time. But when we start off to the first part, Dale, can you take over for the Legislative Work Plan?

Dale Pernula: You bet. The first item that's listed under the Legislative Work Plan is the Shoreline Master Program. We're not going to talk about it too much because the Planning Commission has worked on it, made its recommendation, and adopted a recorded motion, and could be done with it. Now if the Board of County Commissioners makes some substantial changes and they decide they'd like a recommendation on those changes by the Planning Commission, it could come back. I'm just going to go over real quick how much involvement the Planning Commission has. It actually started in 2011. There was a Shoreline Advisory Committee and the Planning Commission. The Planning Commission actually went through three entire drafts of the Shoreline Master Program before it actually was adopted. The final draft, a public hearing was held on it on March 15th of 2016 – last year – and the Planning Commission adopted that recorded motion on August 17, 2016, but that was after five sessions where you deliberated on the Shoreline Master Plan.

Now work with the Board of County Commissioners –

Chair Mitchell: Dale, I've got a question for you. Go ahead.

Ms. Lohman: On that Shoreline, when you add the language about the channel migration zone is that something that has to come back to us?

Mr. Pernula: Well, we're not sure how in depth we're going to be going. We may bring that – we may make some additional amendments to it. If they're substantial we will bring them back if the Board wishes to bring it back to the Planning Commission. That's one of the items that we very well may make some amendments to.

Now we were going to take this to the Board earlier; however, we have a project – a very large project – that's taking a lot of staff time from the natural resources division, and that's an

environmental impact statement for the Tesoro project that's going on. When we get past that and we have some time available, we're going to get back to the Shoreline Master Program and take it to the Board and get some additional direction from the Board on the 30 recommendations that the Planning Commission made on how to deal with the channel migration zone as well, which, as you mentioned, may come back to the Planning Commission; some issues relative to Lake Cavanaugh; and there's also an extensive checklist that we have to go through as well. But for the time being the Planning Commission's done. Just recognize that there may be some additional amendments that will come back to the Planning Commission. We don't know yet. And that's where the Shoreline Master Program is at this time.

The next item that's on the agenda is the 2017 Comprehensive Plan Amendments and Code Update. I'll turn that over to Kirk.

Kirk Johnson: Hey, Ryan, can you zoom into the top section of the webpage? Thanks. Ryan's pulling up – well, not pulling up – the 2017 Comprehensive Plan Amendment webpage is up on the screen and we just as of Thursday put out a public notice – notice of hearing and public comment on the 2017 proposals, and we're in the period now of seeking public comment, written comment as well as spoken comments at a hearing before the Planning Commission. It's scheduled for April 4th here in this room at 6 p.m.

Just a little history: There was a – the annual Comprehensive Plan amendment deadline is the last business day of July of each year. A number of proposals were submitted last year. The Board of County Commissioners held a public hearing on those proposals, took public comments, and then they decided through a resolution in December which of the amendment proposals would move forward for full consideration by the county through the Planning Commission SEPA review, public comment, and the like. And then the Planning Commission will forward a recommendation on to the Board of County Commissioners as to which of these proposals should be approved or modified or not approved. And the docket consists of 22 separate proposed amendments and there's a combination of some Comprehensive Plan policy or text amendments, some changes to the development regulations, and then also some changes to the land use and zoning map.

So again, the hearing before the Planning Commission will be on April 4th. The written comment deadline closes on April 6th, which is a Thursday, and the comment period is open currently. And that first document in blue – the link in blue that says "Notice of Availability, Public Hearing, and How to Comment" tells people the different options there are for submitting comments to the County. The second document – these are very hard to see – is a staff report on the proposals which explains each one – each of the 22 separate proposals, and the third document is the proposal document itself which has – shows through underline and strikethrough form any proposed changes to the Comprehensive Plan text or policies or proposed changes to the code or proposed changes to the land use and zoning map. And I'm going through this in detail because we took a few calls this morning from people who received a notice about some of the changes and I just want to help people who are interested in information about the proposal know where to go to find it.

So the 2017 Comprehensive Plan Amendment website is on the Planning and Development Services webpage, which is available through the Skagit County website. And I mentioned public notices. We sent about 5000 notices out to people who would be affected by or are within 300 feet of proposed changes to the Comprehensive Plan or zoning map. So there're some individual map amendment proposals in there. There's also a proposal to create a new zone on

Fidalgo Island, and that is the one that accounted for a large number of those 5000 notices that went out to individual property owners.

I think I'll just walk through these not in a whole lot of detail because it could take a lot of time to go through all 22 of them. But there are three on the docket that are a part of the proposal that were submitted by members of the public last year, and the first one – if I could go to the proposal document from here, I would – up on the screen – but I can't. So the first one – it's called P-7 – and it would require permanent protection of CaRD open space on Guemes Island. So the County Commissioners several years ago adopted the Guemes Island Subarea Plan and there's a policy in the plan that talks – that says that open space created through CaRD developments, which are Conservation and Reserve Developments, the open space should be protected in perpetuity. You're smiling.

Ryan Walters: Are you getting much from this?

Mr. Johnson: No. Can you go to just the proposal, the list of – kind of the cover page. Yeah, it's still hard to see. So we're talking about P-7 there.

Mr. Walters: Yeah, the list is in both the memo and the proposal document.

Mr. Johnson: Okay, so everybody has those. All right.

Mr. Walters: When you get to the map amendments, I can bring those up on the screen.

Mr. Johnson: Yeah, that sounds good. So this would be revisions to the CaRD ordinance that would specifically affect Guemes Island where land put into open space through a CaRD would be protected through a conservation easement, which is how land, say, that's put in the Farmland Legacy Program is protected. That's a higher level of conservation protection than exists for most other CaRD open space.

The second proposal, public proposal P-12, proposes to rezone all Rural Reserve lands on South Fidalgo Island – and that's west of Reservation Road – to a new zone called South Fidalgo Rural Residential. And this was submitted by one Fidalgo Island property owner with numerous signatures backing it up, and essentially the new South Fidalgo Rural Residential zone would remove a number of the non-residential special uses that are currently allowed in Rural Reserve. That would be one of the major changes of the proposal. And the proponents of the proposal say that the rural character, the rural residential character on Fidalgo Island is threatened by what they view is a large array of special uses that can introduce commercial or quasi-commercial activities into what they view as their residential neighborhood.

Another element of the proposal is it would eliminate the opportunity for Conservation and Reserve Developments, or CaRD developments, on Fidalgo Island within this zone. And what that allows is cluster development and in Rural Reserve an additional unit of development for every 10 acres. So if you have 10 acres of Rural Reserve, you can put a single residence on that 10 acres anywhere on the 10 acres, or you can do a CaRD and create two one-acre lots. They have to be clustered, but in exchange for clustering the development you get the extra density bonus. So the proposal proposes to eliminate the CaRD development option, although an alternative proposal that we're also taking public comment on would retain the ability to cluster lots through the CaRD ordinance but would not provide the density bonus. So you can have situations where you have a CaRD that doesn't have a density bonus but there's still the

ability to cluster the lots in one-acre lots that are close together, and arguably there are some benefits for the protection of open space and habitat and resource lands and the like.

And the third public proposal requests the redesignation of two Port-owned properties from Aviation Related, which is really what's applied to the whole area of the working airport where airplanes are moving around, to Bayview Ridge Light Industrial, which is the zone you see up there for so many of the light industrial uses – the manufacturers, the warehouses, and the like. And these two properties are removed from the airport itself due to wetlands and so they're really – Aviation Related is not a suitable zone for them, and the Port has requested that they be changed to Bayview Ridge Light Industrial.

So I think those are the three that I'm going to spend the most time on, so maybe I'll stop now to see if anyone has any questions on those first three amendments.

(silence)

Mr. Johnson: Doesn't look like it.

Ms. Lohman: I have a question.

Mr. Johnson: Oh, okay.

Ms. Lohman: On the South Fidalgo one, when you were talking about eliminating the density bonus, I thought that was part of the whole underlying thing about a CaRD – was that you got that density bonus. All you're doing is you're just saying, Okay, if you want a – you're going to – there isn't a prohibition, I thought, of clustering, whereas the CaRD was a bonus and then in addition to the argument that they wanted you to cluster. So I'm questioning you saying that maybe if you eliminate the density bonus because there really isn't a prohibition against clustering. Is there?

Mr. Johnson: The CaRD ordinance is the route to doing clustering. So there are some zones where you can do a CaRD where you receive a density bonus, and they're Rural Reserve and Rural Resource. But there are a number of other zones where you can do a CaRD but there's no density bonus offered. That would be Rural Village – well, maybe not Rural Village Residential – Rural Intermediate, Secondary Forest, Industrial Forest, Ag-Natural Resource Land. So you might have hundreds and hundreds of acres of Secondary Forest and have, say, 20 development rights. You can put one residence on each 20-acre parcel, or through the CaRD ordinance not receiving a density bonus but just transferring those development rights to a portion of the property and putting them on one-acre parcels. So it's kind of like a transfer of development rights program that operates within a single ownership. So you can have a CaRD without either using the density bonus or having access to a density bonus if you're in one of those zones where it's not allowed.

Ms. Lohman: So is there – maybe the question is, How many zones have a density bonus? Is it just Rural Reserve?

Mr. Johnson: It's just Rural Reserve and Rural Resource. And the two reasons, the two main reasons given by the proponents for proposing to eliminate CaRDs and the density bonus are that the aquifer that some residences on Fidalgo Island depend on is stressed and can't take more and more wells being drilled into it, and also the concern about just overall loss of rural character and increased traffic on the island.

So any other questions on those first three?

(silence)

Mr. Johnson: Okay. The next 12 or so are either Comp Plan text amendments, or most of them really are code amendments that were put forward by the County. C-2 would make a tweak to the description of the U.S. Bike Route 10 Corridor Study, which is in the Transportation Element of the Comprehensive Plan. And the amendment would say that the Corridor Study shouldn't consider use of a particular unused County right-of-way that goes through agricultural land to be a part of that corridor. And that was put forward by one of the Commissioners but put on the docket by all three of them.

Really the next dozen, or ten or so, are very minor. Garage setbacks in Bayview Ridge Residential: It just clarifies that the setback applies to new garages rather than old garages. Temporary events in Bayview Ridge Aviation and industrial zones just says if you're doing temporary events in those commercial zones you don't – they're an outright permitted use. You don't need a special use permit. So I'm – unless somebody has a question about anything between C-3 and C-13, I think I'm just going to pass over those.

(silence)

Mr. Johnson: Okay. When we get into C-14 through C-21, those are proposed amendments to the map and, Ryan, maybe you – or Dale – you could go up and put those up. Map amendments are a little easier to look at than the technical code amendments. The first one is to update and simplify the Airport Environs Overlay map. Basically there are zones within the Airport Environs Overlay and there's a –

Mr. Pernula: Which one are you on?

Mr. Johnson: C-14. There's a Zone 1 which pretty much precludes all development, and there are some private properties in Zone 1 and there are also some Port-owned properties, and this amendment would move the private properties to ACZ-2 which allows more flexibility in the use of property. The ACZ-1 really is most appropriate for Port-owned properties where they understand the importance of protecting the airport but don't want to put that restraint on pre-existing, privately-owned properties. And also there are a number of lines within the AEO zones that really don't help anyone understand where the zones fall. It just makes it really confusing. And so the change would remove the dotted lines within the zones that aren't necessary to see and, in fact, make it more difficult to see what zone a particular parcel falls within. Did I get that – yeah.

Mr. Walters: Yes. So this one – this illustration is the AEO in general – the entire map. There are a lot of individual lines in our current adopted map in here that Kirk was talking about that make it difficult to interpret, so our proposal is just to eliminate those lines that don't matter so that we can clearly read the map. And then the changes – this is effectively not a change to the map. It's just a simplification of how the lines fall.

Then there are two changes that affect a variety of properties. This is in the northwest corner of the runway and these properties currently fall within Compatibility Zone 1. That would get changed to Compatibility Zone 2. And then on the other side of the AEO, this portion here is in Compatibility Zone 1 but it's privately held so it would get changed to Compatibility Zone 2.

