

Skagit County Planning Commission
Deliberations: 2017 Docket of Proposed Policy, Code, and Map Amendments
May 16, 2017

Planning

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

Staff: **Dale Pernula, Planning Director**
 Ryan Walters, Assistant Planning Director
 Stacy Pratschner, Senior Planner

Chair Tim Raschko: (gavel) Good evening. Welcome, everybody, to the May 16th, 2017, meeting of the Skagit County Planning Commission meeting. It's great to see everybody here tonight. I think it's going to be a very interesting and full evening. So I presume everybody's had a chance to review the agenda. Are there any proposed changes?

(silence)

Chair Raschko: Everybody's okay with the agenda? Okay, then we'll move on to the Deliberations on the 2017 Docket of Proposed Policy, Code, and Map Amendments. And we will do this in the order presented in the docket, which would make P-7, I believe, the first. And I would also like to remind everybody in the Commission that when we come to particular amendments that have public comment we do have the right, if the people are present, to ask them questions to clarify points or whatever on what their testimony might have been. So please keep that in mind.

So P-7 is a requirement to require permanent protection of CaRD open space on Guemes Island. And as the proposal reads, a CaRD would be legal but the area set aside as open space would not be eligible for further development should there be a change in zoning. Is that correct?

Ryan Walters: A change in zoning is what this proposal is intended to mitigate the effects of. The proposal would require a conservation easement on the open space portion of a CaRD on Guemes Island that would prohibit future residential development. That wouldn't be allowed anyway under our current zoning, but the fear is that future upzones would enable additional residential development and this would prevent that.

Kathy Mitchell: Excuse me, Ryan. You might need to be a little bit closer to the microphone for us.

Mr. Walters: I'm pretty close at my usual distance. They might be having a problem.

Ms. Mitchell: That's better.

Annie Lohman: Mr. Chair?

Chair Raschko: Yes?

Ms. Lohman: May I ask you a question? Ryan, on Guemes Island, if they did a CaRD there is no density bonus, correct?

Mr. Walters: That's right.

Ms. Lohman: So it's just a clustering and then maybe some permitting elements that are smoother or –

Mr. Walters: The benefit of a CaRD on Guemes Island is the clustering which results in lower infrastructure costs. You don't have to build driveways to further distances because your development rights are clustered. The lot size for your development lot is maxed out at one acre. It can't be larger than that.

Ms. Lohman: But the CaRDs are also only eligible for properties that meet a minimum lot size anyway, correct? They're not going to get the benefit of if they're, like, in five-acre increments like in the other parts of Rural Reserve.

Dale Pernula: Ten acres. It would be 10-acre.

Mr. Walters: Right, because there's no density bonus.

Ms. Lohman: Right. So no matter what you have to have it in 10-acre increments to do a CaRD.

Mr. Walters: Yes.

Ms. Lohman: Right?

Mr. Pernula: That's correct.

Mr. Walters: That's right. I understand your question.

Chair Raschko: Is there further discussion?

Ms. Lohman: Are we going to make a motion? Do you want to do it that way?

Chair Raschko: I think it'd be best to pass a motion on these to either support or not support these.

Mr. Walters: However you want to do it. The way I'm going to construct your recorded motion is an underlying motion in support of all of them with recommendations to back out the ones that you don't want to do. So if you want to proceed on this one, you can vote it up or down or you can recommend removing this one if you don't want ___ on this one.

Chair Raschko: So basically if there's no disagreement with the proposal, we can move on to the next one.

Ms. Lohman: I guess I *do* disagree. I'm struggling with requiring because of – and I just kind of reclarified what I knew about CaRDs on Guemes Island – there still is a minimum lot size of 10 acres. I just don't see that it's going to be a problem. I don't – there's a lot of things you don't know to the future and you're asking people to permanently forever prohibit something, and I think we should do that very cautiously. And I just don't feel that I could do it.

Kathi Jett: I have a question, I guess, to Dale. Dale, is that correct that if this is passed – if this is approved tonight, it's permanently forever and it could never go back and be revised?

Mr. Pernula: Well, if it passes tonight it'll be a recommendation to the Board of County Commissioners. The code could be changed at sometime in the future.

Ms. Jett: Okay.

Mr. Pernula: But there is still that issue that if somebody subdivides their property with a CaRD that it would still have that underlying restriction.

Martha Rose: I have a comment.

Tammy Candler: I do, too. Go ahead.

Ms. Rose: So it's no different than any zoning, as far as I see it. In other words, every zoning provides some sort of density allowance and it's meeting that density allowance. It's just saying that you're going to cluster it instead of spread it out and then save the leftover land in perpetuity. Now somewhere down the road if there's a zoning – an upzone that happens, that could change all that just like anywhere else. Am I right about that, Dale?

Several Commissioners: No.

Ms. Rose: In other words, 5, 10, 20 years down the road –

Ms. Lohman: No, that's not what it says. It says a conservation easement.

Ms. Rose: I understand – but I guess that's what I need clarification on because if two or three decades down the road it's determined that that particular zone wants to have additional density because they've solved the water problem or whatever, is the door open two or three decades down the road to change the zoning which allows higher density?

Mr. Pernula: The zoning, the underlying zoning, could be changed. I'm not sure it would be very wise on Guemes Island until we have a lot of support from the residents of Guemes Island and water and maybe sewer.

Ms. Rose: Right.

Mr. Pernula: But if it is changed, you still have that underlying new restriction for the – additional restriction for that open space that would have to be dealt with in some additional manner. So it would not be just a zone change.

Ms. Rose: So it would – and I see that it’s unlikely it would happen because of the water and sewer issues, but if the zoning did want to be densified it could be done the way it’s done in many places. You could still have that permanent conservation easement and allow the division of the one-acre parcels into two parcels – right? – and do it that way.

Ms. Lohman: Mr. Chair?

Chair Raschko: Annie?

Ms. Lohman: I’m not in any way advocating to increase the density. I’m merely stating I’m having a hard time just because somebody does a CaRD that – it’s a change to how we’re dealing with CaRDs now. And in this case this would be a special situation where the CaRD would require permanently having a conservation easement. If you wanted to develop your 10 acres and not do a CaRD, there is no restriction.

Mr. Walters: Yes, both of those things are correct. The development lots with the one-acre zoning or the development lots of one-acre each would not have a conservation easement placed on them so they could have additional housing. The remainder open space part of the parcel – the open space tract – would have the conservation easement. It could not effectively be upzoned because it wouldn’t allow any future residential development.

Ms. Mitchell: Tammy?

Chair Raschko: Tammy?

Ms. Jett: So there’s a choice.

Ms. Candler: It seems to me that’s what happening with CaRDs is a little bit up in the air all over the county. I mean, there’s been discussion about opening that up and trying to figure out what to do. So I guess I kind of agree with Annie in the sense that if we’re going to look at this, maybe let’s look at it countywide.

Ms. Mitchell: Okay, I agree with both of those cases too. I’m uncomfortable with changing this as it is now. I don’t like the idea of putting the restrictions on to that degree. So as it stands now, I couldn’t support this.

Mr. Walters: We have repeatedly received requests during the annual process for requesting suggestions for updates to our development code to look at CaRDs countywide, and the County Commissioners have repeatedly rejected the idea of looking at CaRDs countywide. They docketed this item because it’s more limited, but not the countywide suggestion.

Ms. Rose: If there’s a choice, I’m not sure why there’s objections to the CaRDs. It’s not forcing people to choose that route. It’s an option, right? Isn’t that right?

Mr. Pernula: Yes.

Ms. Rose: So I’m not sure why there’s discomfort with it.

Ms. Lohman: Because –

Chair Raschko: Go ahead.

Ms. Lohman: I have a problem with extinguishing people's right, property rights, and some people will argue that by clustering that you're preserving open space. They don't get a density bonus, but arguably you could say, Well, if you are clustering your development then you're limiting, you know, the number of driveways, access, and a whole bunch of different things. Maybe you're putting the utilities all in one corridor – a whole bunch of things that make a nice, sweet package. But in addition to this – the benefits, now you're saying, But if you're going to do that, we're going to make you extinguish your future or potential future. The likelihood that you're going to upzone and change the zoning from one in 10 – you might even make it one in 20 in some future date – is – so I don't think there's a peril that on Guemes, with or without a CaRD that you're going to have a density issue is my – it's just my ___.

Chair Raschko: It just appears to me that what this accomplishes is making the decision that would otherwise be made out in the future. Right now you would be putting on the conservation easement, which would preclude you from having those rights to build on the open space should it be upzoned in the future.

Ms. Lohman: Right.

Chair Raschko: So it seems to me that that decision should be made whether we want denser zoning or not at that time, instead of sort of doing it in a backhand way now. So what is –

Ms. Jett: I have another comment. I think because Guemes is an island and their water situation is – is – how would you say? – difficult as it is, especially with salt intrusion – saltwater intrusion – I'm thinking that maybe that's why they want. And I'm – is it – my impression was the majority of the people wanted this on Guemes Island. There may be a few that didn't, but am I wrong in that? Ryan, do you –

Ms. Mitchell: Can I respond?

Chair Raschko: All right. Kathy?

Ms. Mitchell: I don't think you're wrong in that at all. I don't think that was the – well, I'll look at it just slightly differently. That is true. All those things are true. But there are people that did not agree and don't necessarily want to see this happen. But looking at it from another standpoint, if we do this because we're using the water as the tipping point for the CaRD, they've already addressed the water issue in a number of ways, let alone for the fact last year this Planning Commission also recommended to allow Guemes to – and other places – to be able to use rain catchment systems, anything else, as technology develops. So they can find other ways to do that. If we do something like this now, what we're saying is the door is closed, nothing changes, regardless of what technologies or other ways come along, it's done. Everything's going to go to the open space regardless and ___, you know, and that's the way it is. And I think I would prefer to see it left open to every single landowner to make their own decision on how they want to do something rather than us doing it for them. And it's not that the zoning's not working now.

Mr. Walters: I'm sorry. I missed a question. Did I? We were talking about air conditioning.

Ms. Lohman: No.

Mr. Walters: Okay, good.

Chair Raschko: Okay.

Ms. Candler: I'm going to make a motion that the Planning Commission recommends not approving this proposal.

Ms. Mitchell: Second.

Chair Raschko: We have a motion and a second. Is there further discussion?

(silence)

Chair Raschko: Okay, all those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Can we have a show of hands, please? We have one, two, three, four, five, six, so that passes.

Mr. Walters: You should call for the opposition at each time.

Chair Raschko: Okay. Can we have a show of hands of the nays? Thank you.

Ms. Mitchell: Was that two or three?

Chair Raschko: Three. Okay, we'll move on to P-12: Rezone Rural Reserve on South Fidalgo Island to a new zone called South Fidalgo Rural Residential. And this is a somewhat multifaceted proposal and I'd like to propose that we start out by asking the overriding question – which is whether we need to have a new zone or not – before we discuss all its nuances.

Mr. Walters: We included in the Supplemental Staff Report a little menu of options for this one.

Chair Raschko: Right.

Mr. Walters: The first being that question, whether to proceed with a new zone or not. If you answer that in the negative, you don't really need to answer the other questions.

Chair Raschko: It makes everything else moot.

Mr. Walters: Right – unless you want to answer the other questions, because you could anyway. But the questions being: Do you do a new zone at all? If so, what is the boundary? Then, what are the uses? And then, finally, what do you do with CaRDs within the new zone?

Ms. Mitchell: Kathi?

Ms. Jett: Okay. Most of the people that I have – or all the people that I have spoken with regarding the Supplemental Staff Report have supported the staff's recommendations in their – well, I guess this is the Supplemental Staff Report – what the staff recommended be done with it. They wanted the zoning. The people that are – part of the – I guess I don't – how would I say this? A lot of the people that objected are no longer going to be included in the rezone, per the Supplemental Staff Report. And the ones that are still in the rezone area that I have spoken with or have called me indicated they do want the rezone and they believe the Staff Report ____ –

Unidentified member of the audience: Could we ask you guys to speak into your microphones, please?

Ms. Jett: Oh, sorry. Most of the people that I have spoken with that are not now included in the rezone are in favor of the Supplemental Staff Report, the staff's recommendations.

Ms. Lohman: Can I ask a procedural question?

Chair Raschko: Please do.

Ms. Lohman: I was kind of confused in the Supplemental Staff Report where you had two e-mails, both of them dated after the public hearing closed, one of them from the petitioner and the other one from a citizen. And my question is, What does that mean? Does that mean that we're allowed to take more written stuff after the date?

Mr. Walters: We publish comment guidelines for people that comment and we routinely have people that fail to comply with the comment guidelines. But we include those comments in your packet anyway to the extent that we are able to obtain them. We mark them as improperly submitted and put them in the back of the packet.

Ms. Lohman: But these were – there were two e-mails, one submitted on April 25th and the other one on April 12th, that you specifically included in the staff report.

Mr. Walters: Yes. Dale specifically asked the petitioner about the changing of the boundary that was an issue that came up during public comment. And then we received what we thought was an important comment on ag accessory uses. So we wanted to address that issue, regardless of whether or not the comment came in during the comment period.

Mr. Pernula: Yeah, on the first point I was specifically asked by the Planning Commission to find out how those boundaries were established and that's why I got that e-mail.

Chair Raschko: Kathy?

Ms. Mitchell: Yeah. I appreciate the sunshine on being able to see those as well, but I also consider the appearance. We've been so strict in the past for, you know, shutting the door when public comment period is done. And so since that leeway was left open and we did contact the proponents – meaning staff – for their input on something like that, just a reminder to the rest of the Planning Commissioners: That door was sort of broken open and left open, and if you have any questions for – clarifying questions – for anybody else on these issues, I would certainly give them a second bite of the apple if you want to ask them something to clarify. Mostly from the standpoint from the issue of fairness.

Mr. Walters: This is a legislative matter. There isn't –

Ms. Mitchell: I know.

Mr. Walters: – a fairness issue with respect to – like Appearance of Fairness Doctrine.

Ms. Mitchell: I understand but we've been very strict in the past with saying what we were going to do – and again, I do appreciate the sunshine on being able to see the comments. They were helpful. It's not that. It's just we've been very strict with everybody else in the past.

Chair Raschko: Okay, to start a discussion what I propose to do is to look at the reasons that have been submitted to make a change in the zoning. And I don't intend to be all-inclusive in this but as I recall there were issues of a uniqueness to South Fidalgo Island; a rural atmosphere that is cherished; an aversion to the noise and traffic and everything else that would come with growth. There might be other reasons. But I'm not totally satisfied that those are adequate to create a new zone right now and I'd love to hear some other discussion in that regard.

Ms. Mitchell: I've got some things I'd like to bring up. I can appreciate what people have said about the water issues and the aesthetics. Those are all important for everybody in our area and I think every single one of us likes our areas and think that they're special. There's no question about that. And that also comes under the angle of the eye of the beholder. But what I have not seen is how the zoning is *not* working as is. As a matter of fact, we saw examples where it was working. So from that standpoint I don't see the need to change the zoning from what it is other than because somebody says that they wish it to be changed, because it affects an awful lot of people and it would happen right away with land values, tax issues, what they can and can't do with things. And as far as the carving off the piece for changing the boundaries, although that did look attractive that still leaves a question of unfairness to the other people that are further west than they are east. And if we set that precedence where everything is so special, then we might as well do that for the rest of the county and close up the county right now, because it's all special to us. And quite frankly, if you look at the map for where it is now, for where it's zoned, there's the OSRSI on either side of those zones. Those have already been locked up as very special area open space – beautiful areas, right? And there are other ways to handle the water situation, whether it was to have them piped in, whether it is for wells for interior. We've not proven that they're sole source aquifers. For those kinds of reasons I'm hesitant to even change the zoning or to recommend changing the zoning because it has been working for people for a number of years, other than the aesthetics and the thing for the water. And it's not proven that South Fidalgo is a sole source aquifer.

Chair Raschko: Anybody else?

Ms. Candler: Yeah. I had the same issues as you did. I talked to a lot of people – or not a lot of people but, you know, I heard all the comments. I respect what everyone says. But as far as the uniqueness I am having a little bit of trouble. Other than the H2O avail – the water availability, I think the things that were cited such as traffic, those are things that everybody struggles with. You know, animals need a place to be. That is true throughout the county. Unique rural character. The things that are limited – lagoons, for example. That is very much a rural construct. Other than rural character and water availability, other things that were cited are topography and geology. And I know there's been some discussion about, you know, the fragility of an island structure but, you know, you have places like Oso on the mainland and that's not in Skagit County but, you know, the point being this is not unique to the island. I'm not at all persuaded or convinced of that.

Also I'm concerned about the discussion of the aesthetics. That is a subjective – very much a subjective thing, I think, as well as uses. We've had this discussion before. You know, you're basically taking someone's desire for uses and replacing someone else's, and that doesn't – it

doesn't strike me as fair at all. I think this idea of a special zoning label, South Fidalgo – or SFRR – is a little bit elitist, and that is concerning to me.

Chair Raschko: Yes?

Hollie Del Vecchio: So I just – I haven't quite made my mind up here so this is just observations. But I do – islands *are* unique. To treat everything the same doesn't – we're not doing what we need to do to plan for the limitations of different areas or the natural hazards. Some places really do deserve some special or different – I don't mean *special* treatment, but *different* treatment because of the environment. Islands are different. I am concerned about the lack of the water studies. I think that maybe there is some more research to be done here, but – and that's the main source of my hesitancy, is just that we haven't had some of that research done. But I think it's dangerous to just – to make a blanket statement that all of the county needs to be treated the same because there are very, very different geological situations across the county, different water situations across the county. And we already – I think a lot of what's being proposed right now is already in place in Guemes. So that's – we already have a – we're already providing that different treatment for an island. We might need some more research but I don't think it's – I wouldn't want us – I would hate to just see us write it off entirely. That's all.

Ms. Jett: I think that was a good expression of the concerns of a lot of the people that live on South Fidalgo that are outside the urban growth area, is the water problem – trying to avoid getting into a water crisis with a lot of the issues that the people on Guemes have had to deal with – trying to deal with it upfront. And these commercial uses that were listed are definitely heavy commercial uses and are, a lot of the people feel, inappropriate in an area that's primarily a residential area.

Chair Raschko: Yeah, that's an interesting argument.

Ms. Jett: I should say the majority. I'm not sure if there's one person – I guess I don't understand the Commission – some of the Commissioners' position. It sounds like if one person doesn't want it then that's the opinion that should prevail.

Chair Raschko: On the Commission, are you saying?

Ms. Jett: Well, in listening to some of the Commissioners speak. If there's any one person that has property in the area that's being considered that might not be able to do what they want to do with it in the future, then we shouldn't pass it. We shouldn't approve it.

Ms. Candler: Can I speak to that?

Ms. Jett: Yes.

Ms. Candler: Well, you know, the Chairman opened up the discussion and just the issue of the reasons cited for this proposal – you know, the unique rural character, the topography, the geology, the water availability – and so I was only speaking to those things, or trying to. But you make a good point, which is that – I think that the Commission's sort of being asked to determine people's water rights versus other people's property rights through this zoning request and I don't think this is the proper place to do that. If people have a desire to do something on their property, then there are other mechanisms by which that will be vetted better than what we can decide on a blanket rezone right now.

Chair Raschko: Amy.

Amy Hughes: When this came up I was supportive of a community trying to come together and develop their unique rural community values. If you've been reading the *Skagit Valley Herald* that's how Skagit Valley started. We had all these little communities that had identity, and I feel that that's valuable in a rural community. But I did have concerns that I still don't have the answers to on this project. The first is, What does this do to the businesses that are scattered throughout Fidalgo Island? They're small and they have their own little business status. But if they need to adjust, have we closed the door to that adjustment? Do they need a – if they need a larger parking lot, that is a highway that goes through there. And the other thing to support the businesses that are there is that's sometimes where community identity comes from. In our community, that's where the coffee counter is. That's where people congregate and that's part of being in a rural community too. So the businesses and how this deals with them I don't know the answer to.

Also the other concern I had is we are putting – if this goes through, in essence what it's done is it's put a higher value on the properties that are already developed because they have their water. And then the properties that are not developed will have to – they won't be as attractive so their property values go down, as I see it. I can be corrected, but as I see it we are changing taxation. We are changing property values. And what I would like to see is a unified community to come together on something like this, and in what I saw I can't pick out which ones were on the east side of the island and which ones were on the west. I see a divided community. And I think that in a project like this there needs to be more community coming together, not community telling each other how things will be done. I'd like to nurture that uniqueness by the community coming together and solving some of these problems. Maybe if the water *is* a problem the public water system needs to go throughout the whole island rather than just to some individuals. I just have too many questions left.

Mr. Walters: With respect to the pre-existing business question, the larger pre-existing businesses – Harold's Market, Lake Erie Store, Shrimp Shack, these kinds of things – exist in their own zones. You look on the map they appear green, I think it is on iMap.

Ms. Hughes: Correct.

Mr. Walters: And if you zoom in you can identify which zone they're in. They're generally in Rural Business. Some are in Rural Center. So none of those businesses that have their own zones would be affected by this rezone because this proposed rezone only affects lands zoned Rural Reserve.

Ms. Hughes: But if there is an opportunity for the business to expand to take care of the increased traffic –

Mr. Walters: They likely would not be able to do that –

Ms. Hughes: Okay.

Mr. Walters: – under current zoning.

Ms. Jett: Under current zoning?

Mr. Walters: Under current zoning they would likely not be able to expand into Rural Reserve.

Ms. Candler: Oh, okay.

Ms. Lohman: Kind of dovetailing with what Amy is saying, I think all of us – I'm in agriculture. We get special treatment in Ag-NRL. We also get special restrictions that go along with that, as well, and some pretty onerous restrictions. So a lot of us are in a zone that gets special treatment. Rural Reserve to some degree gets special treatment as well, because the ability of flexibility that other zones might not have. Another NRL has special treatment because it gives them the ability to harvest timber, but it also has restrictions.

And all of us are special. We all love where we live. I mean, I travelled all the way to Chicago and drove 5000 miles and I didn't see any place that came close to Skagit County, and I mean every bit of Skagit County. We do have a jewel and sometimes I've joked that we need a No Vacancy sign right at the top of Conway Hill and maybe at the other end of the county as you come out of Whatcom County too. And that's what you're asking for with this zone, is a No Vacancy. You're saying South Fidalgo is closed and I'm having a struggle with that. And then that – setting that aside as a separate discussion, and I agree with Amy. Maybe we need some more community involvement because it wasn't unanimous. There was a lot of people that were saying, Hold the phone; we don't want you to do this. It wasn't a lot of people – the majority. There wasn't really any consensus of what to do here.

But speaking of the allowed uses, and these might be special uses or Hearing Examiner uses or outright permitted uses, I just found that some of the things on the list were – are these neighborhood disagreements because – an animal hospital. I can see an animal hospital in rural Fidalgo Island because that – I mean, that just seems like it – I don't know why you would object to that. Same thing with a dog kennel. I can see a rural setting for that, but is it really a neighbor-to-neighbor type issue? Somebody doesn't like barking dogs. I'm struggling with that. Seasonal farmworker housing: Is it that you – you know, you can go down the list. Maybe arguably some of those high water – a fish hatchery or something like that, maybe there really *isn't* a place for it and so maybe it shouldn't be in the list. But you have to be careful when you are just going to cherry pick on a list. Because you look at where else it's allowed, and what if those people in that area of Rural Reserve – maybe it's Rural Reserve around Sedro-Woolley and they don't want dog kennels. Pretty soon there's no place in the county for it, and is it really a legitimate reason to strike it? And I'm having trouble with that. And I don't mean to pick on dog kennels but it was the one that leaped off the page the most.

Ms. Mitchell: Well, and the air strips – same thing.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: I'd just like –

Several Commissioners: Hollie.

Chair Raschko: Oh. Hollie? Okay.

Ms. Del Vecchio: Again. Just one last comment. There's been a few comments with regard to South Fidalgo, mentioning that well, if only the community would come together and provide us with a unified force. And I've a little bit of a problem with that because it seems like that's what

Guemes has done and we weren't – we're not being supportive of that. So I just want to just let you know that somebody here does recognize that, and we need to – if we're going to say that, we need to back it up when they are able to actually pull that together.

Ms. Jett: I have a comment then, too. Like I said before, I *thought* that in the County's recommendation, which was C, that a lot of the people – the majority of the people – who wrote in opposition were cut out of the proposed rezones so that it left a community that for the most part – and I don't know how you need to survey it or what – but, again, it was 2.7 to 1, the last I heard, in favor of the rezone and that was when it was being – the ballots, or the counting that was done for the *whole* proposed rezone, not just the part that's left in in C. Would it help if the Commissioners were – the Planning Commission was to know who in the part that's left in the rezone how many of those people objected that responded?

Ms. Mitchell: I don't think it would matter. There's an awful lot of people that may or may not have seen the change that came out on the 25 April Staff Report, meaning there're an awful lot of people that may not be aware of that either way that may or may not have been in contact. And I think it's a simpler issue rather than a head count for how many are pro and how many are con. It's more of an issue of whether the current zoning is working or not as is versus what's proposed.