Ms. Lohman: Those are both 14, C-14?

Mr. Johnson: Yes.

Mr. Walters: All three of those changes are, yeah.

Mr. Johnson: What does 15 look like?

Mr. Walters: OSRSI.

Mr. Johnson: Yeah. So we have a number of proposals that would either add or remove the Open Space designation from property. OSRSI stands for public Open Space of Statewide or Regional Importance, and one of the key criteria is that it only applies to publicly-owned land but we discovered through the 2016 Update through a public comment that was submitted that there was OSRSI designation on privately-owned land, Ika Island. So C-15 proposes to remove the Open Space designation and apply Rural Reserve to that.

The rest of the proposals would do the opposite. They would take – so a number of them are land that's owned by the state, managed by the Department of Natural Resources, that's been put in a DNR – basically Conservation category. And so the proposal is to change the designation from those properties from Rural Reserve to public Open Space. And there're a number of those on Cypress Island and then all of Hat Island would also be changed to public Open Space – OSRSI.

And then there are several – I think three properties or sets of properties – Ryan, you can go down to 17, C-17 – owned by Seattle City Light, which has mitigation lands and Endangered Species Act lands. So the mitigation lands are a part of their permit to operate the dams and they're mitigation for the environmental impacts of that, and they have either recently been acquired or put into the status by Seattle City Light. And each of these – well, several of the City Light ones that are moving forward here are entirely – they're – I think this one is Industrial Forest land that's entirely surrounded by OSRSI. And so the proposal is to fill in the donut hole, basically there, of land that's owned by Seattle City Light that isn't being used primarily for commercial forestry. It's being used for this environmental mitigation status, but Seattle City Light has said that they are interested in continuing to have the ability to manage for timber resources, forest resources – manage the forest in ways that enhances the forest health as well as the habitat for various species. What number is that, Ryan? That's 17?

Mr. Walters: That's 17.

Mr. Johnson: Okay. Yeah, this is another parcel of Seattle City Light land that is mostly in Rural Reserve, and that is proposed to go to Open Space. And there's – Ryan, if you scroll down a little bit farther. The Skagit River in that area has changed pretty significantly. The blue area is the river channel *now*, which GIS has mapped in the County's parcel layer but it hasn't changed on the Comprehensive Plan map. And so at GIS's recommendation we're proposing to use this opportunity to change the Comprehensive Plan map to represent the actual river channel in that area, while also proposing to change the Rural Reserve land owned by Seattle City Light to Open Space.

Female Commissioner: (inaudible)

Mr. Johnson: Yeah, that's the Sauk River. And then this is – the Seattle City Light proposals that are moving forward are either filling the donut hole or filling out a parcel. So a portion of this parcel is in Open Space and a portion is in, I believe, Industrial Forest. This would make – add the entire parcel to the Open Space designation. What's not moving forward through this proposal is any change where the Open Space designation would jut out into Industrial Forest or Secondary Forest land or would create like an island of open space land in the Industrial or Secondary Forest. We just thought that was – even if it's publicly-owned, it would be best to keep the zoning – the long-term Natural Resource zoning intact in those places. So really we're looking at filling holes and completing parcels here but not creating any new incursions into the Natural Resource Land.

Then another Open Space proposal is Pressentin Park up in Marblemount. And I don't remember from the staff report how large that is. I think maybe it's about 30, 34 acres. That's currently in Rural Village Residential even though it's all a park. Ryan, if you can just scroll down a little bit it'll show that – oh, there's not an aerial there. So this is really just truth in zoning so that we know how much actual acreage exists in Rural Village Residential that's available for residential versus the park land, the County park land.

And then the last three map amendments are just cleanups of past zoning errors. 19: A number of years ago we provided a Rural Business designation to a business on Guemes Island called Island International Artists, although due to some error somewhere between here and GIS the designation for Rural Business ended up on the wrong parcel, which doesn't have a business. And so we're simply moving the Rural Business designation to the correct parcel and moving Rural Reserve to the parcel that's currently incorrectly designated as Rural Business.

This is an area kind of north – I think northwest of Sedro-Woolley. It's a gravel operation. Through the 2005 Update – our countywide review of the Mineral Resource Overlay – we had some resource maps that showed that there were not mineral resources here that satisfied the threshold value for designation. Unfortunately the property owners didn't receive a notice saying that the MRO was proposed to be removed. They came in recently and said, We'd like to get our special use permit. We said, You're not within the MRO. They brought forward information indicating that they do meet the threshold criteria, and so the proposal is to add the area in the middle with the diagonal lines back to the MRO.

And then the last one is the parcel with the caption. There's a residence on it. It's currently zoned Rural Business. There are businesses on the Rural Business area to the south of it but this one mistakenly got zoned Rural Business at the time that those did, and so the proposal here is to make that Rural Reserve, which would be in keeping with the residence that's on the property which is the use that the property owners would like to see continue there. And it would take them out of their current status as a nonconforming use.

So that's the 2017 set of proposals in a nutshell, heading to you for a hearing in about three weeks, I think.

Chair Mitchell: Before we jump into the next thing, Rural Forestry Initiative, I'd like to have Dave Chamberlain join us up at the table so you can be part of this discussion, please. Just for any latecomers, Dave Chamberlain is the Chair – anyplace you'd like, yeah – is the Chairman for the Forest Advisory Board. And they've been working with staff for quite a long time on several things so we invited Dave to be here to answer any kind of questions that the Planning Commission might have while we're here. So, Dale?

Mr. Pernula: I'm passing around a handout on the Rural Forestry Initiative. Some of you have been around here a while. We've been talking about this for quite some time. Basically what it is is if somebody has a very large parcel of land with some development rights, if you subdivide it right now normally what happens is that you either do the critical areas on the entire parcel, whether or not it's the portion that you're developing, or you put it into some sort of a conservation easement. And the proposal is that with the Rural Forestry Initiative if you cluster your lots to a portion of the area that you only do critical areas for the area plus a little bit of area around it and leave the remainder of the area not classified for the critical areas, and it would be within the DNR jurisdiction for forest practices. Kirk, did you want to go over the actual proposal that is laid out here?

Mr. Johnson: Yeah, I could go into a little more depth but maybe not too much. We've talked with the Planning Commission a couple times before, so I'll just briefly run through the handout. So the County is required under GMA to protect critical areas, and state law and County law both generally assume that land divisions are for development purposes to ensure that necessary infrastructure and utilities are installed at the time of the land division; to protect lot purchasers so they actually have a developable lot; and also so that the development covers its costs and impacts, including impacts to critical areas. Now there's also the Forest Practices Act that interestingly says no county, city, municipality, or other local government shall adopt or enforce any law pertaining to forest practices over which the Forest Practice Board has authority, except such entities – local entities like the County – may exercise land use planning or zoning authority. That authority may regulate forest practices only where the application is for a conversion of the forest land to a use other than commercial forest production – so where there's a conversion of the forest land out of ongoing forestry and into some kind of development status. Under our current practices for CaRD land divisions, as Dale said, we review – typically review – the entire parcel under the critical areas ordinance, both the area being developed as well as the area being put into an Open Space category.

There are a couple of options for a landowner who doesn't want that Open Space land to – just doesn't want to incur the expense of doing the critical areas review, and that is to put the land into an Open Space-Protection easement, or an Open Space-Protection Area easement, where they don't have to do critical areas on that Open Space but they also cannot do any kind of development nor can they practice forestry or go in and really alter the property in any way. So it puts it into a holding zone. The landowner can put the Open Space land into a Natural Resource Land easement, which is a permanent conservation easement allowing forestry and other activities, but it has to go through the County's critical areas review and County's protection of critical areas through a protective easement before they can apply for forest practices in that Open Space area.

And the Rural Forestry Initiative originated up from the Forest Advisory Board, who has asked/proposed/requested that through CaRD land divisions – and we already have a version of rural forestry for existing lots where somebody's putting in a residence. So that's why we're focusing on the CaRD land divisions. Review the developed portion under the critical areas ordinance but leave the remainder of the Open Space available that if forestry is going to be conducted there, the landowner applies to the Department of Natural Resources and that forest practice application is reviewed under the state forest practice rules, which are specifically designed for forest practices – logging, replanting, road building, other things that foresters do.

And so what we've been looking at over the last several months and, in fact, several years is, Is there flexibility under GMA – this is down near the bottom of the page – to apply the County's critical areas ordinance to the portions of the CaRD affected by development while allowing the

long-term forestry activities to happen on the remainder of the property under the state forest practice rules? And it kind of boils down to two key questions, and one is: Is land that's placed into a permanent Open Space forestry designation per the proposal not a conversion to a use other than commercial forest product production? Because if it's not a conversion, then you go back up above. It says that a local jurisdiction can't regulate that under its land use regulatory authority.

And then the Rural Forestry Initiative also assumes that GMA provides the County flexibility to defer to the state's science-based forest practice rules for environmental review on lands dedicated to the permanent practice of forestry. We really won't know the answer to those questions until this proposal moves forward through the process and we get public comment from interested parties and from agencies of the state that have expertise in these areas. But the County Commissioners have made it very clear that they want to see this proposal move forward, and we have been working very hard to get it into a place where we can share the concepts and start to get some feedback on it and then put it out as a formal proposal for public review and comment.

So just briefly to talk about what the RFI approach would be: It would apply to CaRDs in Secondary Forest, Industrial Forest, Rural Resource, and Rural Reserve. County staff would walk the entire site – and we're talking here – I mean, we've had CaRDs that have been hundreds and hundreds of acres – 5- or 600 acres – so maybe they wouldn't be walking the entire site, but you might have a CaRD that's on 20 or 40 acres, as well – and identifies the critical areas. And those critical areas that are subject to County critical areas ordinance rules are the developed area, as the diagram shows, plus a buffer around the developed area, which exists in current County code. It can range from 200 to 300 feet, depending on the value of the critical area. And then other critical areas beyond that immediate development site that may affect or be affected by the development. And the example we've called out here is a landslide hazard that may be upslope of the development and may create a risk for the development where it's being proposed.

The remainder of the property would be placed in an Open Space-Forestry designation, a new permanent CaRD open space designation, and there would not be any County protection of critical areas there. There would be no Open Space-Protection Area easements. And the landowner could apply to the Department of Natural Resources for a forest practice application and that application would be reviewed under the Forest Practice Rules and their protections for environmentally sensitive areas, which in some cases are very similar to the County's and in other cases are not as strict or stringent as the County's. But what those DNR rules do assume is that because the land is in long-term commercial forestry that the forest will grow back and so the critical area will have a chance to repair or restore itself. So essentially it's a tradeoff that if the landowner's willing to put the land into an Open Space-Forestry designation, then the rules that apply to any forest practices there are the DNR rules unless there's an issue on the site that might affect the safety of the development itself. And some other counties that have proposals or provisions of code like this require some kind of forest stewardship plan and so that might be an option.

Basically what we think will happen – there's also a specific proposal here that one of the FAB members made, which is land that has been put into an Os-PA easement – Open Space Protected Area easement – as a way to avoid doing critical areas review, it might be hundreds of acres of forest land could be moved from that Os-PA into Open Space-Forestry and could be available for forest management activities. So that's potentially taking a large – hundreds of acres of prime forest land that currently can't be logged and saying that it can be logged under

Forest Practice Rules provided it's put into this permanent Open Space-Forestry designation where we know it will grow back again.

So really it's providing the landowners with the ability to provide some or generate some revenue potential for the development, but it's also providing an incentive for land going into a permanent Open Space-Forestry category which helps to hold onto that land for long-term forest management production of timber for mills and the like.

The next steps: Basically develop the outline and circulate it to interested agencies, getting their feedback on it before converting it into a formal proposal, a code proposal that would go out for – and continuing to work with the FAB as we go through that process before the proposal goes out for public review and comment and a hearing before the Planning Commission.