Ms. Jett: Well, then how are you – I would like to know how you suggest the community come together and make a proposal, because you're never going to get 100%.

Ms. Mitchell: Are you asking me specifically?

Ms. Jett: Yes. Or *anybody* on the Planning Commission.

Ms. Mitchell: Well, I think Amy's the one that proposed that. Why don't you ask her?

Ms. Hughes: Okay, I had a question. Regarding the survey that was done, it was sent to how many people? I can't find my information right now.

Ms. Jett: Everybody that was mailed a notice of rezone.

Ms. Hughes: About a thousand.

Ms. Jett: Yes.

Ms. Hughes: And then how many responses were given back? How many people mailed back in –

Ms. Jett: I think around 300 because it asked to have the responses by April 4th.

Ms. Hughes: Right. And I think that when I did the quick math – and I can't find my quick math right now – we got responses from less than 20% on this issue. And of those there was still a little bit of a division. That didn't give me enough support basically to say that possibly changing property values for people should be the outcome. Community coming together, how I like to look at debates – and so how do you come together? When you have two sides that are being dualistic, sometimes by community coming together you put them in a position to go over the top of the issues and develop their community identity. You can lose community identity by one group going over the top of another. Pretty soon you don't have rural identity anymore. And I

see that in Skagit Valley right now. I'm living it right now. You have one part of a community that was able to go over the top of the other. The other community gets put down, shut down, and it does lose the community – the long-term community identity is sacrificed. And so I think there're some social issues in doing this and I think maybe I'm just out of the box throwing a solution out. If the water issue was to be the priority rather than the rezone – and let's really find out what that water issue is and maybe do an assessment to get the funding for the communities. That's kind of what we do in the dike and drainage districts. We assess our properties. We have our own taxing district to find out how to deal with the problem. There's a solution. There might be grants, independent grants. I don't know all the issues of how to deal with this water, but maybe the community could come together, call themselves South Fidalgo whatever, and they could solve some of these problems as a community. And to me that's how you build community identity, if that's the real goal of this project.

Mr. Walters: The Department in generating its recommendation here tried to thread the needle as we usually do. The uses that are proposed for removal from the zone were not uses that we found in the zone already. We were not aware that anyone really had an aircraft landing strip because no one had ever applied for the special use permit for it. But since people are using it and it apparently has not been a problem we suggested just leaving that one in there. Other uses that are proposed to be removed are ones we are not aware of currently existing in the zone. So with respect to the uses, we anticipated it really would not change on the ground what you see on South Fidalgo today. What it *would* do, which would help out the Department, is avoid the fight that would inevitably ensue when someone does propose one of the uses. Special uses, especially in residential areas, always result in fights, it seems. We encounter that a lot right now with respect to wedding venues and that kind of thing. So we see some benefit in not allowing uses in an area where they are not expected, especially on South Fidalgo where you're unlikely to get, say, a methane – whatever that use is called.

Ms. Lohman: Anaerobic digester.

Mr. Walters: Anaerobic digester. That is very unlikely to appear in South Fidalgo so it doesn't really matter maybe if it's listed in the list of uses or not, because it's unlikely to occur anyway. The definition requires it to be used for power generation and it probably has to be fed by a dairy and there's not – it's highly unlikely there to be a dairy on South Fidalgo. The more likely problem for the County is if someone tries to propose a use that is similar to that and tries to argue that it should be allowed, and then we get into a fight with the community over whether it would be allowed. Some kind of sewage treatment facility that is an anaerobic digester that doesn't quite meet the definition but is substantially similar to. That's what we see as the most likely uses to appear in the zone, are marginal uses that may not quite fit the definition but people will try to push for them because the land is available or it's a good spot to locate. There're some exceptions maybe to that analysis, like the display gardens example because that was an actual proposal in the zone some years ago. But that was our – with respect to uses, which I separate from the other issues – the water and the CaRDs; I think of CaRDs and water as tied together – but the uses are separate. Our analysis was that you really wouldn't notice a difference on the ground.

Mr. Pernula: I'd like to add something to that and that's that we also recommended that with respect to CaRDs, if you're going to have the density bonus – which would mean not adopting that part of the proposal – that that density bonus only be allowed where there's public water. So that's how we recommended to deal with the potential water issue, that if – rather than doing a study, just require a public water system rather than drilling an additional well for an additional lot.

Chair Raschko: Kathy?

Ms. Mitchell: Well, I think one of the things that keeps getting touched on – we could discuss the water around and round and round again but there's an awful lot of unknowns with it. The problem is if we change the zoning on the preface that it's mainly the water issue and the aesthetics, for the water issue alone there's too many unknowns with it. And if we automatically change the zoning under those auspices, what you're doing is cutting out the possibility for all kinds of other relief. Anacortes has a lot of water. Water could be piped. There are plenty of places that probably *could* have wells. You hear stories everyday about where the guy next to you has gushers of water and you don't. There's different pockets for different reasons. Whether that is a sole source aquifer or not is hard to tell. But when you look at the size of Fidalgo – and I am a geologist, for those people that don't know. I'm not saying I'm certified or anything like that but I do have somewhat of an understanding of this. When you look at it and think of it three-dimensionally and how those things can be done, there can be sources and pockets all over the place. And the way it stands now for the interior of the island, I would dare say is very different than the way it is on the perimeter on the cliffs on the west and the southwest. Fortunately the Del Mar neighborhoods have been able to find their own solution and bring in water. Other people have been able to do that some other places. We heard some of those folks testify. But what has not been – if we change the zoning because of those reasons, what we're doing is precluding the fact that technology changes, other ways of getting water changes, and there's pockets of differences. And you're disallowing the people and the owners that have had their trust in the system – there's people that testified that said they had 30 years or more or less in some certain place under that zoning which is why they bought it. They had the expectations. They've paid the taxes. They've done this. They've done – some people did things with CaRDs, whether you like them or not, and they had certain expectations. Yet here's the end run by changing the zoning. Albeit, that's not necessarily for bad reasons, but if you change that then you're changing a lot of time and expectations. What about the people that do have the other uses or possibly *could* put a display garden in because they really *did* have the water? That's not taking the water away from somebody else in another area. That's an unknown. But this is – the proposal has been treating such as that is a known and it's a fact. It's not. And I'll still fall back on it's not been proven that the zoning has not been proven that it's working that it is, although I do understand the disputes. There's always going to be disputes. But you're disallowing people to make their cases and the right for them to have the right to make their case for a use in a place categorically by taking it away from them if you change the zoning like this. And that I don't think is fair.

Chair Raschko: Thank you. Anybody else?

Ms. Rose: I just – I'll just throw my two cents in. During the hearing I heard people concerned that the new zoning would disallow something they had planned for, but I think they were – some of them might have been mistaken and I think some of those things were addressed. I mean, I know that some of the concerns about the CaRDs, for example, I don't think there was a conflict. I think they thought there was but there wasn't. That was the impression I got. I see both sides of the coin. I was involved many years ago with a downzone. It was a downzone in a rural area of Grays Harbor County and we passed it. We downzoned to 10 acres, you know, from five acres. And it was widely accepted and widely appreciated because there was a goal to preserve farmland and to keep it from getting too dense. So at the same time I have learned of this idea that restricting land to residential use primarily is almost elitist. So I've seen both sides of the coin. I mean, I get it. I didn't hear – I thought the majority of the people were in favor of it, of the zoning change. Or the ones that weren't, their issues were addressed. So personally I'm

not opposed to it but at the same time if everybody else is opposed to it, I mean, I understand, I guess is what I'm saying. I can see both sides of that coin. I would vote to approve the staff recommendation. I think they've vetted this thing out and tried to address the concerns that people have. That's just my thought.

Chair Raschko: We'll have Josh _____.

Josh Axthelm: One thing I do like about this is the fact that it gives local control, is it pulls it away – you have a zone that was for the county as a whole and now you're enabling these people in the local area to control what they want and to adjust as they want. And it can be adjusted as time goes on. Those rules can be changed. The zoning can be changed. But I like the opportunity that it gives local control. That's all.

Chair Raschko: Tammy?

Ms. Candler: And to a certain extent my comments have already been made, but I – South Fidalgo Island is without a doubt one of the most beautiful places in the world, and I want to acknowledge that I understand why someone would be proposing this. But I struggle with the – and to address Hollie's comment, I don't want to say that islands aren't unique or different places in the county aren't unique from one another. But I'm having trouble understanding in what way that uniqueness in that area is going to affect whether there should be, for example, a display garden. Why is a display garden inappropriate in that particular plot of land as opposed to somewhere else in the county on that particular plot of land? I'm struggling with a lot of things with this, actually. I'm struggling with if there's going to be this type of designation and we're going to say there are areas throughout the county that shouldn't have these uses, I do think it should be a broader look because these things don't happen in a vacuum. When we change zoning in one area of the county it does affect others, others who aren't part of mailings, and it's certainly going to affect the property values in that area so much, among other things. And people who live there might actually want some of these uses – an animal hospital. It could affect a lot of things, and I'm not understanding why – just saying, Oh, the island is unique. It is. That, I don't see it applying to this.

Ms. Rose: I have a – but doesn't it say that those things are allowed with a special use permit with the Hearing Examiner approval?

Ms. Lohman: They're seeking to strike those things.

Ms. Rose: Say that again.

Ms. Lohman: Refer back to your February 28th memo. Then on page 4 there's a list.

Ms. Mitchell: What page, Annie?

Ms. Rose: Dale, can you clarify whether those things are an outright denial?

Mr. Pernula: I don't have the exact document that you're talking about in front of me right now.

Mr. Walters: Yes, I believe it's the February 28th Staff Report on page 4 talks about the list of uses that would be removed by the proposal from the list of *special uses* that are currently allowed in the Rural Reserve, the countywide Rural Reserve zone. So animal clinic hospitals right now is allowed in the countywide Rural Reserve zone. Under the proposal, it would not be

allowed in the South Fidalgo Rural Residential zone, along with a number of other uses that are listed as either admin or Hearing Examiner special uses.

Ms. Rose: Thank you.

Ms. Jett: I wanted to comment on the water issue. A lot of us have talked to the City of Anacortes – some of us, I should say, have talked to the City of Anacortes and they have no intention to take water any further south on the island because it's very, very expensive to do and there aren't that many properties out there that want to be taxed with the high expense or the high charge for extending the water. And the zone as proposed in the County's Staff Report – the smaller zone – is primarily – affects the areas that – the area of the island – it's not the whole island. It's just the very south end of the island from I think it's – I guess around Campbell Lake Road south and west. But, anyway, the water is an important issue. Display gardens, for instance, they use – they're very heavy water users and they're very heavy fertilizer users. And that drains down into the ground, which gets into people's well water. So that's why – I mean, just as that example – that's why that would be considered a contaminant, you know.

Chair Raschko: Okay. I think we need to wrap this up unless there's anything new that somebody wants to bring into the discussion. My own feelings are that it's a bigger issue than just South Fidalgo. I mean, you hear comments on how it brings local control or brings community together and that type of thing. But there's an awful lot of places in Skagit County that are unique. And where I live's unique in my mind. And I'm a little bit afraid of setting a precedent where instead of having countywide zoning we're going to be a hodgepodge of subunits with winners and losers. And you can take all of the polling or whatever you want. I believe that there's an awful lot of people who go to work every day and a lot of them are even unaware of this, and there's a whole lot of people that are aware and they're the people you see in the room. So I don't think you can really say that everybody has been satisfied because there was a line re-draw or a few businesses are going to be allowed. I still think that there's a lot of people out there who have bought property with the intention of using it in some way – subdividing it and having their families live there perhaps. And I just think that local, grassroots polling isn't the way to run a county.

Ms. Candler: I have a motion.

Chair Raschko: You have a motion.

Ms. Candler: I move that the Planning Commission recommends not approving P-12.

Ms. Mitchell: Second.

Chair Raschko: It's been moved and seconded. Do we want to discuss it some more?

Ms. Del Vecchio: I would, not for the purpose of discussion but just to clarify my reasoning before we vote: I am probably going to vote against it but not because I don't see a need for some – I'm not opposed to unique zoning on South Fidalgo but I just feel like there's not a strong enough base for this level of change. And so personally I would like to see an aquifer study. We need to know what the aquifers look like before we start making property rights decisions based on water availability. And getting some stronger local support – some more unified support – I think would be helpful for this as well. So I'm not opposed to it conceptually, but I think at this point there's just not quite enough – a strong enough base for it.

Ms. Lohman: Mr. Chairman?

Chair Raschko: Yes?

Ms. Lohman: The proposal, you could argue that it's pretty complex. It has multiple issues in it. It's kind of a – multifaceted and it also has the CaRD element. So in your motion, Tammy, then were you – was the everything –

Ms. Candler: Maybe I was – maybe I misunderstood. I think that if we – I think this issue will be dispositive of the others, will it not? I don't think we'll have to address the CaRD issue if we –

Mr. Walters: That's correct. If you don't – well, yeah, you do not need to address the other issues – the uses, the boundary, the CaRDs – if you simply recommend that we not include P-12 in the proposal going forward.

Ms. Candler: So if this motion fails we will need to deal with that. Does that make sense?

Ms. Del Vecchio: I know in the past we have provided guidance in the situation where the Commissioners decide *not* to take our recommendation. Is it still – would it make sense to still provide some direction on the other – the CaRD piece of it in the event that the Commissioners move forward?

Chair Raschko: I thought the motion was to not do a zoning change and so if we start playing with the CaRD thing isn't that what we're basically –

Ms. Del Vecchio: Well, we don't have a motion yet.

Ms. Candler: I think she's suggesting –

Ms. Del Vecchio: I'm sorry, you guys. It's been a long day. I was here for that.

Ms. Candler: I think your point is still valid. I think what you're saying is if the Board of County Commissioners does not hear us on *that* motion we could still make some recommendations to deal with that.

Ms. Del Vecchio: We can make an additional motion, is what I was thinking.

Ms. Candler: Or what we've done in the past is just kind of explain why and explain that if they were to not follow our recommendation we would still recommend that they do, say, C or something.

Mr. Walters: Yes. Yes, you have all those options. You can simply say, We don't recommend this proposal. Or you can say, We recommend this proposal with these modifications. Or you can say, We don't recommend the proposal but if you, the Board, want to do the proposal we would recommend these modifications.

Chair Raschko: Why don't we go ahead and vote on your motion and then we can address those other things afterwards, if that's the pleasure of the Commission? Is there more discussion?

(silence)

Chair Raschko: Please, by show of hands, all those in favor of –

Ms. Hughes: Could you restate the motion, please?

Chair Raschko: Restate your motion, would you, please?

Ms. Candler: The motion was that the Planning Commission recommend to not approve P-12.

Chair Raschko: All those in favor, say “aye” – or show by raising hands.

Ms. Candler: Aye.

Chair Raschko: Okay, all against, please. Thank you. That’s eight to one. Okay.

Mr. Walters: The next item is PL16-0352.

Chair Raschko: Well, are we going to visit these other issues?

Mr. Walters: Oh, you can.

Ms. Candler: I guess – maybe we should ask, Is there somebody who wants there to be a but/if recommendation? But if the Department does it anyway, we should –

Ms. Del Vecchio: I move that – somebody help me out here – if the Commissioners reject our – I’m not going to get the wording right here, Ryan. Then –

Mr. Walters: But if the Board decides to create a new zone, then –

Ms. Del Vecchio: Then we recommend that they take the staff’s recommendation and implement section 4(c) of the Staff Report, which is that – do you want me to keep going? You raised your eyebrows at me.

Ms. Mitchell: Yeah, what does it say?

Ms. Candler: It’s on page 4 of the Supplemental.

Ms. Del Vecchio: “Do not allow density bonuses for CaRDs on Fidalgo Island except where the source of water is from a public water system whose source is outside the designated area or from an approved alternative water system pursuant to” code reference. Am I in the right place? Okay.

Mr. Walters: All right, at this time I think that we ought to switch to the podium computer or the staff table computer so we can see this on the screen.

Chair Raschko: And which was – under CaRDs you wanted alternative “c”?

Ms. Del Vecchio: Correct.

Chair Raschko: Is there a second?

Ms. Jett: I second it.

Chair Raschko: The motion is moved and seconded. Is there discussion?

(silence)

Chair Raschko: I would say that alternative “c” will basically preclude anybody from doing CaRDs because they’re going to have to carry the full cost of extending the water to wherever that happens to be, which isn’t fair once they’ve extended it and then a neighbor – I don’t know; maybe cover some of the cost from the neighbor, but I think we need a more comprehensive plan to address the water issues on Fidalgo Island than just taking away somebody’s developments right unless they pay for it themselves.

Ms. Del Vecchio: Which is why we are not recommending – this is the but/if. Just keep that in mind.

Chair Raschko: Another comment on the motion, too, and that is that it seems to me that saying, Okay, but if you don’t like it then we’re going to recommend this sort of dilutes the impact of our first motion.

Several Commissioners: I agree.

Ms. Candler: Although we have done it in the past on some important issues like this, but in this particular case I’m inclined to agree.

Ms. Lohman: Maybe the – excuse me, Mr. Chair.

Chair Raschko: Go ahead.

Ms. Lohman: I’m wondering if rather than saying “but/if” – because I agree that we made a decision and now we’re saying, Yeah, but maybe since we might possibly have second thoughts . . . It makes our decision kind of waffley. Maybe what we ought to do is list the reasonings of why we said what we said.

Ms. Mitchell: I agree because the reasoning in the past, if the Board of County Commissioners felt really strong about something they do what they want to do with the reasons that they have anyway. Good example – what happened with Bayview Ridge. They went ahead and did what they were going to do anyway and that takes it to a different level where it doesn’t even come back to our consideration anyway. So if we put in our thoughts and our recommendations on the whys and the whatfores (sic), they’ll understand that and have that reasoning to go with, and then they’ll march forward and do whatever they choose anyway.

Ms. Lohman: But this would be specific reasoning to this particular issue and it would be a little more dialed in, rather than our general recommendations and our findings of fact and all of that in our formal decision.

Ms. Mitchell: Call for the vote or more discussion? Call for the vote.

Chair Raschko: Call for the vote?

Ms. Lohman: What are we voting on?

Ms. Candler: She'll have to restate her motion.

Chair Raschko: Can you restate your motion, please?

Ms. Del Vecchio: I can do it. I got it on the screen for us. So recommend "not include P-12 regarding the new South Fidalgo Rural Residential zone, but if the Board decides to create a new zone that implements that recommendation for 'c' in the April 25 Supplement Staff Report for CaRD density bonuses on public water systems." Do you want me to read 4c again?

Ms. Lohman: No.

Chair Raschko: No, that's unnecessary, I think. Please, all those in favor, signify by raising your hand.

Ms. Jett: I have a question. I'm sorry. If I support this but I didn't support rejecting P-12 –

Ms. Candler: You're deciding if you want "a" included or not.

Ms. Jett: Yeah. I don't understand –

Mr. Walters: Yeah, it's helpful to think of it just as, Do you want to add that that sentence to the recorded motion? The highlighted sentence on the screen.

Chair Raschko: Once again, all in favor, please raise your hands. We have one, two. All opposed?

Several Commissioners: Nay.

Chair Raschko: Nay. That's one, two – one, two, three, four, five – seven. Six.

Mr. Walters: I was just looking for if it was more than two, and I hit "delete."

Ms. Candler: So moving on or –

Chair Raschko: Yes?

Ms. Candler: Do we want our recommendations now or do we want to move forward and then go back and decide our reasoning?

Chair Raschko: Well, that motion failed but it doesn't preclude a – I still like the idea of no follow-up motion just to reinforce our initial statement.

Ms. Mitchell: I do, too.

Ms. Jett: Isn't that what you put in the findings at the very end of the session when you send it on to the Board of County Commissioners? I mean, something like this. Isn't that – whether ____ in the past?

Chair Raschko: Put what in?

Ms. Del Vecchio: Can you use your microphone?

Ms. Jett: The formal written motion that goes to the Board of County Commissioners – isn't that where something like this comment has gone in the past?

Mr. Walters: It could. It depends on what you want to call it. If you are calling it a finding of fact, it ought to actually be a fact and not an opinion. If you are calling it a reason for action, it ought to support the recommendation that you made. So I think if it's an alternative recommendation it properly would have gone under recommendations. But you could construct something similar under findings or reasons.

Chair Raschko: Let's wait and move on through all of these and come back to that.

Mr. Walters: Yes, we like you to do the findings at the end when you're tired and you don't want to _____.

(laughter)

Chair Raschko: Okay.

Ms. Candler: Port of Skagit, PL –

Chair Raschko: PL16-0352, Redesignate two Port-owned properties from Aviation Related to Bayview Ridge Light Industrial. And the staff has recommended to do so.

Ms. Candler: I move to –

Mr. Walters: These properties are on the screen there.

Ms. Candler: Okay, I have a motion.

Chair Raschko: We have a motion.

Ms. Candler: I move to approve PL16-0352.

Ms. Mitchell: Second.

Chair Raschko: It's been moved and seconded to approve PL16-0352. Is there a discussion?

(silence)

Chair Raschko: If not, all those in favor, please raise your hand. (All Commissioners raise their hands.) Opposed? Okay. Thank you.

C-2. A US bike route 10, Coast to Cascades Trail Corridor Study Revision. As I recall, this is the County right-of-way and it was proposed that it be made into a bike trail without a road. And staff –

Mr. Walters: That's not quite accurate.

Chair Raschko: Not accurate? Okay.

Mr. Walters: The proposal is to exclude consideration of this particular piece of right-of-way from any future bike trail that would link those areas. So the text that you see on the screen is the text that's in the plan and the proposed additional, underlying text would exclude from consideration this area.

Chair Raschko: Does anybody have any opinion?

Ms. Del Vecchio: I don't see the basis for removing it from consideration, which seems a bit premature.

Ms. Mitchell: I would _____. I do see a reason for it because the reason for the farmers and the agricultural world – they are under high, stringent regulations, food safety issues. The list goes on and on and on for those problems. It's not a right-of-way. I mean, it is a right-of-way but it's not open now and so the thinking of why even keep it in consideration if it's not open looks like it's a place card holder giving people hope that it could be. And if things change in 10 or 15 years or 20 years that's one thing, but the way it is right now it's not being used, it's not being proposed, they don't have a road through and so let the farmers and the people who have to deal with those areas have peace and not have to worry about it. They already have enough on their plates and the language is pretty simple for keeping it as is and keep it protected.

Ms. Rose: Tim? So I was in Hollie's camp until I heard the explanation of why we shouldn't have a bike trail running through there, and that had to do with the fact – it gave me another point of view. The farmers utilize that area and certain times of year they have to – if they're not organic farming, they're spraying things. And if you have a bike trail running through there you risk exposing people on bikes to whatever might be put on the fields or even the dust when they're plowing the fields and stuff. And so that changed my perspective on it and I became more of a fan of creating the bike trails along the sides of the roads more than through the undeveloped areas. And so just to – you know, I'm a biker. I love the idea of bike trails everywhere but when I really processed the information about the spraying and the dust from the farm equipment it sunk in why it wasn't a good idea. So I'm going to suggest that we support the recommendation to not include that unless a road is put in, and then to do it with a wider road.

Mr. Walters: So just for your information, on the screen now is the map of the right-of-way or, I guess, parcel that the County owns that WSDOT acquired back in the '50s that is at issue. The Department's perspective is that it's highly unlikely that anyone will ever build anything on that parcel, but once WSDOT acquires it they found it very difficult to – after they decided not to build a road there – because at some point this was considered for Highway 20 – after they decided not to build a road there they had it all as one parcel and weren't able to just give it back to the adjoining property owners. They were able to give it to the County so they washed their hands of it, but the County under the deed by which we acquired it is required to use it only for roadway purposes or obtain the permission of the Department of Transportation. So we have had some discussions about how could we get rid of this parcel and not have it at all so there wouldn't be any threat of bisecting those fields. But it's a very complicated question of how that could be accomplished.

Ms. Lohman: Mr. Chairman?

Chair Raschko: Yes?

Ms. Lohman: I would – I’m wondering why the County wouldn’t just try to take that on, and maybe there just needs to be some dialogue back. Because there’s an awful lot of unused quote/unquote “obsolete” right-of-ways all over the county if you start looking. And I think that this county has a precedent and a long-standing decision that they made that agriculture is important. This is in the ag zone and arguably where we’re going to put a modern road we take all those kind of things into consideration. When this was acquired back in the day those kind of things weren’t taken into consideration. Some would argue that some of the placement of – like I-5, maybe it wouldn’t go exactly where it did if you were to use the siting criteria that we would use now and the prioritization that we give to NRLs. So I would urge the County and maybe we can put it in our recommendations, if the Planning Commission agrees, that we encourage the County Commissioners to recommend pursuing selling this property to the adjoining landowners – farmer landowners – that are already there. And I support the recommendation as it’s written in the packet.

Mr. Walters: And we would recommend if you want to head in that direction that that end up in your reasons for action section because it’s not really about the proposal. But the proposal text or something like that should be the content of your recommendation about the proposal itself.

Ms. Del Vecchio: Can I –

Chair Raschko: Yes, Hollie.