Chair Mitchell: Okay, thank you. I'd like to know the will of the Planning Commission. We invited Dave Chamberlain specifically here for questions that anybody might have, but I was wondering if it was okay with you guys if we asked if Dave had anything he'd like to present to us himself from the FAB first. Is that okay with you?

(sounds of assent)

Chair Mitchell: Is there anything you'd like to say for what you guys – your experience has been, what you're thinking?

Dave Chamberlain: Well, first I want to appreciate working with the Planning Department on the RFI. It's been a number of years that we've been trying to get this on the table as a discussion point.

Martha Rose: Can you use the mic, please?

Mr. Chamberlain: Is that better?

Ms. Rose: Yep.

Hollie Del Vecchio: Yes.

Mr. Chamberlain: Did you hear what I said before?

Chair Mitchell: Let's start over. Yeah.

Mr. Chamberlain: I'll start over. Anyway, yeah, just first I want to appreciate working with the Planning Department on this. It's been a number of years that we've been trying to get this forward and I just want to, I guess, note first off there's some areas where we're in agreement as far as where we're going with the proposal. But I think there's a pretty wide gap at this point in terms of where we're headed and I guess where we hope to end up. I would say in part that the whole concept of RFI has gotten more complicated than it needs to be. Just so you understand, and I'll put it in very simple terms. When there is subdivision, there's a house on the property and then there's the remaining portion of the property. And that remaining portion of the property has various uses. Either people will have – do some farming, raise some cattle, maybe they'll have a horse, or maybe they'll do nothing with it and they'll have trees back there. But there's all that extra acreage. Five acres, you've got four acres left, say, after you build your house and outbuildings. And all we're saying is if that person wants to grow trees on that

property let them do it under the same rules as the industrial landowners do – the Forest Practice Rules. We are not – we’re not looking at lines on the map. We’re not looking at zones. For us forest land is everything that’s not converted, is not water, not ice, or rock. And so what we’re looking for is a proposal that simply allows people to grow trees if they want to grow trees. And we don’t want to create a high threshold for a person to be able to do that. There’s no requirement for plans for people to have a pig farm. There’s no plans required if somebody wants to raise horses. If somebody wants to get a tax break for open space, they do have to produce a plan, as required by Department of Revenue. If they want to get some federal assistance on their property, they would have to do a stewardship plan and that’s fine. Those are optional things. But if somebody just wants to grow trees on their land, let them grow trees. And there’s the Forest Practice Rules – they’re about this thick – that administer the activities on that property.

Now if you’ll bear with me a few more moments, it’s been suggested that we can’t allow forestry to be conducted without going through the critical areas process and the subdivision triggering that critical areas review and designation. And we’ve talked about CaRDs, but we’re not talking about just CaRDs. We’re talking about all subdivision of any sort. Again, trees don’t know lines. They don’t know zones. Part of what we looked at to begin with – and as an advisory group, it was our mission to find ways to make forestry a greater reality in this county. It’s already a rural county. We want to maintain it and we want to expand on it. That’s our mission.

I look at the RCW for Growth Management. And these are just quotations from it. This is RCW 36.70A.020(8): “Maintain and enhance natural resource-based industries, including productive timber...Encourage the conservation of productive forestlands....”

Okay, now I’ll speak to the WAC, 365-190-020, third paragraph: “Counties and cities required or opting to plan under the” Growth Management “act” of 1990 “should consider the definitions and guidelines in this chapter when preparing development regulations” which “preclude uses and development incompatible with...critical areas. Precluding incompatible uses and development does not mean a prohibition of all uses or development. Rather, it means governing changes in land uses, new activities, or development that could adversely affect...critical areas.” Well, if you’re maintaining forestland you’re not converting. You’re not changing the land use. That’s the original state of being. Thus, “For each critical area, counties and cities planning under the act should define classification schemes and prepare development regulations that govern changes in land uses and new activities.” Again, we’re not changing the land use. So this is basic stuff.

Okay, Skagit County Comprehensive Plan, Natural Resource Conservation Element, Forestlands: “Conservation of forestland will maintain the land base needed to produce timber for future economies of the county.” Now maybe they’re speaking to Secondary and Industrial Forests, but here’s another: Skagit County Comprehensive Plan, Natural Resource Conservation Element, Forestry Resource Policies Goal B: “Promote innovative planning techniques to conserve forestland.” We feel that’s what we’re doing. “Improve the economic stability of the forest products industry by maintaining and enhancing the forest resource land base.” These are all quotes. “Establish a set of forestland conservation strategies for implementation.” Here’s another one. This’ll be my final one: Skagit County Comprehensive Plan, Natural Resource Conservation Element, Objective 1, Policy 5B-1.5: “Commercial forestry shall be encouraged and supported in agricultural and rural areas to provide an incentive” – an *incentive* – “to landowners who desire to manage their lands for long-term commercial forestry objectives.”

So that was the basis under which we felt we were on firm ground. At the time that we put forth our ideas, there really wasn't any available time in the Planning Department to work on any code changes. We drafted the set of code changes that accomplish this purpose and we created another classification called "Ongoing Forestry," which is the management of a forest crop for economic gain on land capable of growing merchantable trees. Areas of Ongoing Forestry are administered under the Forest Practices Act and are located on the forested portion of a CaRD that is designated Os-NRL and all other lands including portions of parcels that qualify as ongoing forestry, except those buffer areas directly adjacent to and reserved for critical area protection under the critical areas ordinance pursuant to land conversion activities.

Anyway, I'd be happy to show you the rest of this. I'm going on and on here, probably too long, but I just wanted you to know from our heartfelt perspective, forestry doesn't need to be a complicated enterprise.

Chair Mitchell: I'd like to see any copy that – of – could he get our e-mail addresses, Dale, to send us everything?

Mr. Pernula: He can give it to me. I'll send it to you.

Chair Mitchell: That'd be great. Thank you. I'd like to be able to read everything. Being able to understand everything right at this moment – it's going to take a little time for us to dig through that but (we) really appreciate that. Does anybody have any questions or –

Tammy Candler: I'm assuming when we get further into this we'll invite him back.

Chair Mitchell: Are you available for when we do more of this later? Would you be willing to come back again?

Mr. Chamberlain: Sure. I'd be happy.

Chair Mitchell: Because we're going to be digging a little bit more ourselves to understand better as things go. I remember having read a lot of what the FAB had up on the board as far as 2014 and it looked like it was pretty consistent for what you guys were looking for from 2008 through 2014. Is that correct?

Mr. Chamberlain: It's been a number of years, but I believe that's correct. Yeah, we were hot on this and we've really been kind of treading water for some time, so I don't think there's been much of a change. I might add there's 12 members on the board. I can't remember if all 12 were there when we voted on this but it was a unanimous vote in terms of the code changes that we suggested. Understanding we're not lawyers but we took the language and the existing code and made the changes that we felt would create the opportunity that we're looking for.

Chair Mitchell: Is that available online or would that be something _____?

Mr. Chamberlain: That's something I can provide. I guess I'll give Dale a copy.

Chair Mitchell: That'll be helpful. While we have our leaders here, are there any questions that you have for Dave or anything you'd like to follow up on what he said, or for Kirk?

Commissioner Lisa Janicki: Well, I'd just like to thank Dave and his perseverance in moving this forward. When I heard about just the concept of, you know, only doing critical areas review on

the home site plus maybe a little buffer and letting the forest grow, it makes a lot of sense. I liken it to the – Mike and I made a trip to Finland back in 2004 and there you see just there's, like, a half-a-million private landowners of forestland, and you see them out there actively working their land, you know, in family units where they just have a vested interest in making sure that their piece of the forest is healthy. And so as you drive these rural routes, you just see beautifully maintained forests in 20- and 40-acre parcels because there is that level of knowledge that's much more distributed through the property owners. And I think it's something we should work for. I mean, this a legacy industry, it's heritage property. I mean, you're not going to get those lands back. And we often hear and talk about no net loss to farmlands, but you know, the no net loss to forestlands is just as important. You know, so however we can do – so I think it's twofold. I think it – you know, it's logical that a landowner doesn't have to expend the money it takes to do critical areas review and other things for land that's not going to be touched, and it encourages them to understand their own property and, you know, live in a way that complements their property so that we're not at odds with nature. You know, it's more of a – we need to learn to live within the natural setting that we so appreciate. And I think that this gives us a path for so many of our residents who enjoy, you know, 5-, 10-, 40-acre parcels to be able to do that. It's a – yeah. So it makes sense so it's hard to see why it can't be done. I know that there're some GMA hurdles that need to be passed through legal on this issue but I'm always – this Commissioner, things are never black and white and I'm always willing to stay firmly in gray as long as there's something to support it, and I think logic well supports this initiative. I'd like to see it move forward.

Commissioner Ken Dahlstedt: Yeah, I think, you know, resource industries have been critically important. We've identified that with citizen input for decades, and I think in times like this it's even more critical to find ways to support the financial viability. And I think this is something that will have impacts on them and their ability to utilize their property, and I think we don't want to create things that are overly onerous. And, again, I think we want to make – see if we can't make this work.

Commissioner Ron Wesen: I agree with my fellow Commissioners. We need to make sure that anybody with the property that wants to harvest their timber make it so they can harvest their timber, and that means they're going to plant them back. That's what harvesting timber is – just a long-term crop. From my ag background, that's what we do. We do all we can to make sure we don't scatter houses all over, and this isn't giving any extra bonuses to building homes or anything. It's just saying that if they want to build one acre house just the area right around the critical areas and be able to figure out how to harvest the rest in the time when the crop is ready to be harvested. We just need to go through the process. And legal's having some concerns. That's all.

Chair Mitchell: Has anybody else thought of something? Hollie, did you –

Ms. Del Vecchio: Yes, I have. So we've mentioned – we started talking that there was a – it'd become a gap between the Planning Department and what the Board was wanting to see. And I was wondering: Is there something in particular about the proposal that's been laid out for us that – where does the gap exist?

Mr. Chamberlain: Well, I think the primary gap is – and this is something that has to be worked out – was alluded to here – through the GMA structure. I think where the Planning Department is sort of headed with this is just within the context of a CaRD-type development. We really feel like – again, as I said earlier, we're not looking at lines on a map. We're not looking at zoning. We're not looking at lines. Those are – those all have to do with development. Forestry is not

development. It's non-conversion. And what we have to do in terms of smart conversion, that's what the County's all about. And these folks are experts at it. They really are. And I know they're struggling with this forestry part because that's not their forte. And they're working with this, but they're not quite there yet because they're still looking at it, I think, through sort of a planning view as opposed to – we're in a resource industry and – I say "industry" and I'm talking about small landowners. I'm talking about people's small wood lots. They may only cut their trees, you know, once in a lifetime. But what we're saying is if that's what those people want to do with their land, let them work with the agency that is the expert at managing forestland. The County doesn't want to get in the forestry business. The County is, as I said, experts in the development business and their purview is to manage those areas that are going to be converted and are going to have intensive uses. That's why the buffers are different. That's why there are critical areas buffers. I mean, you're talking about somebody that's living on a site for 365 days a year. Our forestland, we probably visit an acre – I don't know – half-a-dozen times in a rotation. I mean, the animals are there most of the time.

Chair Mitchell: And a rotation is how long?

Mr. Chamberlain: Well, with advancements and depending on the site of the ground, if it's an average site and it's well-managed we're probably looking at 40 years.

Chair Mitchell: Wow. Did that answer your question, Hollie? Anybody else? Ryan?