Ms. Del Vecchio: – just add? So I don’t know. I’m not saying that this is the appropriate place or an appropriate place for a bike route, but I think that we are – by excluding it from even being part of a study – we are jumping to the conclusion that – well, number one, that the concerns would not be considered as part of that study and that there’s no way of addressing any of those concerns. We are really jumping to conclusions that may very well – all the concerns that have just been stated, they all may very well be concerns that are identified as part of the study. And if they can’t be resolved then most likely they would conclude that’s not the best route for that – the best place for that route. But I just, in general, I’d object to removing something from even being considered because we’re not exploring the opportunities; we’re not looking at, How can these issues be resolved? We’re just jumping to the conclusion that, well, this is just not going to happen. We can’t overcome those challenges. So that’s –

Ms. Lohman: Mr. Chairman?

Ms. Del Vecchio: Yeah, that’s it. Thanks.

Ms. Lohman: I guess I don’t feel that level because the County vacates roads and easements all the time and they don’t go for a study to determine whether they should do it or not.

Ms. Del Vecchio: I was not commenting on whether or not the County should look into selling the – I mean, to me that’s a different question. But if it is a right-of-way and the County is not able to sell it and it still – it remains as right-of-way, then it seems like that should not just be entirely excluded from consideration in a long range transportation plan. This isn’t – we’re not looking at doing something next year. This is a long range plan. So that’s a pretty – we’re looking pretty far into the future to say that well, we’re not even going to consider this. ____, of course, make other decisions about the property in the meantime.

Chair Raschko: Would you like to make a motion or –

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: All right.

Ms. Mitchell: Well, first of all – I move that the unused County right-of-way through the agricultural land between Burlington and Bayview Ridge should not be considered as a potential future bike route for US Route 10 on its – and leave it at that.

Chair Raschko: Is there a second?

Ms. Lohman: Second.

Chair Raschko: Okay. Discussion?

Ms. Rose: Did your motion eliminate the but-if-there's-a-road-that's-pushed-in-through-there-it-could-be-considered-then?

Ms. Mitchell: Yes, and I'll – if you'd like to know the reason I'll tell you why. My reasoning on that was at that point in time if they were to change it wouldn't matter what we said now anyway. Everything would be – whenever that time was, if they were to decide to change something different parameters would change, the what-ifs would change. It wouldn't matter if we said that or not.

Ms. Lohman: But the County – sorry.

Chair Raschko: No, go ahead.

Ms. Lohman: Sorry. I butted in. But the County acknowledges that it's highly unlikely. And when something is highly unlikely – and I was under the impression that when the state acquired it that there was the potential that they would sell it back to the underlying landowner when they abandon it. And, you know, how long do you wait – with uncertainty, too?

Ms. Candler: And I don't know –

Chair Raschko: Go ahead.

Ms. Candler: I don't know if anyone addressed this already. Martha talked about the risks with pesticides to the bicyclists, but I think one of the commenters mentioned that there's a real problem with certain crops that have to be monitored, highly monitored. So I just wanted to give an acknowledgement to that concern as well.

Ms. Hughes: Along that line I'd like to draw attention to the right to manage natural resource lands that we already have in policy – that basically if you decide to move and live in this agriculture resource area you have to sign a statement saying that you acknowledge that you are moving into an area where there is spraying, buggies working, big tractors working, dust flying. And neighbors have to have this signed. Well, we're – if we don't do this we're proposing that a bike path can go through that area, and that's not manageable. People who are going from the east coast to the west coast, all of a sudden you're in the middle of a lime buggy being – the dust being spread. They're not aware that this is coming up. That's why that is – it's not an appropriate spot for bicycles.

Ms. Del Vecchio: Okay, now I have more. There're signs during spray when – if something's being sprayed you could have signs letting people know. And again, I'm not saying this is the best project or the best placement for it. I haven't done the study. It hasn't been done. So but that's – you know, I don't think that the right to manage natural resource lands includes a consent that we're not going to ride our bicycles if we move into the area. There are things that can be done to make sure people are aware of the issues, and maybe there're certain times of the year that, Okay, you really shouldn't be riding through here, folks. That's different than just saying no. No bicycling ever is not appropriate for the next 20 years. There are other solutions. I think we're not exploring other solutions by just saying, No, we're not going to look at it.

Mr. Walters: I did have one conversation with the proponent of this amendment. I emphasized that I hoped the Planning Commission dispensed with this one very quickly because no one is proposing to actually use this corridor as part of a bike path anyway. It's not written in the description of the project that's in the Transportation Technical Appendix. This is more just out of an abundance of caution. We want to preclude the possibility of the future use so we don't have to argue about it later – sort of akin to the South Fidalgo use issue. So I wouldn't spend a lot of time on it because I don't think this is going to happen anyway. Just make your recommendation.

Ms. Mitchell: I'd like to call the motion.

Chair Raschko: All right. We have a motion, and can we read it again very quickly?

Ms. Mitchell: Yeah. "Unused County right-of-way through agricultural land between Burlington and Bayview Ridge should not be considered as a potential future route for US Bike Route 10."

Chair Raschko: All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Raise your hand. Opposed?

Ms. Candler: I forgot to raise my hand.

Ms. Rose: I was an aye.

Chair Raschko: Okay, so we have one nay?

Mr. Walters: And so the way we construct the recorded motion is you're recommending the proposal. This is already part of the proposal. So you don't see anything on the recorded motion as a result. I know you guys have struggled with this concept but the idea is the motion is just changes to the proposal. Does that make sense?

Ms. Candler: So we don't get to say we don't recommend changing the proposal. We just – silent.

Mr. Walters: Right, because you're recommending exactly what the proposal already is.

(sounds of assent)

Mr. Walters: Okay.

Chair Raschko: C-3, something like Garage Setbacks in Bayview Ridge Residential.

Ms. Candler: I move that the Planning Commission recommend approval of C-3.

Ms. Mitchell: Second.

Chair Raschko: The motion has been made and seconded. Is there any discussion?

(silence)

Chair Raschko: If not, all those in –

Female Commissioner: There's one.

Chair Raschko: Okay.

Ms. Lohman: Ryan, why?

Mr. Walters: This proposal would affect only *new* garages.

Ms. Lohman: I know, but why?

Mr. Walters: There are existing garages and if you wanted to expand that garage it would be considered nonconforming. If it wasn't consistent with the setback, we wouldn't allow you to expand it. So by changing it to *new* garages we don't make your existing garage subject to the setback, but new garages would be subject to the setback.

Ms. Candler: So can I ask to paraphrase that? This protects current garages from – people from feeling like they have to –

Mr. Walters: Oh, no. No one would ever have to move their garage.

Ms. Candler: But that's what this is – this clarifies that, right?

Mr. Walters: No. No, the question is if they wanted to expand an existing garage or rebuild an existing garage, the existing garage would be not considered nonconforming as a result.

Ms. Candler: So sort of like grandfathering in existing garages.

Mr. Walters: It's enhanced grandfathering. Because an existing garage is grandfathered anyway. You leave it alone you can continue to have it where it is. But if you wanted to expand it, we would not allow you to expand it under current code because it needs to meet the setback.

Ms. Lohman: But as long as it meets the setback and all that, why do you care if the garage is a little forward of the house or not?

Mr. Pernula: That's why this is being proposed, yes.

Mr. Walters: The reason for the setback at all?

Ms. Lohman: Yeah.

Mr. Walters: It's to avoid a style of house called snout-nosed houses where the garage is right in front. It's generally considered undesirable. It's an existing standard in the code from, I guess, when we did – three versions back of the Bayview Ridge Subarea Plan.

Ms. Lohman: I never heard that expression.

Mr. Walters: Yeah. It's a thing.

Ms. Lohman: Well, I didn't know why you had it in there and so I was, like, What? Okay.

Mr. Walters: It hasn't been a big problem but it's been a little problem and we seek to solve the little problems as well as the big problems.

Chair Raschko: How is it a problem? Because of the garage being out in the front, I mean, it might be ugly but . . .

Mr. Walters: Oh, the question of whether or not it should be out front at all?

Chair Raschko: No, the question of whether – why it has to be five feet deeper than the house.

Mr. Walters: To avoid the prominence of the garage on the ____.

Chair Raschko: So it's an aesthetic thing.

Mr. Walters: Yes.

Ms. Del Vecchio: Which also affects the behavior of folks in the neighborhood. And they're actually – I was not being entirely facetious when I said there's been books written about this. So it's part of creating a more person-friendly, pedestrian-oriented, just people-scale neighborhood where it's not entirely dominated by the car. And so if you're in an area where – you know, some neighborhoods not a concern, but in some it is. And so it does – it does affect the overall feel of the neighborhood and it does affect whether or not people actually use their neighborhood and how they use it and whether they know their neighbors and all sorts of things. So it's not – you know, if we're not asking people to go back and reconfigure their existing houses it's generally not a big deal to be putting the – setting the garage back a little bit.

Mr. Walters: Yeah, this Bayview Ridge Residential is an urban density residential neighborhood because it's in the Bayview Ridge UGA, and there're a lot of urban standards like this including some that would require garages to be oriented toward an alleyway so as to make sure that the frontage of a house that faces the street is all pedestrian scale, sometimes requiring front porches – that kind of thing – so that it's useful space.

Chair Raschko: Yes?

Ms. Candler: The summary is just that it – it says that this is to clarify that the provision applies to new garages only. Is that accurate?

Mr. Pernula: That's it.

Ms. Candler: Okay.

Chair Raschko: All right. All those in favor, please raise your hand. (All Commissioners raise their hands.) Opposed. Excellent.

Okay, C-4, Major Utility Development in Bayview Ridge Residential. How do we start the discussion on this?

Ms. Lohman: I move that we add major utility development as a Hearing Examiner special use in Bayview Ridge Residential, C-4.

Ms. Mitchell: Second.

Chair Raschko: It's been moved and seconded. Discussion?

(silence)

Chair Raschko: Hearing none, all those in favor, say "aye" – or raise your hand.

Female Commissioner: Aye.

(All Commissioners raise their hands.)

Chair Raschko: Okay. Opposed? None?

C-5 is Temporary Events in Bayview Ridge Aviation and Industrial zones.

Ms. Mitchell: I'd like to make a motion. I move that we recommend C-5 as stated for approval.

Ms. Candler: I'll second.

Chair Raschko: It's been moved and seconded. Discussion?

(silence)

Chair Raschko: All those in favor, please raise your hand.

(All Commissioners raise their hands.)

Chair Raschko: Okay. Opposed? None?

C-6, Prohibit Creation of Multiple Lots in Small Scale Business.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Please do.

Ms. Mitchell: I recommend that we approve C-6 as stated.

Ms. Candler: I'll second.

Chair Raschko: It's moved and seconded. Discussion, please.

(silence)

Chair Raschko: Being none, all those in favor, please raise your hands.

(All Commissioners except Ms. Lohman raise their hands.)

Chair Raschko: Okay. Opposed, none?

Ms. Candler: Did you get to vote?

Ms. Lohman: I voted "yes." I voted "yes"; I was slow. Sorry.

Chair Raschko: C-7, Rural Freeway Service and Rural Center Development Size Limits.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Please do.

Ms. Mitchell: I'd like for us to approve C-7 as recommended.

Ms. Candler: I'll second.

Chair Raschko: It's moved and seconded. Is there discussion?

(silence)

Chair Raschko: Being none, all in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? None?

C-8, Mobile Home Parks.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Okay.

Ms. Mitchell: I recommend that we approve C-8 as stated.

Ms. Candler: Second.

Chair Raschko: It's moved and seconded. Discussion?

(silence)

Chair Raschko: All in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay.

C-9, Similk Beach Septic.

Ms. Mitchell: I'd like to make a motion. I move that we accept C-9 as stated.

Ms. Candler: I'll second.

Chair Raschko: It's moved and seconded. Any discussion?

(silence)

Chair Raschko: None. All in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Good. Opposed? None? Okay.

C-9, Similk – no, we just did that. C-10, Affidavit for Accessory Dwelling Unit.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Please do.

Ms. Mitchell: I approve – I recommend that we approve C-10 as stated.

Ms. Candler: Second.

Chair Raschko: Discussion? Yes?

Ms. Lohman: Question for staff. Ryan, on this is every property eligible for an ADU?

Mr. Walters: If it's listed in the zone.

Ms. Lohman: Because I was – and they're permanent.

Mr. Walters: They're not temporary.

Ms. Lohman: Right. And they're permanent?

Mr. Walters: Yes. Like, you wouldn't have to remove it.

Ms. Lohman: Right.

Mr. Walters: Okay.

Mr. Axthelm: And then the zones that don't allow ADU you could still do a temporary. Is that correct?

Mr. Walters: There's a temporary manufactured home use for a disabled or sick relative. That's a use allowed in many zones. I'm sure not every zone. I think it's –

Mr. Pernula: That's separate from this?

Mr. Walters: Yeah. It's most likely you'd find an accessory dwelling unit allowed in a zone.

Chair Raschko: Okay, is there further discussion?

Ms. Hughes: I have a quick question, Ryan. What happens to this at time of resale?

Mr. Walters: Nothing. An accessory dwelling unit is constructed. It is allowed on the property. The code requires the owner of the primary residence that is constructing the accessory dwelling unit to record a title notice. A title notice provides notice to future property purchasers that they're not allowed to sell off the ADU separately. And one of those units, either the primary or the accessory unit, has to have the property owner reside in it.

Ms. Hughes: Okay, so it goes to the next owner as well then.

Mr. Walters: What?

Mr. Pernula: It goes with the land.

Ms. Lohman: It stays as a package.

Mr. Pernula: The requirement, yes.

Mr. Walters: The requirement? Yeah. The requirement is a requirement of the code. The notice is recorded in the chain of title so that you know about it.

Ms. Hughes: Okay.

Mr. Walters: But the requirement would be effective regardless or whether or not there's a notice recorded in the title chain.

Ms. Lohman: So – Mr. Chair? So you're just – effectively just striking the requirement that you have this affidavit?

Mr. Walters: Yes. Previously you had to submit an affidavit with the application, then you had to sign a title notice later. And so that's just two things that basically accomplish the same purpose, so we're having them do the title notice, which gets recorded in the chain of title. It's more effective because it's in the chain of title. It's a notice to future property owners. The affidavit we were taking in and apparently throwing away at the end, so we're just – we like to eliminate steps that don't serve a purpose.

Ms. Lohman: So you're not inadvertently creating a microlot?

Mr. Walters: No.

Ms. Lohman: Okay. I just – because when you first read it, that makes you think that's what's happening.

Mr. Walters: Well, the ADU code itself might provide you that impression _____.

Ms. Lohman: Right, in the summary it gives you that impression. When you look at the detail, then it's okay. It *doesn't* appear that's what you're doing.

Mr. Walters: Oh, you mean in the staff report?

Ms. Lohman: Yes. I'm sorry.

Mr. Walters: Oh, right. Yeah. The staff report says that we're simply deleting the requirement that the property owner sign an affidavit. We're not removing the rule itself.

Ms. Lohman: Okay.

Chair Raschko: Anything else?

Ms. Mitchell: Call the motion?

Chair Raschko: All those in favor, please raise your hand.

(All Commissioners raise their hands.)

Chair Raschko: Opposed, none?

Okay, C-11 is formatting errors in the Variance chapter.

Ms. Candler: I have a motion.

Chair Raschko: Please.

Ms. Candler: I move that the Planning Commission recommends approval of proposal C-11.

Ms. Mitchell: Second.

Chair Raschko: It's moved and seconded. Discussion?

(silence)

Chair Raschko: All in favor, raise your hands, please.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay.

C-12, Repair, Replacement, and Maintenance of Water Lines.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Okay.

Ms. Mitchell: I move that we accept C-12 – approve C-12 as stated.

Ms. Lohman: Second.

Chair Raschko: Discussion?

(silence)

Chair Raschko: All in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed, none?

Mr. Axthelm: Mr. Chair?

Ms. Lohman: Mr. Chair?

Mr. Axthelm: We don't have to vote on these if you just get a unanimous – everybody agrees with it.

Mr. Walters: If there's no objection

Mr. Axthelm: Is there any objection?

Chair Raschko: That's fine.

Ms. Lohman: Mr. Chairman? Number 11, C-11?

Chair Raschko: Yes?

Ms. Lohman: Is – it looks like there's additional language. Is that additional language, if you look on page 20, number (e)? _____ language?

Mr. Walters: That's inserted if it's underlined.

Ms. Lohman: It's blue and it's inserted language, so it's not just fixing a formatting error. There was formatting but . . .

Mr. Walters: The current code reads in a line where all – (d) and (e) and (f) are all run together. Give me just a second here. Oh, yes. Yeah, so the underlying text was struck during some version of the 2016 Update adoption which resulted in the problem where we have the lines all run together in the current adopted code. 14.16.810(8) specifically says that the Administrative Official may reduce setbacks within natural resource lands when one or more of the following situations exists, but it wasn't listed here.

Ms. Lohman: So it was an accidental strike prior.

Mr. Walters: Yes.

Ms. Lohman: Okay. I just wanted to make sure it wasn't brand, brand new.

Mr. Walters: No.

Ms. Mitchell: So you're okay with how we did it then?

Chair Raschko: Okay. Anybody have any feelings about C-12, Repair, Replacement, and Maintenance of Water Lines?

Ms. Mitchell: We did that.

Chair Raschko: We did that?

Female Commissioner: Did we?

Chair Raschko: We did, and then we went back. Okay.

Ms. Candler: This one's been stricken.

Chair Raschko: C-13 has been stricken. Is there a C-14?

Mr. Walters: There is.

Ms. Candler: It's out of order. It comes after 15.

Chair Raschko: It's back of 15.

Ms. Candler: It's out of order right here.

Chair Raschko: Somebody stapled it wrong.

Ms. Mitchell: I would like to make a motion. I move that we accept C-14 as stated – approve C-14 as stated. It's literally after the C-15.

Chair Raschko: Is there a second?

Ms. Rose: Second.

Chair Raschko: Okay, thank you. Any discussion?

(silence)

Chair Raschko: If not, all those in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? None. Okay.

So C-15 to C-18 is amending OSRSI Policy and Code Updating, OSRSI __ Designations.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Yes.

Ms. Mitchell: And if it's okay with everybody, just to split it into two because that way we know exactly what we're talking about. So I'd like to recommend that we approve the first recommendation for C-15 to C-18 as stated, And if you'd like me to read it, I'll read it. It says, "The Department recommends removing a golf course and recreational racetrack from the list of Hearing Examiner special uses and adding cultivation and harvest of forest products to the list of permitted uses in SCC 14.16.500 OSRSI as shown in the proposal document."

Chair Raschko: That's your –

Ms. Mitchell: That's the recommended motion for – I'm splitting the two so we know –

Chair Raschko: Okay, there'll be two motions?

Ms. Mitchell: Yeah.

Chair Raschko: Okay. Is there a second?

Mr. Walters: So that was, essentially, make the code changes?

Ms. Mitchell: To make the changes, yes.

Mr. Walters: The *code* changes?

Ms. Mitchell: Yes.

Mr. Walters: Right? Okay.

Ms. Lohman: The ones, Kathy, then in the big packet, in the actual docket, then is that what you're talking about, on page 27?

Ms. Mitchell: I was looking at page 13 – unless you want to take each of them separate, by separate. And this was on page 13. This is from the old one, from February 28th, but it was a little more comprehensive.

Mr. Walters: From the memo or from the proposal?

Ms. Mitchell: It was a memo from February 28th.

Mr. Walters: But looking at the proposal itself, what you're suggesting is page 26, 27?

Ms. Mitchell: Okay.

Mr. Walters: The code? Yeah.

Chair Raschko: I'm sorry, but has somebody seconded this?

Ms. Mitchell: No.

Ms. Jett: I'll second.

Chair Raschko: Okay, we have a second. Is there a discussion?

(silence)

Chair Raschko: All in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Okay. Opposed? None. You have a second motion?

Ms. Mitchell: Yeah, unless somebody else does. The second one would be recommend the Department revise the list of OSRSI designations in the Comprehensive Plan and development regulations to make them consistent with each other and reflect the additions and deletions proposed through this docket. And I don't know what page that corresponds to the code.

Ms. Candler: I'll second.

Chair Raschko: It's been moved and seconded.

Mr. Walters: It's probably just page 26.

Chair Raschko: Have we discussion?

(silence)

Ms. Candler: Annie's indicating it's page 29.

Ms. Mitchell: I can't hear.

Ms. Candler: Annie's indicating it's page 29.

Ms. Mitchell: Annie says it's page 29.

Ms. Lohman: It *starts* on page 29.

Chair Raschko: Is there discussion?

Ms. Hughes: Could you review where we're at again? I missed that.

Ms. Lohman: We're on page 13 of the staff summary and starting on page 29 in the docket.

Ms. Hughes: Are we on C-14 or C-15?

Ms. Lohman: 15.

Ms. Candler: 15 through 18.

Ms. Mitchell: 15 through 18. It's lumped together.

Ms. Hughes: Oh, 15 through 18 together. Okay, yeah. Okay, thank you.

Chair Raschko: Are we ready for the question? All those in favor, please raise your hand.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay.

So I believe we're on C-19, Island International Artists Rural Business Correction.

Ms. Candler: I'll move to recommend that the Planning – or I'll move that the Planning Department – Planning Commission recommend approval of the proposal C-19.

Ms. Lohman: Second.

Chair Raschko: It's moved and seconded. Is there any discussion on this?

Ms. Mitchell: I do have a question. Reading through all the stuff, it looked like there was a dispute – one party saying one thing, one party saying another. So the gist, if I'm understanding this right, it's a zoning change. It makes no difference about the water issues or anything else. Is that correct?

Mr. Pernula: That's correct.

Mr. Walters: That's what I understand.

Ms. Mitchell: So that's not part of our consideration, correct?

Mr. Walters: We didn't think it was relevant.

Mr. Pernula: It was just mapped improperly when it was originally rezoned.

Ms. Candler: That's my understanding as well.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: All those in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay.

C-20 is the Weide Mineral Resource Overlay Correction.

Ms. Mitchell: I have a recommendation.

Chair Raschko: Go ahead.

Ms. Mitchell: I recommend that we approve C-20 as stated.

Chair Raschko: Okay, you're not making a motion. You're just recommending.

Ms. Mitchell: No, I made a motion for it.

Chair Raschko: Oh, it's a motion.

Ms. Mitchell: I'm sorry. Yeah.

Chair Raschko: Is there a second?

Ms. Del Vecchio: Second.

Chair Raschko: Yeah, it's moved and seconded. Discussion?

(silence)

Chair Raschko: All in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay.

Ms. Mitchell: Is that 9-0 again?

Chair Raschko: Yeah.

And C-21, the Jensen Rural Reserve Correction.

Ms. Mitchell: I'd like to make a motion.

Chair Raschko: Go ahead.

Ms. Mitchell: I move that we approve C-21 as stated.

Female Commissioner: I'll second.

Chair Raschko: It's been seconded. Discussion?

(silence)

Chair Raschko: All those in favor, please raise your hands.

(All Commissioners raise their hands.)

Chair Raschko: Opposed? Okay. I'm at the end of my paperwork.

Mr. Walters: That's the last one.

Chair Raschko: It's the last one.

Mr. Walters: All right, so your recorded motion right now is quite short. That's how we like it. And it's time for you to generate any findings of fact or reasons for action that you would like to go along with it. You can generate findings of fact for things that you think are facts that support your conclusions. And then reasons of action either for your suggestion – or for your recommendation to approve the proposal or for your recommendation to make modifications to the proposal. This is your chance to put in writing what it is you want to communicate to the Board and all agree on it, as well. And if you give me concepts, I will transcribe them into English words and sentences.

Ms. Mitchell: I do have something to start with. Give me – I'll get brains rolling. We're getting really tired. For a finding regarding the P-12, I think we find that the true water situation on South Fidalgo is unknown for the whole island and that that unknown – and what's a good word? – and ___ good planning. And that's as far as I want to take the thought. Just a moment, please. Somebody else want to take over, go ahead.

Ms. Lohman: You can come back to it too.

Chair Raschko: Amy, did you have something? No?

Ms. Lohman: I was going to say that we have until we adjourn to tweak what's on there.

Chair Raschko: Okay.

Ms. Candler: I certainly want to add things. I don't want it to look like the water situation is the only reason for our action.

Ms. Mitchell: Right. I think one of the reasons for a lot of the comments that I made was along the lines that the – I didn't see adequate demonstration that the current zone was not working, barring hearing staff later saying that they have contentious problems with that. But I did not see reasons stating on why the current zoning's not working. And if anybody wants to help massage that language . . .

Ms. Lohman: Can I have a question to start?

Chair Raschko: Go ahead.

Ms. Lohman: Dale and Ryan, do you – do you have problems in other Rural Reserve or any other place where somebody applies for a permit to do something as well?

Mr. Pernula: Yes, on occasion. Right now we have a gravel operation that's being proposed that a lot of people have some concerns about and elsewhere in the county. And there are other uses that on occasion people are opposed to.