Mr. Walters: I wanted to expand on that a little bit for background and, Dave, please interrupt if you have a different view. But a parcel that hasn't been subdivided recently – you know, within the last 20 years – it is forested, and somebody wants to do a forest practice on, there's no County regulation of that forest practice. We can't. We don't have jurisdiction, we don't have authority to regulate the forest practice. Where the issue has really come up is when there has been a critical areas review and through that critical areas review, which has occurred because some development or land division was proposed, there ends up with some kind of protected critical areas easement on – or other protective mechanism on the forested parcel. So, for instance, in CaRDs, ___ mentioned we are aware of some really significantly sized CaRDs – 600 acres of open space in a protected state; what we call Open Space-Protected Area – that under the proposal could be converted to an Open Space-Forestry designation, wouldn't have to go through critical areas review or wouldn't have all the rules of the critical areas ordinance applied to it, and then could be harvested. The only reason that it can't be harvested today is because there's an easement on it, because we don't have authority to stop you from doing the harvest except by virtue of the easement that has already been applied because of the land. So it does get a little bit complicated because of that but it's not because of our regulation of forestry. It's because of our existing regulations governing the land division.

Ms. Candler: Does that include moratoriums sometimes – one of the mechanisms you're talking about?

Mr. Walters: You mean the six-year moratorium on ___?

Ms. Candler: Yeah, when you do a CaRD or other development, is that one of the –

Mr. Walters: There's no moratorium associated with a CaRD. There is this other concept of a moratorium for a forest practice that – well, why don't we let Dave _____?

(several sounds of agreement/assent)

Mr. Chamberlain: Sure, sure. No, actually I'm glad that we ventured into this topic because I think that's one of the concerns that's out there. With any provision, I think – excuse me – I think with any provision you're looking at the upside and the downside. Well, one of the things that does happen, people do change their mind. They have the greatest intentions: All right, I'm going to do forestry. Well, they do a harvest and maybe the landowner passes away or something and the kids decide, You know, we're not going to continue with this. We're going to sell it off to a developer or something. And that can happen. But if you're operating under forest practice rules, there is a six-year moratorium provision because now you've operated with different buffers. You've operated with buffers that presume the lighter touch of forestry as opposed to a conversion/development process. So the County can say, Well, we're not going to allow you to do anything. We're not going to give you any permits for subdivision or development for six years while the critical areas recover. There's more language than just the six-year moratorium. There's approaches that involve mitigation. It may not actually involve six years but it could. And as long as the outcome of that forest practice is dealt with either via the moratorium or a mitigation process so that that area that would have been protected had it been a development in the first place. It's a mechanism to sort of get you back to where you need to be in terms of honoring the critical areas.

But it's just a reality that people will change their mind. Forestry is not – it's not like – it's no different than any other proposition. You know, buildings are erected. Then they're torn down. Something else happens. People grow trees. Then they decide they want to do something different. I think the reality is most people that get into forestry, recognizing that it's a long-term proposition, are generally pretty committed. They just like trees. They like the forest. They like everything that goes with it. And – but there is that circumstance where somebody changes their mind. And it may be good reasons, it may be nefarious reasons. But then there's the protection measures that say, Well, you can't just switch from one to the other without either time or mitigation or both.

Mr. Walters: And to expand on that just a little bit, we have rules that implement the six-year moratorium, but it's not really our rule. It's a state law concept.

Mr. Chamberlain: That's correct.

Chair Mitchell: Annie, you had a question?

Ms. Lohman: Well, I remember when, Kirk, you presented this last time and you were talking about the current practices and speaking specifically, Dave, about the CaRD subdivision – or land division – that basically it almost seems counterproductive when you're talking about working lands because that Open Space-Protection Area actually takes property out from a working lands concept and locks it up and now it's not working lands. And I struggled with that in your presentation last time because it didn't make sense to me, because that isn't what we want to do. And when we consider in this county – because we forget demographics – and you look at how much of this county is already – between buffers and mitigation property and no-touch and national and state and other set-aside areas it's quite a bit, and now here's another mechanism that potentially can lock up more and more working lands. I just was having a hard time with that so I just wanted to say that out loud.

The other thing, Dave: Is any other County doing what your proposal is?

Mr. Chamberlain: Well, I had cited some time ago that King County had a very similar arrangement to what we had proposed. Now I believe King County has modified their approach somewhat. And that was brought up in one of the meetings and I guess my quip was, Well, that's King County; this is Skagit County. And I think that we can draw on some of the work that's been done in other counties, and to the extent that it makes sense, fine. We don't need to reinvent the wheel. But I think we also have to look at things from the perspective of our community. King County is a whole different dynamic than Skagit County. And, yeah, I would just say that let's look at it but I don't think that – I don't think we should be totally wedded to another County's program.

Chair Mitchell: I think I remember one of your meetings a few years back I believe you guys said that you – the FAB – had taken down a proposal to Olympia. Had anything gone with that for legislation?

Mr. Chamberlain: Yes. When we first started this process we were told – there was a provision in the forest practice rules that required that any lands platted after 1960 had to go through a Class IV General application. And for those of you that aren't familiar with the different classes of forest practice applications, there's a Class I, which is no permit. Class II is a very minor application. It is reviewed and acted on in five days. Most forest practices fall under a Class III. Then there's a Class IV General and a Class IV Special. Class IV Special involves issues around endangered species, potentially unstable slopes – things of that nature. The Class IV General is a conversion application. So the problem was is that if you had platted land after 1960 and you wanted to do something forestry-wise, it was already presumed that this land is for development. Well, back in 1960, platting – I don't even think they were platting five acres. I think they were just segregations. Plattings were, you know, one-acre lots, streets with curbs, and all of that, so it was obvious. Yeah, the forestland was gone. So you need to go Class IV General, which is a trigger. The Class IV General is a trigger for conversion and engages the County. And so anyway, we're up to – what? We can do segregations of 80 acres. Everything less than that is platted. So what we had to do was go to the legislature and say, Well, this is an outmoded rule. There's a lot of land that's being subdivided and it's not being totally converted. It's the five acres and one-acre house. So you have four acres or ten acres and one, so you've got nine acres. It's all this forestland that could be managed as forestland. It's not a conversion. So we went down to the legislature and promoted removing this provision and the legislature said, Yeah, we're – we don't want to unduly make it impossible for you to be able to manage land under a Class III.

Chair Mitchell: And when was that?

Mr. Chamberlain: Oh, gosh. I'm not under oath, am I?

Chair Mitchell: No.

Mr. Walters: We can get that for you.

Chair Mitchell: Ballpark – was it, like, 2010 or – I mean –

Mr. Chamberlain: I think so.

Ms. Lohman: But they actually passed something?

(laughter)

Mr. Chamberlain: Yes, they did.

Chair Mitchell: Sorry! That's the remarkable part.

Mr. Chamberlain: Yeah, it was – yeah, it was a thrill. We thought we – you know, we thought we were – the train had left the station but, you know.

Ms. Lohman: So you're under Class III now, as a result?

Mr. Chamberlain: Well, what we're talking about now is that if somebody wants to do a forest practice on platted land it can be a Class III but it could be a Class I, it could be a Class II, it could be a Class IV Special. But it won't be a Class IV General unless you are intending to convert the land. If you want to cut the trees down and turn it into a farm, it's a Class IV General. If you want to cut the trees down and build a house, Class IV General. That's still there but the prior arrangement was if you just wanted to cut your trees down and replant them you still were a Class IV General –

Chair Mitchell: Wow.

Mr. Chamberlain: – because it was platted after 1960. That was the trigger.

Chair Mitchell: That's ridiculous.

Mr. Chamberlain: Yeah.

Mr. Walters: That was House Bill 1582 in 2011 that made that change.

Chair Mitchell: Thank you. I appreciate you looking (it) up. Now it's on the transcript record. That's great.

Mr. Chamberlain: And, you know, I might add if there's something that we need to do with GMA, I guess we'll go down to the legislature again. But I – when I read the GMA, it seems to me that the preamble should not say one thing and the nitty-gritty say another. And everything I read from Skagit County to state law, everybody's saying, We want more trees. So how is it that the lawyers tell us we can't do it?

Chair Mitchell: That's a good question. Where are we with the legal check on something like that? Do they even have information yet for us?

Mr. Walters: We would rather not discuss that right now.

Chair Mitchell: Skipping on to the next part...

Mr. Walters: I did want to comment a little bit on the open space categories, though. Under the CaRD rules today, typically if you have maybe a CaRD in Secondary Forest being developed by developers, rather than foresters, they're likely to put the open space tract in Os-PA, the type of open space that Commissioner Lohman mentioned that gets a protective easement – doesn't allow you to do much of anything in that open space tract, but you also don't have to do critical areas. But there is another option. It's called Open Space-NRL, which would allow you to do forestry – Natural Resource Lands. Open Space-Natural Resource Lands would allow you to do

forestry in that tract but it also requires critical areas review. And what we're proposing is Os-F, Open Space-Forestry, which would allow you to do forestry and not require a critical areas review of that open space tract because you're handling critical areas through the forest practice rule application.

Chair Mitchell: Thank you.

Mr. Pernula: I'd just like to add something about our Department. Our goals, I think, are consistent with what you were talking about tonight for our Department; however, I do know that we do have some GMA requirements that we have to make sure that we're conforming with. We don't want to have something that's legally indefensible. If there are some risks, we want to be advised what those risks are, and the Board can take action one way or the other. But we want to make sure that we have something that is defensible. But I think in general most of our goals are similar to yours.

Mr. Chamberlain: I believe that, Dale. I think we just have to – you know, we just have to, you know, kind of see where we want to get and work together to get there.

Chair Mitchell: Does anybody have anything else to add?

Ms. Del Vecchio: I have just one. It's more conceptual. And I was having a – I feel like there's a disconnect and I might just be completely off-base and somebody tell me if I am. But it seems like from what we've been – what's been presented to us so far with the new initiative is – seems focused on construction of new residences on existing – where there are existing forest practices. Whereas listening to you talk, Dave, it seems like there's more of an emphasis on helping to grow forest practices in places where – helping people to grow trees on the land where they're already living maybe. And I don't know if that disconnect is really there or if I'm just misunderstanding one side or the other. And I can keep talking if you want more clarification on where I was. I'm actually _____!

Mr. Chamberlain: Okay, well, I'll try to – I'll try to, I guess, paraphrase your question. You're making or understanding there may be a distinction between land that's already been subdivided and there's a house on it versus newly – or land that's about to be subdivided. Is that –

Ms. Del Vecchio: Yeah.

Mr. Chamberlain: Okay. Well, and I think Ryan was saying that, you know, places that have been previously – what is it? – go back to prior to the critical areas ordinance in the '90s. Any lands that were subdivided and built on prior to that, if they want to do forest practices it would be just a Class III forest practice. And, Ryan, you jump in if you think I'm off. But so what we're talking about is because we now have critical areas in place and critical areas kicks in during subdivision, we are saying, Whoa, whoa, whoa, wait a minute. That's fine. You can do your critical areas to the extent that there's conversion activity going on, but if somebody says, Well, I want to put my house here and I'm willing to, you know, put buffers around the house that relate to critical area requirements, but they're saying, The rest of my acreage I want to manage it in forestry. What we're saying is, Well, don't make that person do the critical areas. Now the situation where the critical areas are already in place – somebody that has subdivided since critical areas went into place but before maybe RFI was instituted, those people that already have that critical area overlay. What we're saying is we want those people to have the option to say, you know, Take that layer off of our property. Take that GIS layer that says the critical

areas are here and allow them to operate under forest practice rules to the extent that they want to stay in forestry. And then, as I said, if they change their mind sometime later, if they have harvested in areas that would have otherwise been critical areas, then you get into that moratorium issue or the mitigation issue that says you've got to fix what – you know – what you took away to get us back to the critical area buffer because you now want to convert and do something different. But that's already – these guys are probably tired of me saying this. It's like Ragu. It's in there. It's in the forest practice rules already. It's not something that the County has to deal with. It's already there, that provision.

Did that help?

Ms. Del Vecchio: Nn-nn.

(laughter)

Mr. Walters: So I –

Ms. Del Vecchio: I think the source of the issue might be my question, which was not really a question at all. But it did help. I mean it was – it just didn't – it wasn't what I was getting at but it was still very helpful. So I'm just saying conceptually it seems like there's two types – two different things that we're trying to address. And maybe the bottom line is that there's – through development, the planning development, this is the piece that we really have a role in, and the other issues that you're raising are more from a forest services/forest management perspective, which is outside of our realm, which I think is –

Mr. Walters: The details start to make it a little muddy, but I do think that once we get this fleshed out a little more you'll see through maybe one of Kirk's 100-page staff reports that we address both of those goals through this process.