Ms. Lohman: I know, like marijuana ignited quite a few folks, and then a while, while back there was a kennel situation – Carol might remember – that ignited a lot of people. So I would like to say that permitting issues is not necessarily unique to one locale or another, that it's generally widespread.

Ms. Mitchell: Yep.

Ms. Candler: I would agree with that.

Mr. Walters: We have problems right now with temporary events, wedding venues, and wireless towers.

Ms. Mitchell: Right.

Ms. Lohman: So can we put that as a finding?

Mr. Walters: What's the finding?

Ms. Lohman: On South Fidalgo that –

Ms. Mitchell: They're not unique to having permitting issues? Is that what you mean?

Ms. Candler: Permit opposition.

Ms. Mitchell: Opposition?

Ms. Lohman: I don't know the _____.

Ms. Candler: A different finding, I think.

Ms. Lohman: Yeah, it would be a different finding but . . .

Mr. Pernula: Your point is that it's not unique –

Several Commissioners: Right.

Mr. Pernula: – in that respect.

Ms. Mitchell: Yes.

Ms. Lohman: Ryan, that's _____. We're helping you type.

Ms. Mitchell: I've got another one.

Chair Raschko: Go ahead.

Ms. Mitchell: One of the things that – or two of the things that came out was for – people have the expectation when they purchase land and use land, especially for those – well, it doesn't matter if it's six months or 30 years. They have certain expectations for when they buy that land. It's known for what the taxes and uses will be. And there was an awful lot of people that were saying, We have purchased this land and use this land with those expectations. And correct me if I'm wrong but for the people that know the GMA stuff, doesn't GMA say to make sure that there's certainty?

Ms. Candler: I don't know about "make sure" but I think that's a –

Mr. Walters: I don't think it particularly talks about *certainty*. It talks about property rights.

Ms. Mitchell: Yeah.

Chair Raschko: What did you say?

Mr. Walters: I don't think it talks about certainty but it definitely talks about property rights.

Ms. Mitchell: If anybody wants to help massage the idea, I think you know where I'm going to.

Ms. Candler: Property purchased with expectations for the land uses in the zone – and I think we can tie in with what Amy was saying. It will affect – it will have ripple effects on taxation –

Ms. Mitchell: Property rights, business uses, personal uses.

Ms. Lohman: You know, someone with a lot more gray hair than me once told me, before I had gray hair, that zoning is arbitrary. And I've often thought about that statement because it's all dependent upon the will of the people that want to impose it or not. So when you say that people have an expectation you almost – I'm wondering if there is a timeframe, because it could change.

Ms. Mitchell: It could change.

Mr. Walters It *will* change.

Ms. Candler: It *does* change and I think people –

Mr. Walters: We know everything changes a little bit at least.

Ms. Candler: But when that happens, I think people get upset and feel that it's not fair or – sometimes that does happen and it's not a desirable thing.

Ms. Lohman: But I guess I'm struggling with this. I mean, if the majority wants to leave it, but I'm struggling with the statement as it's written because it's not permanent.

Ms. Candler: I have an idea. What if we indicated that we're sensitive to the concept that property purchasers have expectations? Because we're not saying therefore, nothing can ever change. We're just saying that that is a consideration.

Ms. Mitchell: That's fine with me.

Ms. Lohman: That's better for me. Thank you.

Ms. Mitchell: That's fine with me.

Mr. Pernula: I think you're hinting around at something I heard several people say earlier, and that's that you didn't believe that there was enough clear community support or a consensus.

(sounds of assent)

Ms. Mitchell: Yeah. And one of the – if you go back into the subarea plan and read what was done back then when it was a different scenario, 66.4% of the people said that they wanted the zoning to stay as it was. Different argument, different _____. You know, things can make a difference on when you take that snapshot. But the gist is there's a record of – I don't know how

much time it's gone back, but a lot of years of difference of opinion and conflict, and that's not going to be something that's easy to resolve.

Ms. Candler: I have a –

Chair Raschko: Go ahead.

Ms. Candler: I have a concern about this phrasing because there was clear community support for this proposal. It just was apparently a sampling of somewhere around 20% or less. So just tweaking the language a little bit.

Mr. Pernula: Not a consensus?

Ms. Candler: No.

Mr. Walters: I put "insufficient." It must not have been sufficient.

Ms. Mitchell: Just say "insufficient support." There was enough opposition and enough questions raised by enough people that there was a significant pushback.

Mr. Walters: Do you want to formulate this and _____? "There was significant opposition," rather than "There was insufficient support"?

Ms. Mitchell: Compelling? How about "compelling"?

Ms. Candler: Yes. Yes.

Ms. Mitchell: Which?

Mr. Walters: Okay. I'm just going to write both of them and you can decide.

Ms. Mitchell: What were you yessing?

Ms. Candler: I like it better if we put it that there was opposition as opposed to insufficient clear community support, because there was clear community support, sufficiency being the issue, I guess. But I think it's better just to have 5 and not 4 myself.

Ms. Mitchell: I agree.

Ms. Candler: We just know there was opposition.

Mr. Axthelm: (unintelligible)

Ms. Candler: I say not to do 4 but I don't know if anyone else agrees.

Ms. Lohman: I would strike 4, too.

Ms. Mitchell: I'm fine with striking 4.

Chair Raschko: He'll strike 4.

Ms. Del Vecchio: Do that, Ryan.

Ms. Candler: I just don't want it to be confusing that we are not acknowledging the very clear – the people who did this proposal, I think, did an outstanding job. They did their best to really try to – I mean, they sent out the mailings and they really tried to demonstrate their support. So I don't want to not acknowledge that.

Ms. Mitchell: Go ahead.

Chair Raschko: Go ahead.

Ms. Mitchell: I was going to say there – one of the maps had it marked on – this is where I'm confused on how much there might be. Kathi, you might have more recent information from one of the statements that you had made about what Anacortes is willing to do or not willing to do. But again –

Mr. Walters: Anacortes is not willing to spend any money extending water and no one else is either. Development always pays for itself.

Ms. Mitchell: So what it comes down to is if that's the case then as the technologies improve and options improve homeowners are – just like any other area – are going to have to continue to seek options for having potable water and whether it's a residential or business. That's going to be an ongoing discussion from here on out.

Ms. Lohman: But – Mr. Chair?

Chair Raschko: Yes?

Ms. Lohman: But utilities do not just _____ water lines anyway ever.

Mr. Walters: That's my point.

Ms. Lohman: Not even teeny tiny ones like Blanchard-Edison Water we don't.

Mr. Walters: Correct.

Ms. Lohman: There's mechanisms for extending water lines such as LIDS, ULIDS, and other vehicles to do it. It's – it *is* hideously expensive. It's done all the time. So I'm not at all suggesting – Carol, don't worry! – that that's the panacea, but those options have been exercised other places, even in this county. I remember one over on Bayview Ridge – Bay View, not Bayview Ridge, but on Bay View, and it was contentious.

Ms. Mitchell: I've got another one to add. It may be too simple, if somebody wants to elaborate on it. But the gist is GMA says manage growth, not stop it and that's an – again, an ongoing consideration. We're not here to put the fences up, the doors – and lock the door ___ we're all tempted to do that. I'd love to shut the gates on the county but that's not going to happen. And so from that standpoint, for part of the reasons for action, GMA says manage growth but not stop it.

Ms. Jett: I have a question on our comment. How does this proposal propose to stop growth?

Ms. Mitchell: It doesn't per se, but – you're asking for my personal opinion on this?

Ms. Jett: Well, I'm just asking why that comment is being put in.

Ms. Mitchell: The reason I'd like to put that comment in – and you guys are welcome not to – is because under findings of fact and reasons for action it's part of the understanding for the reason for action.

Ms. Jett: Does the people that voted against this think that this proposal is going to –

Ms. Mitchell: I'm not saying what anybody's intentions are on either side, or whether they're pro or con, whether they build or not. It's just a general fact for the mindset we're thinking. And if somebody else thinks that that shouldn't be in there then that's fine. But when we're looking for reasons of action part of it is that one of the standpoints that we're charged with is to manage the growth and with different restrictions and different changes that can stop growth or inhibit growth. And so I think it's a fair thing to state that we always have to keep that in our minds. Well, the County Commissioners do too, of course, but the planners have to.

Ms. Del Vecchio: I do think it's a bit of a misstatement, though, to say that this – the implication of this finding of fact is that the proposal would stop growth and I don't think that's –

Ms. Mitchell: Feel free to massage. I'm tired.

Ms. Del Vecchio: No, I'm just – _____ not my recommendation here so –

Ms. Mitchell: What if we just said GMA instructs us to manage growth?

Ms. Del Vecchio: And what's the point of the statement, though?

Ms. Mitchell: The same thing for –

Ms. Del Vecchio: How is this not – how is a zoning change not managing growth?

Ms. Mitchell: It's not saying that it is but it's saying you keep in mind that we're not putting a lock onto the doors for the county.

Ms. Del Vecchio: Okay, but if we just stop it at GMA instructs us to manage growth, we're saying something there. I'm just not sure – I mean, that's – we're implying it rather than saying it, and I'm just wonder if we'd rather spell out what we're saying and make sure it's accurate what we are – I just don't – I'm not comfortable with just having a statement in there about managing growth because the implication is that the proposal does not manage growth.

Chair Raschko: Today I read through some of the testimony and there was quite extensive calculations done to predict how many new housing units there would be without this enacted, and it was substantial. And just the fact that that was used as a justification in this proposal for it tells me is that it – one of the purposes was to prevent that growth. I mean, I don't know how else to read it.

Ms. Jett: And that was just one letter that was submitted. Is that what you're saying? There was a letter – or are you commenting on the testimony that was presented at the hearing?

Chair Raschko: I can't remember if it was stated here but it was in – it was in the comments, yeah.

Ms. Jett: And there was somebody that read a letter regarding the number of houses with CaRDs. I think it was pertaining to CaRDs. Does that sound ____?

Ms. Candler: I don't know if we're going to want to incorporate this or not, but for me, you know, we're told when we come to our work sessions and reading the GMA and other places that, you know, 80% of our growth is supposed to happen in cities – urban growth areas, I should say – and 20% is in the county. And when a little portion of the county limits theirs further that's going to have effects everywhere, and for me that was also a reason.

Ms. Mitchell: Do you have any idea how to restate the – something to put in here that's more palatable? _____, anybody?

Ms. Hughes: Unintended consequences? Would that –

Mr. Axthelm: I was seeing this more as preventing uses than it was preventing growth.

Ms. Candler: And I agree with that as well.

Mr. Axthelm: There's still growth there.

Ms. Mitchell: It could be. Part of my mindset in this is where – I may or may not be wrong; I'm not in the industry – but if the zoning changes and that prevents people from doing a number of businesses, unless it's outside of their homes and things like that the restrictions *may* make a difference. If you go to residential, for sure then you don't get those other businesses and that would/could inhibit growth. Nobody knows if somebody *may* want to start a business or not. They may or may not. A lot of them – we don't know.

Ms. Lohman: Mr. Chair? I went back to the purpose as stated in County Code 14.16.320 for Rural Reserve, and it reminds us that the purpose of Rural Reserve – if I could read it – “is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas. Lands in this zoning district are transitional areas between resource lands and non-resource lands for those uses that require moderate acreage and provide residential and limited enjoyment (sic) and service opportunities for rural residents. They establish long-term open spaces and critical area protection using CaRDs as the preferred residential development pattern.” So it's acknowledging that some of these uses that maybe they're not done yet but you need the space to do them, and they're not in NRL.

Ms. Mitchell: Right.

Ms. Candler: Is it another way of saying that the current zoning is an appropriate use of that area? Is that what you're saying?

Ms. Lohman: I guess that's what I was saying.

Ms. Mitchell: Do you want to __ that up for –

Ms. Candler: I'm thinking that we could add it as a sentence on 2: "We lack evidence of current South Fidalgo zone not working and we believe the current zoning is" –

Ms. Mitchell: Okay.

Ms. Candler: I'm trying to say the appropriate use but I need a word in there.

Chair Raschko: Okay, anything else?

(silence)

Chair Raschko: Okay.

Ms. Mitchell: I think we should phrase something for the Guemes portion.

Chair Raschko: Do you want to propose something?

Ms. Mitchell: I'm thinking.

Chair Raschko: Okay. Sorry ____.

Ms. Candler: I'm thinking as well. I'm sorry.

Ms. Mitchell: Say it again, Josh.

Mr. Axthelm: The proposal was too permanent. How do we state that?

Ms. Candler: It seems like it was more that the proposal didn't appear to have any present effects, and future effects are better determined in the future. Something along those lines.

Chair Raschko: I think –

Ms. Mitchell: It was basically closing the door on the possibility for how this – it was mandating that the open space be given instead of allowing for possibilities, because it was in perpetuity, right? Right? Okay.