Ms. Del Vecchio: Perfect. I will wait for the 100-page staff report. Thank you.

Commissioner Wesen: And just from my perspective, you know, we put these things in place – Growth Management Act – and as we go along, you know, 15 or 20 years later we go back and look at it: Ooh, there's unintended consequences there and maybe we need to go back and address that. And so that's – things happen that were just unintended and so we need to look at them. That's why I, as a Commissioner, put this out there to let the community decide how much they want us to push one way or another on. That's all.

Chair Mitchell: Annie?

Ms. Lohman: So, Dave, to make sure that I'm hearing you right, are you saying then that the critical areas aren't lost, they're just managed under a different department? They're managed under the forest practices rules for –

Mr. Chamberlain: Well, I think of it as one layer. You've got your land, your base land, and then you've got your regulations that overlay on that land. So think of critical areas as being one GIS layer and think of forest practice protections being a different layer. So if you're going to do forest practices, that means that the critical area layer goes away. It's sort of like you turn it off. It's not really gone. You just turn it off because now you're not dealing with the County in terms of that protection suite. So then you're under forest practices. And like I said, if you then decide, Well, I want to go back –

Ms. Candler: I think he needs you to talk into the mic.

Mr. Chamberlain: Oh, I'm sorry. If you decide then that you are going to go back to some higher intensity use, then you remove the forest practices layer and the – you switch that off and you turn on the critical areas. Now that statement probably applies to anything that has happened since critical areas, okay? What I'm suggesting now through RFI, in the future if somebody comes forward and says, I've got 10 acres and I want to split it into two fives and, you know, the purchasers, they want to do forestry. So what I would say is, Well, if they want to do forestry and they've picked out their home site, you should be able to do the critical areas around the home site and not have to do it on the rest of it. Or worst case scenario: If the County says they *have* to do critical areas, fine. Do the critical areas on the 10 acres. Do the subdivision, and then when they build their house and the remaining acreages is evident, then they should have the ability to say, Well, we're going to do forest practices. So it would be like – again – turning that layer off that says "critical areas" and then you're under forest practices.

Chair Mitchell: I'd like to see that happen but I'd be skeptical that that would happen, meaning that if you had to do the critical areas on all 10 that then somebody would back off. Am I not hearing that right?

Mr. Chamberlain: Oh, that once the critical areas were done that whether you would get back to forest? Yeah.

Chair Mitchell: I'd be really skeptical of that.

Mr. Chamberlain: Well –

Ms. Lohman: What's the incentive for them to keep it working lands?

Mr. Chamberlain: The incentive? Well, I think –

Ms. Lohman: Because – can I maybe flesh that out a little bit? That was kind of wide.

Mr. Chamberlain: Yeah.

Ms. Lohman: For example, like open space taxation has a fairly significant penalty so you can't just jump in and out. So how do you keep a person from just basically gaming the system then and clear-cutting and saying, Oh, well, I don't want to do it, and kind of being willy-nilly about it and kind of rolling the doors off on what's really intended, what you're – I know what – I kind of think I know what you intend, but how do you keep somebody from abusing it?

Mr. Chamberlain: Well, the – as I was explaining earlier with respect to the moratorium and the mitigation requirement, yes. Somebody could go at this with the intention of pursuing a forest practice so that they can harvest more timber. The way the – the differences of the rules and the protections would lay out on the land that they would be able to harvest much more timber under forest practice rules. So they go and they conduct the harvest. It's all legal under forest practice rules and they've done it appropriately, but then they want to – then they say, Well, I've changed my mind. I don't want to do forestry anymore. The timber's gone and so now they don't want to do forestry. Well, that's where – first there's an obligation to replant and reforest – not just put trees in the ground, but they have to survive. They have to, you know, reach a stage where they're going to grow on their own. And as far as that individual going to the County with

plans to build a house or further subdivide, the County would say, Well, did you cut trees down in what would have been a critical area? And if the answer is yes – I mean, a smart person, if they're waffling as to what their future intentions are, the smart thing to do would be to cut up to the critical area buffer and leave the rest. That way you keep your options open. But if you – you know, if we're talking about the bad actor, the guy that's trying to pull a fast one, well, they're going to be held up on their plans for six years plus there may be a mitigation requirement. Maybe they've got to plant trees ten feet tall in the critical areas. There's a cost. Now the reality is yes, there are those kind of people. But like I say, you know, there's people that drive up and down the highway at 80 miles an hour, too, and, you know, that doesn't mean that we're going to close the highway down to everybody because there's a few bad actors.

Chair Mitchell: Right.

Mr. Chamberlain: But the reality is I think most instances – well, I don't have any statistics so I won't even put it that way, but the reality is there are situations where – death in the family, other circumstances that – say they get a new job and move across the country and the new owner doesn't want to grow trees. There're situations where you're going to go from forestry to something else and there needs to be – and, indeed, there is – a mechanism to address that change. And that's all you can do. The reality is that we have critical areas buffers that people may not respect either, and what do we do about that? So, you know, I guess I would not – I wouldn't want to approach this from the standpoint of denying good people from doing good things because bad people do bad things.

Chair Mitchell: Because even if they do – it's just like somebody clear-cutting, spraying, or something like that – there's other laws and regulations that would account for those things anyway. Is that correct, Dale?

Mr. Pernula: We don't do a lot of the regulating of some of those practices so I would assume they are.

Chair Mitchell: Tammy?

Ms. Candler: Well, and the forestry practices have built in buffers for creeks. I mean, you're not just – you don't timber harvest through creek beds. You know, there's buffers. So I just didn't know if that was getting lost somewhere in there.

Chair Mitchell: Thank you. Anybody else?

(silence)

Chair Mitchell: Well, thank you very much and we look forward to getting more of the information later and inviting you back again. Obviously we're just trying to understand as we go forward, too. It's an awful lot of information. Even though it's some of the stuff that Kirk's presented before, which was good, it's just difficult getting it meshed. So thank you.

Mr. Chamberlain: I'll appreciate the opportunity to answer your good questions.

Chair Mitchell: You bet. And you're welcome to stay, if you'd like, or you can go home and enjoy the night off if you want to!

Mr. Chamberlain: I think I'll depart.

Chair Mitchell: Great. Thank you so much. Dale?

Mr. Pernula: The next item that we have is the Stormwater Code Update. We've hired a new stormwater tech. He begins work next week. And there are some code updates we want to make. I think Ryan knows some of the specifics, if you'd like to go over those.

Mr. Walters: We updated the stormwater code in 2015. It went into effect January 1, 2016, a full year ahead of the requirement that it would go into effect in January of 2017 for our National Pollutant Discharge Elimination System area. That NPDES permit area is where we had to make changes. That's largely the area around Bayview Ridge, Big Lake. Those areas must do Low Impact Development, they must manage their stormwater consistent with Ecology's stormwater manual. We made changes to our stormwater code primarily to address that and we think that that is working as well as it can because we just apply the requirements of the manual and required the Low Impact Development where feasible, as our permit requires.

Simultaneously, though, we made changes to the stormwater rules that operate outside of the permit area, which is the entirety of the rest of the county, and we had a lot of reluctance to require Low Impact Development there. And we tried to relax the thresholds that are in the stormwater manual but still use the same stormwater manual because we had been using the 1992 stormwater manual instead of any more recent version. And having administered it for about a year, we have found that what especially single-family residences need is clear guidance on what it is they should do. Because under our current code, you have to apply the manual. Well, the manual's 1000 pages. So what we want to do is construct through a code update some prescriptive guidance on what you should do to manage stormwater. You can always roll back to the manual and come up with one of the procedures that is in there, but we want some prescriptions because people find that much easier. And then we also want to change some of the thresholds because that is really what people find onerous. It's not really doing LID. LID has been done for a long time with the exception of rain gardens and some of the bioswales. Those are maybe a little bit more new-fangled. But infiltration trenches – where you run your downspouts under the ground and along it – that is not new. But if in the manual the calculation is that infiltration trench needs to be 150 feet long, maybe that is longer than is really necessary for the area outside the permit area.

So what we wanted to do with this is make sure that we had this on the work program so that as we get our new stormwater tech on board and we start figuring out new handouts that we can provide to the public on how to implement our current requirements, we have the ability to queue up some changes to the code so that we can streamline that permit process and figure out something that works a little bit better than what we currently have.

Ms. Lohman: But you're not going to be making – I want to say “worse” but –

Mr. Walters: Oh, no no no. We want to make it a lot better. We would not be touching the area inside the permit area because we don't really have a lot of flexibility there. It'd be outside and we think we can make it a lot easier to comply with the requirements.

Ms. Rose: And will we get a chance to look at that – those materials – before you finalize them?

Mr. Walters: Yes.

Ms. Rose: Good.

Mr. Walters: And we only have the bare inkling of what it is we might want to do at this point.

Ms. Rose: Mm-hmm. I had the pleasure of just going through that process with Skagit County so, yeah, I would have some opinions about that.

Mr. Walters: Perhaps you may _____.

(laughter)

Ms. Rose: Yeah.

Mr. Pernula: And the next item that's listed here is the Capital Facilities Plan Update. A lot of you have been through it several times. We do it annually. Normally our letters or solicitations to the various agencies that are required to provide us information to update the plan, we send out the letters in June. Normally it goes to the Planning Commission in about September and to the Board of County Commissioners for its approval, along with the budget, in December. So that's a regular annual thing that we do.

Floodplain Management Regulations Update: This may not be too big of a thing. We expect to do it in the second half of the year. It's – most of it is some fairly simple things dealing with the community assistance visit that was done by the Department of Ecology on our floodplain management regulations, and we'll have them to you probably sometime this fall.

And there's one other that isn't on this list and it kind of came up today. And today the Board of County Commissioners adopted an interim ordinance that extended the short plat subdivisions. Those are subdivisions with four or fewer lots that were platted prior to December 31st, 2014, to extend them an additional 12 months. Normally they get 36 months. Now they will get 48 months. The reason for the extension is that there is a subdivision – perhaps more subdivisions – short plat subdivisions – that through no fault of their own – perhaps due to water issues – they weren't able to complete all their improvements and prove that they have water. So we adopted this interim ordinance without a public hearing, but a public hearing will be held within 60 days. Then once that's done we're going to bring a complete ordinance that lays out what the extensions are going to be. It may be more than a year. We don't know yet. We just wanted to get this interim ordinance into place, and by the end of this year we'd like to have a final ordinance in place. So that's an added item on the work program.

So that's really the end of the legislative work program, so we can go on to item B.

Chair Mitchell: And, Ron, how would you like to handle this? Should we turn this to you?

Commissioner Wesen: Commissioner Dahlstedt, do you want to bring anything up first?

Commissioner Dahlstedt: Well, I – you know, first of all I just want to thank the Planning Commission for all the time you've put in. I know there's a tremendous amount of time involved in the process, and from my perspective on how we work effectively together is I try to stay out of your way and allow you folks to do your job, because I look at it as you're the people who get an opportunity for citizens to come forward and share all the concerns and the things they have. The County Commissioners could actually hold our own hearings and have that process, so I like having that buffer and allowing you to do your work, to deliberate, and then bring your recommendations to us. But that doesn't mean that if, along the way, there are some bumps in

the road where you're at a little bit of a loss and you want to have an opportunity just like this, maybe to come together with the Commissioners if there're some issues to be worked out.

I think in the years that I've been here – because I've been here quite a while and worked with a lot of different Planning Commissioners – I think the record is primarily we've taken the recommendations and the motions that have been brought forward by the Planning Commission. In most cases they've been implemented, but there are times that, based on legal review and attorneys' opinions, that if we feel we're in a risk position that we just don't believe we can put the citizens in, there have been a few times where we've had to make some adjustments to the recommendations, but it's certainly not out of any disrespect for what you're doing. But at the end of the day we're the ones who get sued and have to fight our way through some of these. So sometimes – and I think even in some of the issues you're currently looking at there's some disagreement from our legal advisors and those of us that are trying to get things done. So, you know, we do try to work through that and I think it's always open to having you give us input, ask us questions along the way.

But, you know, typically I don't look at your – the tapes and I don't attend your meetings. But I want you to go through the process and bring recommendations that are based on that. I make my decisions and occasionally, like I said, we modify them but I think if you look at *my* record anyway, it hasn't been very often we've done that. And I think lately – the last few years – we've actually – if we have been thinking about some changes we might ____, I think we've actually reached back out to the Planning Commission to say, Hey, here're some issues that we may have to modify, so that you don't feel like, Well, gee, what are they doing? It's just the way they went and didn't even communicate with us. So I think that there's been a real strong effort to improve that back-and-forth, that if we see that there might be things that we're going to change. So – and, Annie, you've been here quite a while, as well.

And, you know, our citizens – we have 120,000 people and they're not all in agreement on what they would like to see happen with things that are going forward. And it's trying to find that balance. As Dan Berentson told me when I first came into office, he says, You have to learn how to disappoint your constituents at a level they can absorb. And I think to a great extent that's that balancing act about try to be respectful of everybody's opinions but then try to help see what's going to move forward. And one thing – from my perspective, too – I have four children and six grandchildren. I'm 62. I won't be here in 30 or 40 years, so the things that I need to be planning for need to meet the needs of the future. If I want the world to look the way I want it to be, I'm not going to be here. So I think what people want to do for housing, what they want to do for employment, what they're hoping to do with timber and farming – there should be a whole lot of things that are going to be changing in the future, so I think that's the other struggle, is some people don't want to ever see things change but they're going to, and then it's finding that balance. I think you've all done a pretty good job. I think it's been an effective group over the last few years. Hopefully we continue that relationship.

Commissioner Wesen: Commissioner Janicki?

Commissioner Janicki: So the concept of a – my request for a joint Planning and Board meeting, as some of you will recall, was from the suggestion that Ryan made to me to attend a Short Course on Planning. So I – you know, Planning for Dummies, because I really, you know, just didn't know very much about the whole language of what-all goes through the Planning Commission. And it was a great course, but one of the takeaways from that was a long time planner, I believe down in Lynnwood or Mukilteo, he said, You know, the thing that the Board of Commissioners can do – the best thing they can do for their planning commission is to let their

planning commission know that they support them and that they understand their work load and that the work that they're doing as presented by staff is the work the Commissioners are hoping that they're doing and that, you know, we're all kind of growing in that same direction. And, you know, I really took that to heart because I think it really does – you know, it does make a difference. And I know I've had various – sometimes Saturday morning coffee, sometimes time in the office, sometimes just a gab at the market – but talking to some of you and being able – I want you to know that, you know, my door is open and I do appreciate having that interaction and it – I always think this – these issues and plans are so big and so large that sometimes they take that percolating time or that, I think you said, time to digest it all, to mesh it. And so, you know, when there are significant changes in what you think is happening, I appreciate that conversation going on rather than having to all digest it in the week before a formal adoption that has to take place. And staff is really good about providing updates but, I'll tell you, whenever there's a message that's being transmitted from this body through staff back to us, you can always lose something in that translation, and intentional or unintentional. But I just want to say that, you know, each of you is valuable to me and I would hope – and I know some of you are more forthright about coming to find me when it's important – Annie! – but you're all welcome into my office, and I just want to thank you for the work that you're doing.

I'm, of course, very interested in seeing this rural forestry piece. If there's a way to move this forward, that's really important. The other thing that I think is really the critical part of – and I don't know where it's going to mesh in – is when that – the CMZ, the Channel Migration Zone – map that we eventually have to update as part of that Shorelines Program will be another, I think, like Ken said. It will make a difference to the future generations as to how that is identified and, you know, brought into our overall planning. But – so looking at what makes a difference, you know, 20 years from now or even longer because, yeah, *all* of our graduates.

Commissioner Wesen: First of all, I'd like to thank you all for being on the Planning Commission. I know it takes an awful lot of time, a lot of material you have to go through. Watching all that you did on the Shorelines Plan, going over that over and over, and the great staff that we have and the amount of time that they put in on all these things, I think it comes out in the finished product and what you have. And when you are able to travel around the country – we were all back in Washington, D.C. last week and looking what their – you know, 200 years ago and the things that they had. Wow, they built the roads here and so forth and it's still there 200 years later. And thinking ahead in the future the decisions we're making today will affect how this community looks like the next hundred years. So I think it's really, really important what you people do and I do appreciate all the amount of time and effort going into it.

One of the things from the private sector, my farming background, is we have a lot of rules and that's one of the things the forest initiative, because of Growth Management, if you do it, now you're in this box instead of that box. And we need to look at it to make sure we're getting the result that we anticipated when we made these rules, and that's one thing I think we have to look at. And when we're looking also at the streamlining our permit process, making sure we do what we need to do. If we get the results we're looking at but don't have the customer, like Martha mentioned, come in and, Wow, do I really have to do all this stuff on the stormwater? Now is there a better way to get the product that doesn't wreck things for the environment but still does it cost you time and money in all these studies to get there? And I think we as staff and Commissioners, we need to look at those kind of things. And one of the issues is the way we just process permits is just this paper that's moving down the line, and there's so many different steps there, and with your help I think we can go forward and try to improve that. A lot of it is technology and so forth. We have to spend a lot of money on computer systems and so forth, but we need to look at that moving forward. And I just – once again, thank you for all the time

and effort you put into this because this is complicated stuff. It's not something you deal with on a daily basis. And reading through all the Shorelines and all the critical areas and all the different rezone maps and so forth, it changes everything – what it's going to look like in the future – and you do a great job.

I'm not like Commissioner Dahlstedt. I try to watch most of the different Planning Commission meetings. I think it's just important to hear your dialogue so I can understand where you're coming from and listen to the public comments. I just think that's one of my jobs as Commissioner to pay attention to that. And like the other Commissioners, I'm always available. If you have questions or comments, give us a call, set up appointments. We can come out and meet with you – whatever you want. At certain levels we can, but when it gets to a judicial decision we can't. But there's certain things on the legislative stuff we definitely can talk to you. And I just once again thank you very much for being here and do all the great work you're doing. And I am willing to take individual comments from each of you. Commissioner Dahlstedt had another comment.

Commissioner Dahlstedt: You know, one of the other challenges that I've seen – I'm a survivor of church politics; I started that out when I was about 18 – is many times there are people that will come forward and tell you what they think, but I can tell you there's an awful lot of people that sit home and are afraid. And even though they have opinions and might want to share them, they're just not comfortable to come forward and share them. So one of the things I've always tried to do over the years in whatever role I'm playing I go out and see the people out in the community to find out. The folks that have come here – the 100 people we've heard – is that how the other 119,900 people feel or not? And so if you try to get out and see _____ at the grocery store or whatever I think that's what helps me with my perspective. Because it's not just the – you know, we can have a group of people come before us in this hearing room and, by gosh, if there's an issue that they're want – and they think, Commissioners, you're just not listening. No, we're hearing very loudly what they have to say, but that may not be reflective of what the community at large. I think this last election was a pretty good example. All the pollsters thought they'd listened to people. Well, there were an awful lot of people that had pretty strong feelings on what they wanted to do and they weren't necessarily telling everybody how they felt but they did when the time came to put the _____. That's the other balance, is sometimes you've got to not pay attention what's here but there's also things in the outside that I think it's important for us to try to get those perspectives as well.

Chair Mitchell: That's true. Just so you know, this is pretty much turning into a roundtable so which side do you want to start on? Hollie, would you –

Ms. Del Vecchio: I want to start with Martha.

(laughter)

Chair Mitchell: Martha! Do you have anything that you'd like to ask the Commissioners or any thoughts that you have for the room?

Ms. Rose: I don't have any right now.

Chair Mitchell: Okay.

Ms. Candler: It is a really interesting process and I love working with this group. This is a great group and it's been great. Of course I miss Keith tonight a little bit, and Tim, as well, but hopefully the process is helpful to you because it's important.

Chair Mitchell: I'll go last. Annie, go ahead.

Ms. Lohman: It amazes me how many people actually do pay attention – the “silent majority,” if you will – because I've been pumping gas or at the football game – high school football game – and people come up to you. Some of them you don't know that well but you recognize each other. And they pay a heck of a lot more attention than you think. They're watching us and they're watching the Commissioners' video or the Channel 21. So I think what I love about here it *is* participatory government. The Commissioners *are* – you guys *are* accessible. You're regular folk and I hugely appreciate that, especially when you travel elsewhere and it isn't quite as friendly, if you will. And I just think we have something really good here and I hope we can keep it a long time.

Josh Axthelm: I remember when I started out – before I started on the Planning Commission I could hardly stand up in front of somebody to talk. It's come a long ways and I've really appreciated the fact that we have the ability to come and speak – you know, that we can serve on the Planning Commission or that people can come and speak to us and tell us their opinion. And I'm really – that's what we need. We need people to come forward. I also appreciate the fact that anytime you guys are available. You know, I didn't come that often to talk to you. I work a lot so I didn't always have that ability during the day. But you're always open to it and I appreciate that.

Commissioner Janicki: Well, I'd see your truck in the parking lot often on the days – early on the Tuesdays before a meeting, because I figured you were in working with these guys, too.

Mr. Axthelm: Well, sometimes it was that and sometimes it was work, so both of them.

Commissioner Janicki: Two birds.

Mr. Axthelm: Yeah.

Chair Mitchell: Kathi?

Kathi Jett: I have nothing new to add, nothing different. I just concur with everybody else's comments that they made so far. It's been really interesting. I've only been on the Commission not even a year yet so I'm learning a lot.

Ms. Del Vecchio: So I'm going to echo all of that. This is a – in my opinion – I'm fairly new to the group but ___ you have a nice, diverse set of opinions and backgrounds which makes all the discussions really interesting and hopefully helpful. I would – as long as we have you all here, though – I would love to ask if there's – you know, if there's something – either something that previous Commissions have done. I know, Commissioner Dahlstedt, you've seen a lot of these in action – or something that we could be doing that would make us more effective, more persuasive, more.... Just I know these – you have things change and we get in certain habits of doing certain things and not doing other things, and if there's anything you've observed that we could be doing more of or less of, I would love to hear that.

Commissioner Wesen: Lisa, do you have anything? Or Ken?

Commissioner Dahlstedt: You know, I think you guys are doing a great job and I think that the Planning Commission over the years has tried to adapt to things when the public has said, Well, we're not getting enough opportunity to be heard or we're not getting notifications. It's a process that is always difficult because some people are very technologically oriented and some people aren't, and I think getting things televised has been a huge benefit. I think, like Annie said, for those folks that are sitting at home and feel more comfortable from a distance to be looking at these things. And I think balance. I think that's one thing, too, is I think we've had discussions since Ron's been here and Lisa, too, that, you know, we have timber people. We have ag people. There's people that are in the development community. And we have all these diverse groups so the more balanced that you folks are the more likely we're going to be able to get that input and have expertise that can come to the table. I know Tim has been involved in timber before and I think that's really a good thing. And I think letting us know if there's tools you don't have. But I think having things televised is really good and, you know, the hard part, too, is sometimes you have so many people, you know, to have enough time. I know we have, oh, two years ago, I guess, or is it – I mean, it's almost three now we started using our timer and a buzzer to be more effective so that we would try to hold everybody to the same reasonable amount of time. And then if we have, you know, extra time then we don't want to cut people short. We want to make sure they get time ____, but at least if you have a room full of people the more fair and consistent, where everybody feels like, I'm getting treated –

Commissioner Janicki: (unintelligible)

Commissioner Dahlstedt: Yeah! Okay. So anyway...but no, I think it's all – I think balance is a good thing. I think we need to have men and women, we need to have all these different industries represented. And when you have a good balance I think then the public feels like they really are being heard. But I think you guys are doing a great job.

Commissioner Wesen: I think you guys are doing a great job. You know, one of the things I like to see the discussion back and forth and, you know, almost point/counterpoint, or maybe take a position you may not really agree with but you've got a neighbor maybe has that position. And so you live in different areas of the county and understand how this may affect your neighbor or this person upriver or downriver or whatever. That discussion needs to take place. I think you need to make sure – don't be afraid to question staff. Just, I don't understand that. I need more time. Could I get – I mean, they're here to help you and, you know, the Commissioners – anybody can help you and so if there's – you feel like you're getting stuff shoved down you you have to do – there are some hard deadlines we have but you need to feel comfortable with the decision you're making with the information you have. And if you don't have enough time, you know, just voice that and let us know what we can do to help make that happen. But there are some hard deadlines. We can't spend all year talking about this when we do have things we have to get done. Don't feel like you've only got this much. You've got to get things done. That's just personalities and, you know, just like I said. Question, making sure you're comfortable with the solutions you're coming up with. And watching what you guys do and come up with your motion and so forth, you go back and forth very good. I think you're doing a really good job. I really appreciate the time and effort you do. And staff is trying to help you get through the process, and sometime when I found – got into the Commissioners, because staff and County employees – we talk a different language because that's the way we deal with it, and you being more from the public and so forth you just – maybe you're talking the same way but you don't comprehend exactly what you're saying back and forth. So those kind of discussions, I think, are helpful because everybody moves forward.

Commissioner Janicki: I do have a question, Kathy. I know at different points last year it seemed there was a level of frustration with some Planning Commission members about getting documents timely, knowing that you walked into your meeting having all the documents that were relevant. And has that settled out any? I mean, I think that was during the big – the big discussions on the Comp Plan updates from last year and just – the size of that, as I recall, was _____.

Chair Mitchell: Who wants to go first?

Ms. Candler: I don't think that we've been in a position to be able to answer that yet. We haven't really –

Ms. Del Vecchio: We haven't been meeting.

Ms. Candler: We haven't been meeting. Right.

Ms. Del Vecchio: Not with the kind of content.

Ms. Candler: Not with the content. Right.

Chair Mitchell: But even having said so, as good as staff is, I think the thing that ends up being a struggle for me – and I don't know how it ends up for the others – as good as staff is, they're doing an awful lot of stuff, and that's one of the frustrations that I have, is I know that they've got a bazillion things they're doing all the time. And when we come to our meetings – first of all I want you to know that I really do appreciate the work that you guys do. Categorically, hands down, we appreciate that. But there are times where it comes short where it's hard to tell if the information that we're going to get is timely enough. And from that standpoint – Dale knows this. I'm always someplace as early as I can be, study as far ahead as you can to be practical, and sometimes I still feel like things are a little bit too short on time.

So I don't know what the best balance can be other than to encourage as much as possible to get information to us as soon as you can ahead of time. A week in advance is ideal, where we've got time. I realize that things can go topsy-turvy in four days. But the more lead time that we have to read through things – because we end up – that's the tip of the iceberg. The information that we get from staff, as thorough as it is, is the tip of the iceberg because we go deeper than that and find more information than that, so we need more lead time. And sometimes it is going out and talking to farmers or somebody else, one-on-ones, other people that you know, and we need that time. And so what I don't know might be appropriate is if we ever get to the point where we feel like we need more information and we don't have enough time, if the Planning Commission would just hold off on a meeting to another one – you know, take a topic to another time – or not.

So I did want to thank you guys for a lot of the good work that you've done. One of the things that you've done well for us for information – and going from 2015 to 2016 was a huge difference as far as having information accessible for the general public, and that goes to our Planning Commission website. We went from having a little more time lag for when transcripts were available, things were available online posted. That's gotten better. The other thing that I noticed that's huge that's helpful is that when we do have a special meeting, sometimes in the past the special meetings would not have the information posted online, whether they would be transcripts or supporting materials and things like that, and that changed in 2016, so thank you

for that. That means you guys were really listening that we were asking for that and that's helpful for us.

But no, it's not always as good as you want it to be. Can it be better? Probably. How to do that, I'm not real sure because it's just like this Tesoro thing. We know they've got their hands full. One of the questions I did want to ask that butts up to that is we know that we're having some major staff changes this year throughout the Planning Department. Some people are retiring and moving on. And I'd like to know how that's going to impact us or if it will. Who's going to be taking care of us now?

Commissioner Janicki: We're just turning off the lights in that department and –

Chair Mitchell: Yeah, going away and going home. You know, you get used to having Kirk for a whole lot of stuff and, you know –

Commissioner Janicki: Right. Yeah, talking of technology, we still haven't figured out how to plug him in and do a download!

Chair Mitchell: Right.

Commissioner Janicki: We are – yeah, there's definitely _____ gaps.

Chair Mitchell: Well, what happens now?

Ms. Lohman: But, too, the Planning Commission is a voluntary body that, yeah, we are appointed but we are voluntary. And staff has – they might have been working on something for – internally for quite a while. They're talking to each other, there's multiple people working on it. When it hits us, we don't have that luxury of the background dialogue and the lunchroom dialogue about – or across the desk dialog, so we get it – the only information that we have is what hits the public or whatever is out there in the common domain. So we're at a little bit of a disadvantage because when we get that information the week in advance we haven't had that other stuff. And so it isn't that – I don't want to ever feel like it's the Planning Commission versus the staff and why Annie's cranky because "I never saw that PowerPoint before." It's because I'm trying to stay on top, and when you get it that night I feel like, Damn it, I didn't read my homework. And I'm kind of one of these people that I don't like coming in unprepared. And so if there is going to be a PowerPoint, you can put – push 'print' where it has the little slides and then it has the place where you can write your notes right on it, and that would be very helpful and save us a lot of time. But I don't want it to be that I'm mad at staff, because I know they're super busy. But I feel like I don't like being caught with my pants down, and that's how it feels when you're not there.

Commissioner Janicki: I understand. I mean, because that – even best laid plans, that happens to me, and I find it especially true if for some particular matter – like there was one before us as we were Board of Appeals for a Hearing Examiner decision and things had been emailed out in various batches and I missed one of those emails. So from the bench on camera I asked the question, How come we never got to see the actual Hearing Examiner's decision? And they're, like, Uh, Commissioner.... So even to know that I have everything. And so that's why I asked the question. Because whether you're doing a paper or on, you know, your laptops there needs to be a way that you have all the information you need that's for the meeting well enough in advance that you can prep it.

Chair Mitchell: Yeah, and maybe this calls for maybe some special meeting. Well, you guys can fit a couple of us in some other time. Technology's improved, access has improved. That's great. But one of the practical examples is I've done the same thing. As thorough as I can possibly try to be, I missed one of those embedded links. And I don't realize – Kirk, God bless you – that there are 16 more under that one link! And sometimes – it may sound silly to you guys, but sometimes it just feels like you're surprised, and that's because in order to recognize that something is 16 deep or 3 deep or 4 deep or we've got four tiers of something, I need to have it laid out for me visibly because if I just get this one thing that says, Go to the Planning Commission webpage, I do, (but) I'm not necessarily sure I'm catching what I'm supposed to catch. And I think that's not necessarily anybody's fault. It's just a function of human nature. And at the risk of seeming spoon-fed, it's helpful to have the list of things so we don't miss something. And it's the same thing, if I can go back and put that request for what's available to the public. Back in the old days when the stuff was posted online for Planning materials meetings, some person – some angel – would list the links for the number of documents that would be used for that meeting. It would be extremely helpful for the public for the same reasons it is for us, because the public – we are the public; the public is us, and we look at things similarly. So I realize that you guys deal with an awful lot of stuff but, again, Annie was right. You guys live with it and we don't, and it's so easy for us to miss something and we caught cold-stupid really, is what it comes down to. Very embarrassing.

Ms. Lohman: But thankfully, you know, with technology – smart phones, I mean, you can have quite a bit on there. I mean, so sometimes I'm online with the docs. I'm not playing on my phone. Really. So, I mean, the ability to use the Wi-Fi here and all of that is fantastic because we can look up an RCW or a WAC or whatever if you need to live in the meeting, and I think that's really valuable. But when you're in the Planning Commission and you have that screen, you're not driving the mouse and sometimes the thing disappears before you're ready, and that's why I want the materials, so that maybe I'm a little bit slow to read on – you know, when everybody's looking at you and you're trying to frantically read and stay ahead.

Chair Mitchell: Well, we're trying to multitask. I think, Lisa, the example that you brought for when you were in the judicial thing, that's the wrong time for anybody to try to be assimilating information. I know for a fact Hollie's – Commissioner Del Vecchio's extremely sharp. She picks up things just on an instant and runs with it and I'm still thinking two paragraphs back. You know, so that's just our thought processes can be different. We all process information differently so any assistance – it's not like you don't have anything else to do, but if you know that we're all assimilating information differently, and so every blessed tool you can give us to help us get up to speed where we're not surprising you with questions and issues, that's helpful. It's been great that you guys have been so open to letting us contact you. And the thing that for people like Kathi – Commissioner Jett – and some of the others that are a little bit more new, they may not have known about those times when you guys came back to us after we sent information, recommendations on. They may not have been privy to the times where the Board of County Commissioners has come back to ask us either as a group – I guess it's been proposed to be individually to come back and say what your positions are, and we would come back in writing to do that occasionally. So that can happen and it's at your discretion whether you wish to or not, but sometimes you might know – for instance, Tammy might know something a lot more in depth than the rest of us know and that's critical for the Board of County Commissioners to have that extra bit. And so, Ken, thank you for mentioning that because I think people will forget that there are times that you do come back and ask us again to come up and pose something so we've not missed big points.

Commissioner Dahlstedt: You know, one of the other things, too, and I think with Carol and Ed here, you know, there's been a lot of people that have been involved in a lot of planning a lot of the things that happened in the past – whether it's drainage studies or geologic studies or transportation studies or the rural element – that was done during the Growth Management. A lot of that information is easy for us not to catch. I mean, we find even with resolutions on different agreements we have with different Cities or other groups that, you know, haven't been around here forever. Some of those things get forgotten, not on purpose, but you're just so busy fighting the day to day fires. But I think we have to look to the back and be respectful of, Well, why did we get where we are? And there was a lot of thought and work that was put into those things that got implemented. So I read a lot of history and a lot of presidential biographies and I look back. And, you know, if you don't look back from where you've been, sometimes you don't make as good a decision. And the other thing – and I think staff always reminds us of this – if you change one code it may affect several other different entities that we're working with. So nothing is ever as cut and dried and simple as it seems, and so that's why sometimes they're reluctant: "Well, if you change that, we have to go through an change these other five or ten different levels of planning your codes or permitting process.

So, you know, but we're all in this together. And I think the other thing is when we do make decisions that doesn't mean we can't go back. If we see there's unintended consequences or something isn't working, we don't have to drive off the cliff. We can stop and say, Well, we need to back up and make some adjustments.

Chair Mitchell: Well, one of the things that I noticed that you guys need to be very careful on, obviously. I mean, you'll be the first ones to admit it. You have to be very careful because you're interfacing not just with the public but with different government entities, different NGOs, all kinds of things back and forth. And I realize that you're juggling things – I think we all do – but something that you guys have alluded to one way or another before in the past is it may be very difficult: We want to put you on a spot and we want a concrete answer now, on something, right? That's usually the way it is? And maybe if we can all agree to you're checking in with where something might be for that timeframe, understanding that new information changes things. The reason I'm mentioning this is I've heard from an awful lot of people in the public. They get really frustrated when they come and they – for instance, Ron, they'll come to you and they'll say – presenting this issue, this problem – and we want an answer now. And we get frustrated if we don't get an answer yes or no. So one of the things that I think we all have to agree to remember – and I think each of you are pretty good with remembering to do this at times – is give us the best answer that you can, whether it's good medicine or bad medicine, and understand that things can change. But I think what most people appreciate is the fact that you guys are accessible and that you're willing to talk to all of us, whether it's on the Planning Commission or in the public. And we expect that honesty and we treasure that honesty and that forthrightness and directness. And that means sometimes – because, Ron, you've had to do this to me ___ – you have to tell me news I don't want to hear! We can't do this, or the law doesn't allow us to do that. But that's okay. You have to tell us why. And sometimes you're privy to information that we don't know – the general public. We don't know that there are some legal issues or something like that. I don't know what code word is "Don't ask now," but maybe it's just simple as saying that, you know, We can't right now. And that's okay too, but we need to have that information back just generally.

Commissioner Wesen: Ryan, were you going to say something?

Mr. Walters: I just wanted to address the question about information. We've evolved the Planning Commission agenda format significantly in the last couple of years. I think the older

agendas used to just say, Hey, we're going to be talking about this, and now we provide some description of where we've been –

Commissioner Dahlstedt: Ryan, can you speak up? I think we've got folks here having a hard time hearing.

Mr. Walters: Now on the agenda we provide some description of where we've been with the project. For instance, "A public hearing was held on x date, and the written comment period is now closed, and the Planning Commission will deliberate." Then we supply some bulleted links. And there was definitely one instance relatively recently where we didn't have the link as a bullet. It was instead part of the paragraph and we won't do that in the future. We'll make sure that we have it as the link.

Chair Mitchell: Thank you.

Mr. Walters: However, staff are people too, so if you find a problem like that maybe you could give us kind of a heads up rather than shouting it from the bench. Because – and that was an instance that wasn't our fault.

Chair Mitchell: I know Kirk _____ people. Remember? You'd keep running lists for little things that needed to be – yeah.

Ms. Lohman: But I'd like us to – so can I shout out to Linda? We think she does a fabulous job.

Chair Mitchell: She's wonderful. That woman's golden.

Mr. Walters: And we also need to know when a format that we're trying out really works for you so that we can be sure to keep doing that and not change it, because we might. We are struggling all the time between what's maintainable, what's efficient for us, what accomplishes the purpose, what is easy for you, and there's a balance between all of those things. So we're trying to accomplish that and we need that feedback in order to figure out exactly what it is we should be doing. But along with the changes to the agenda, one of the things that we have done is you are getting identically the information that the public is getting because you get a copy of the agenda with the bulleted material links, and that's what you get and that's what goes out on the Listserv. And first of all, it's just a lot simpler for us to do it once than twice and, two, it accomplished the transparency goal. So I think we're pretty proud of that aspect of it. But definitely let us know if there are things that aren't working as they used to or don't work quite as well, and we can see what we can do about them.

Ms. Lohman: The Planning Commission is – we've learned a lot, too. You know, we're a random body of people – well, not random but we don't know each other, generally speaking, until we came here. But we never had public remarks before. The Planning Commission did not. And that was kind of a scary idea because we didn't know how to manage it and we didn't know how to – there's rules if you're going to have public remarks. And you can't say "public comment" because that has a different connotation. It sounds like you're testifying and then it has – the expectation is that then it – it goes on and on, and so we learned a lot about how to receive and have public remarks. But I think it's a really valuable piece of our meeting. And it's hard to talk in three minutes, but you can say an awful lot in three minutes. And, for the record, I only start the timer after you've told me where you live and you've given what your name (is) and everything, so I'm giving you an extra 20 seconds, Carol. So I think the Planning Commission works really hard to be the public body. And we are – we're regular people. We're

not paid and we're not – I didn't go to school to be doing this. So I just think that this is something that anybody could raise their hand and participate in in the future.

Commissioner Wesen: And the one thing I want to make sure people understand: I really do appreciate our staff and the amount of time they put in. Betsy was at a thing on Saturday and then I know she was back in the office because I was back in the office on Saturday afternoon. They do a lot of time so I hope they don't feel this is critical against them. It's just I think they're doing a great job and these are just some of the things that may help things go smoother. And, like Ryan said, if you see a problem let them know. We all are human. We need to move forward, and I just want to again thank the staff for all the great work they're doing. When I first came on, we ended up cutting about a third of the staff in the Planning Department, so it is dramatically changed from what it used to be. So I do appreciate all the time and effort they do on their work.

Chair Mitchell: One of the – to follow up on that, one of the things – this is for the general public that's in here all the time asking things on why are we not finding out things until the last minute. I'm learning why we're not finding out some things till the last minute, and that's because staff is dealing with things all along in the week and they have things that change even to that day. Sometimes things can change or some updates can happen on some things. So there *are* times where they can get us information ahead of time and do – thank you – and there are times where that just does not – that's not the way the world worked. So that's why it's back to, again, thank you for getting us what you can when you can. And for those times where something is new and changing and evolving, which does happen – I realize it; that happened even just the last time – just let us know or, you know, we'll let them know that that's what's happened. It makes a difference on perception.

Now, Martha, do you want – do you have anything?

Ms. Rose: No, you've said plenty.

Mr. Johnson: Kathy, I have just a very nitty-gritty question about links in documents. So I'm looking at the staff report on the 2017 docket, and if there's – sometimes it's clear it's a link. It'll say "The proposals are available on the Comprehensive Plan Amendment webpage at www.skagitcounty.net. And that's in blue and that's underlined. In other places, it's more worked into the text. "The proposal would revise the US Bike Route 10 Coast-to-Cascades Trail Corridor Study." That's underlined and in blue. Would you like something – and I'm speaking to all of you – in addition to that? An asterisk or parentheses link? "Click on link" – something like that?

Chair Mitchell: Some sort of symbol, because I think what we've found – I know that I've heard Annie say this in the past but I do not know what it looks like on other people's screens. Now we're all looking at things on our home computers, on our cell phones, on our iPads on our mini-pads, and sometimes the optics on this look a little different, and one time it looks crystal clear like you can see that's what that is – an embedded link – and other days, man, you shoot right past that with your eyes. So even if we have a little symbol that we know that there's something in there.

Mr. Walters: I think that has been an issue with the hyperlink style in a Word document. By default it is blue and underlined. If you see the underline – and I've tried to get staff to *not* use underlining at all except for links –

Chair Mitchell: Yeah. Right.

Mr. Walters: But in at least one template there was no underlining.

Ms. Lohman: Right.

Mr. Walters: But we'll just find that in the template and fix that.

Chair Mitchell: Right. And if that's working – if that ends up working well for people, that's good, and if not then we can revisit it later. There might be something else. But, you know, it's back to the overkill thing. We are all human. You guys are all used to seeing that stuff and you know that that's there. Sometimes my little pea brain still doesn't register it and maybe the list form at the very end or something – bam, bam, bam, bam – and that way I know I've not missed something. When I send information in to Linda for requests on things, I've learned to double-do it so I don't mess things up on her end from what the request might be. So I hope that helps. But it's just there's just a large volume of information. It is very easy to miss those links.

Commissioner Janicki: So you're looking for a level of certainty that you have all the materials that you're supposed to have.

Chair Mitchell: Yes, ma'am. Yeah.

Commissioner Janicki: So why can't there be – I mean, it's one thing to have the agenda with live links and then there could be one link that is – just says "Printer-friendly materials" and the whole damn thing is on one click –

Chair Mitchell: Wouldn't that be great?

Commissioner Janicki: – and you don't have to go hunt. It's like a scavenger hunt.

Mr. Walters: We don't have direct access to edit the website so it is onerous to accomplish all of the changes. So what we will try to do is incorporate it one place. If we have to do it in two places, it's quite possible we won't have the same stuff in both places.

Chair Mitchell: I think what's – I hear exactly what you're saying. I think what we're coming back to is if somehow we've missed something or doesn't realize it's there, we won't even know to ask.

Mr. Walters: I really think this is a pretty minor problem...that I just fixed.

(many positive exclamations)

Commissioner Wesen: But you know who to contact if you have a problem.

Mr. Walters: Yes. Yes. Let me know if that didn't work for future agendas and for future things, and we'll try something else. But I don't want to try an overkill solution to what *might* be a small problem.

Chair Mitchell: Well, you know, it's funny. It's small up until you need that information! Right?

Ms. Del Vecchio: And I will – as long as you’re providing instant solutions to these things, making it clear which documents – I think this was an issue last time – last year was which ones are up for review and which ones are just helpful background information.

Mr. Walters: Yes, we have done that in the past and we’ll try to do that in the future, as well.

Ms. Del Vecchio: Okay. Perfect.

Mr. Walters: What we’ve said is, like, “Planning Commissioners should review” bullet, bullet, bullet, “and if you’re interested in more background information, you can go to,” say, “the 2017 Comp Plan Update webpage where there are 35 more documents you can read if you wanted to.”

Ms. Del Vecchio: Right.

Chair Mitchell: That’s helpful.

Ms. Del Vecchio: And then if you’d prioritize those 35 for us.... No, I’m just kidding.

Mr. Walters: Well, we’ll try to stay to at least that path.

Ms. Del Vecchio: That is helpful to know which ones – okay, here are the key documents and this would be great if you can get to it if we have a particular interest in a certain area – you know.

Mr. Walters: And we’ve also tried to standardize the text in the links on the webpage – “There’s a staff report;” “There’s a Notice of Availability;” “There’s a proposal document” – every time and they’re, to the greatest extent possible, always called that so you can find those things on the web.

Chair Mitchell: That plus thank you for updating our Planning Commission webpage where – I don’t know if the general public has seen that now where there’s that little envelope icon on there for people to contact the Planning Commission. So thank you. Those kinds of details make a difference – which means you guys are listening and we’re actually grateful. Thank you.

So does anybody have anything else for our Commissioners? Thanks so much for doing this. I hope that you guys continue to touch base. It’s wonderful to know that you’re there with us and behind us, especially when it gets really hot and heavy and last year was difficult, to say the least. And it was nicer having the load lightened a little bit this year, so thank you for your efforts for doing that. I know that you guys worked on that pretty hard with the staff.

All right, anything – Updates, Dale?

Mr. Pernula: Okay. A few minutes ago Commissioner Janicki mentioned that at the short course she learned something very valuable. So on Wednesday, May 31st, 2017, there’ll be a Short Course on Local Planning in Burlington, so it’s not going to be far away this time. You’re all encouraged to attend. It also would meet the requirement that you have – Open Public Meetings Act Training – every four years, so if you need that be sure to attend. I’ll pass these around and go ahead and take one.

Chair Mitchell: Are there any more updates then or is that it?

Mr. Pernula: One other update: This is probably Kirk Johnson's last Planning Commission meeting. He's retiring at the end of the month.

Chair Mitchell: That's the biggest smile we've seen yet!

Mr. Johnson: That's what people have been telling me!

Mr. Pernula: He's been just a tremendous employee. The amount of work that he puts out is tremendous. The quality is there. He's just a wonderful employee to work with and we'll miss him.

Ms. Rose: Congratulations.

Mr. Johnson: Thank you.

Chair Mitchell: Do you have any words for what you're going to do?

Mr. Johnson: Oh, I'm going to do a lot of stuff.

Chair Mitchell: Sleep in late?

Mr. Johnson: Maybe not. The cameras are on so I don't want to get into that. Just more time with family, more time doing things I like to do, more time doing community activities, learning to actually speak Spanish after studying it for seven years in college and high school – lots of stuff.

Chair Mitchell: Well, thank you for everything.

Ms. Candler: Thank you very much for your years of service and congratulations.

Mr. Johnson: Thanks. It's been fun working with all of you.

Chair Mitchell: And don't duck and run if we see you somewhere!

Mr. Pernula: And that's all I had.

Chair Mitchell: That's it. Okay. So that brings us to Planning Commissioner Comments and Announcements. Anything from anybody?

(silence)

Chair Mitchell: No? Okay. Do I have a motion to adjourn?

Mr. Axthelm: Motion to adjourn.

Female Commissioner: Second.

Ms. Rose: Second.

Chair Mitchell: All right. A motion to adjourn and seconded. Thank you. I appreciate you all coming this evening (gavel).