Ms. Candler: I think "immediate need" is not quite what I was going for. With respect to P-7, it doesn't appear it would affect present development. But – well –

(several Commissioners talking at the same time)

Chair Raschko: It precludes choices in future planning.

Mr. Axthelm: If conditions improve.

Ms. Mitchell: Mm-hmm, or technologies change. Right.

Ms. Lohman: Future options.

Ms. Mitchell: Mm-hmm.

Ms. Lohman: Future planning options.

Ms. Candler: Future planning options that are unknown at this time, or – we could leave it there.

Chair Raschko: Does that say it well?

Mr. Axthelm: I think we need to put something in there: “If conditions change” or if –

Chair Raschko: Excellent.

Ms. Mitchell: It’s almost like you know what we were trying to say.

Chair Raschko: Okay, anything else? Moving right along. Okay, are we done?

Mr. Walters: Also include any findings in support of the rest of the proposal that you didn’t change, if you want. Or you could leave it alone.

Ms. Candler: I can’t think of any reason we need to _____.

Ms. Lohman: Well, you could say that – several of them were map errors –

Mr. Walters: The Planning Commission opposes the Department making future –

Ms. Mitchell: Absolutely! You may not make another mistake in your life! Jokes you can make. Mistakes are inappropriate.

Ms. Candler: Do we need to say it? That’s the question. It seems appropriate to correct errors but do we need to really say that?

Ms. Lohman: I sometimes think you need to state the obvious.

Female Commissioner: I do, too.

Ms. Lohman: I remember the “will” and “shall” episode that we went through.

Ms. Candler: I don’t know that we’ve seen – how about just “proposals,” no “future proposals”? Take out “future.”

Ms. Mitchell: There you go.

Chair Raschko: All right. Are we satisfied?

Mr. Walters: You like all of these? Do you want to remove any? Do you want to wordsmith, change, add anything else?

Ms. Mitchell: Can we see number 1 again, please?

Ms. Lohman: Do we have to have one for the airport events one?

Mr. Walters: You don’t have to have them for any of them. If you did, you’d have to have 23.

Ms. Candler: Is there something that you think needs to be said?

Ms. Lohman: No. I just thought it made sense.

Ms. Mitchell: Can we just put a thumbs-up on there saying you did good work?

Mr. Walters: How about that? "The Planning Commission finds the rest of the proposal makes sense."

Ms. Mitchell: Right.

Ms. Lohman: Well, it's logical. And that would include increasing the pipe size, I mean, because that's the industry standard.

Mr. Walters: And it's consistent with SEPA.

Ms. Lohman: Right, and other parts of the code.

Chair Raschko: Okay.

Ms. Candler: The only one we're still debating on was 8, I thought. Right? Leave it or not leave it? Should we vote on that issue?

Ms. Lohman: It would speak for all of it. It's not specific _____.

Ms. Mitchell: It applies to anything and everything.

Ms. Candler: Okay.

Mr. Axthelm: That is a fact, too.

Ms. Candler: Okay. I don't have anything further.

Chair Raschko: Okay, now do we need to vote on this?

Mr. Walters: Yes. You need to take one vote on the entire recorded motion, which is essentially before you here. It's our standard format.

Ms. Lohman: We haven't done our reasons for actions yet.

Ms. Candler: We put them in the same – they're in the same –

Mr. Walters: We combined the findings and reasons in one, so we don't have to distinguish between what's a finding and what's a reason.

Ms. Axthelm: What about recommendations?

Ms. Mitchell: And there's logic to that.

Mr. Walters: Recommendations are just those two.

Ms. Candler: There's a – can you take out the 3?

Mr. Walters: Yeah.

Ms. Lohman: So I move – oh.

Mr. Axthelm: Do we want to make a recommendation as far as the study, the water study, on Guemes – or on Fidalgo?

Ms. Lohman: What about the land sale?

Mr. Axthelm: We had it as a finding of fact and reasons for action.

Ms. Mitchell: Josh, can you repeat? We can't hear.

Mr. Axthelm: Do we need to have a recommendation as far as the water study on South Fidalgo?

Ms. Hughes: I'm concerned about that since it wasn't part of our deliberation because then we'd have to maybe talk about funding. How do you put something like that in there if we don't know the funding options available?

Ms. Mitchell: It's a huge, huge thing.

Mr. Axthelm: But part of the holdup on South Fidalgo was because of the water study. So a recommendation that the County look at a water study doesn't mean we're saying –

Mr. Walters: Yeah, you could recommend we investigate it.

Mr. Axthelm: Investigate it. Yeah.

Mr. Walters: The Board makes decisions on whether we fund things and how we do it. Maybe there are grants. Maybe it's free. Maybe we just have to ask. Maybe we have to fund it. I don't know.

Mr. Axthelm: Because at some point we need some facts because if we don't have the facts we'll come up with the same decision.

Ms. Lohman: I have an idea. There's other areas of the county that are under a water restriction. A pretty serious one is in the Skagit Basin for exempt wells and it is – you know, it's devastated quite a few properties.

Mr. Walters: It's what?

Ms. Lohman: It's devastated quite a few properties.

Ms. Mitchell: Yes.

Ms. Lohman: And that never really kind of came to light, because sometimes you talk in isolation and not look at other places as well.

Ms. Mitchell: Right. There's people that can't build and can't sell.

Ms. Candler: So is your recommendation that we don't limit that to South Fidalgo Island when we talk about water studies? Or what are you saying?

Ms. Lohman: No. I mean, there's an awful lot of stuff on water right now. I mean, it's kind of a lightning rod.

Ms. Mitchell: Well, they are well aware of it, right? They live this and breathe it every day.

Ms. Lohman: Yeah. But I think maybe if we could put in the findings of fact that we acknowledge that there's water issues besides Guemes and South Fidalgo.

Ms. Mitchell: How about saying we acknowledge that there's ongoing water issues throughout the county?

Ms. Candler: As an 11 or something?

Ms. Lohman: As an 11, maybe right under the GMA statement.

Chair Raschko: Why do we need to do that?

Ms. Candler: Well, for me it was a reason.

Ms. Lohman: All right, we'll put it with the water one.

Ms. Candler: Because it goes back to, Is this a unique situation or isn't it? And that is one factor that –

Ms. Mitchell: You're right.

Ms. Candler: You know, they're not alone in water issues.

Ms. Mitchell: So you want it as a separate thing or an add-on?

Ms. Lohman: If we could add it after 2. I don't care where you add it. It could be anywhere on the list.

Ms. Candler: Water . . .

Ms. Lohman: What about "access"?

Ms. Candler: Issues. I like "issues."

Mr. Axthelm: Water availability issues _____. Maybe it's not availability – it's beyond that.

Ms. Candler: I like that.

Ms. Lohman: There you go.

Ms. Del Vecchio: Are we saying there that we need to be addressing all of the water issues at the same time? Because that's just – to me that's a little overwhelming. So if we can't have a study – it seems like we are anticipating that there's water issues then saying, Well, we're not going to do anything about it because there's water issues other places, too, that doesn't really make sense to me.

Ms. Lohman: That isn't – we're not putting one over the other. We're saying that –

Ms. Del Vecchio: But we need to have a countywide –

Ms. Lohman: Yes, probably.

Chair Raschko: I just don't know what's going to be inferred from the statement by people that read it. You know, the water issue, I think, on Fidalgo is different than the water issue in the Skagit Basin where you cannot put a well in because it'll take groundwater away that'll recharge a salmon stream. To me those just seem like two separate things. And I'd hate for somebody to read that and then say, Okay, they just made this decision on Fidalgo and they're saying here there's water availability problems all over the place.

Ms. Mitchell: Do you want to add something because of current laws and rulings? That's part of what that is.

Chair Raschko: I don't know why we need that in there.

Mr. Walters: I think the point is it's not really relevant to the proposal.

Ms. Lohman: All right.

Mr. Walters: It's outside the scope.

Ms. Lohman: You can strike it then.

Ms. Candler: I'm going to move that we approve this – what's it called?

Mr. Walters: The recorded motion.

Ms. Candler: Recorded motion.

Ms. Mitchell: Second.

Mr. Axthelm: Do we not have a recommendation to put in there to add the water study?

Ms. Candler: Does someone have a proposal?

Ms. Mitchell: I think that's a – not that they wouldn't consider it, but that would be a pretty tall order. If we were to do something – maybe investigation – but the Commissioners are so well aware of that already I feel like we'd be preaching to the guys that really know.

Mr. Walters: You've sort of already implied that by saying that the lack of data about water inhibits good planning.

Chair Raschko: Okay, any further discussion?

Ms. Jett: I have a procedural question. If I oppose – I mean, like I approved everything except rejecting P-7 and P-12. So does that mean I accept this, or do I vote for this or against it?

Mr. Walters: You have to decide.

Ms. Jett: Two of the issues I don't agree with but like, say, 20 or 25 I do agree with.

Mr. Walters: Right. You just have to decide on the package – if you like the package as structured, if the good outweighs the bad or the bad outweighs the good.

Ms. Lohman: Could she make a statement?

Mr. Walters: Not in this document because this is a reflection of your entire body as an entity. So we'll record the vote of the group on the whole document.

Ms. Mitchell: I was going to say she asked a basic question that I've always struggled with, and just for anybody else that has to deal with this that is a conundrum. So somebody has the right to vote yea, nay, or abstain. So like you're saying, for on the whole is one thing and it's very difficult when you may oppose one thing or not but _____.

Chair Raschko: Any more discussion?

(silence)

Chair Raschko: All of those in favor, please –

Mr. Walters: This one needs to be a roll call vote.

Chair Raschko: Oh, roll call. All right. We'll start with Hollie.

Ms. Del Vecchio: I'll oppose it.

Chair Raschko: Amy?

Ms. Hughes: Support.

Chair Raschko: Martha?

Ms. Rose: Support.

Ms. Jett: Oppose.

Ms. Mitchell: Support.

Chair Raschko: I will support.

Ms. Candler: I will support.

Ms. Lohman: Support.

Mr. Axthelm: Support.

Mr. Walters: That look right?

Ms. Mitchell: Mm-hmm.

Chair Raschko: That looks right. Okay, does that complete – so I believe that completes our deliberations on the 2017 docket. So are we ready for Department Update?

Mr. Pernula: Sure. One thing that I'm doing right now is doing an awful lot of hiring of people, primarily who have retired. A couple have moved on and they're primarily in the permitting portion of the department. We're hiring a couple of Plans Examiners, a Building Inspector. We hired a Stormwater Tech, a Permit Tech, and we're doing a lot of that right now primarily. Stacie we hired – Stacie Pratschner. You met her last time. She's developing timelines for the various projects that are going to be coming up that are currently on our work program for this year. A couple of them that you know all about are going to be coming back real soon. The first one will probably be the Rural Forestry Initiative, which we worked on recently, and that's going to be coming back. Then after that probably the Shoreline Master Program as well, but there's a number of other projects also coming down the line.

Mr. Walters: The Shoreline Master Program?

Mr. Pernula: Yes.

Mr. Walters: For the Planning Commission?

Mr. Pernula: Oh, excuse me! You guys have already dealt with that! Sorry.

Stacie Pratschner: I believe Stormwater would be the next one.

Chair Raschko: I'd have a heart attack.

Mr. Pernula: Sorry about that! We're working on it.

Ms. Lohman: Do we see the VSP?

Mr. Walters: No.

Ms. Lohman: I'm kind of glad. Sorry.

Chair Raschko: Okay then, we'll move on to Comments and Announcements.

Ms. Hughes: I'm understanding that Kirk Johnson is fully retired at this point.

Mr. Pernula: He is.

Ms. Hughes: I just would like to acknowledge the work that he's put into this and in the past. When I read through this information and even though I might not support it I just am amazed at the solutions that become available. I think he worked very hard on this document as well as the

documents in the past, and I would like to just give him a nod. I'm sure he's not listening right now, but the public knows!

Mr. Walters: We'll relay that to him as well.

Chair Raschko: Anybody else?

Ms. Jett: Tim, ____ today that there's going to be an appreciation for Linda Christensen at – was it 11 a.m.? – this coming Monday in the Commissioners' office.

Ms. Candler: Is it tomorrow?

Mr. Pernula: It'll be right here.

Ms. Candler: Isn't that tomorrow?

Chair Raschko: No, it's Monday.

Ms. Mitchell: The 22nd.

Mr. Walters: Not tomorrow.

Ms. Candler: Not tomorrow.

Mr. Pernula: I can send you an e-mail on that.

Mr. Walters: That's right – 11 on Monday the 22nd.

Chair Raschko: Anybody else?

Mr. Walters: We have hired a replacement for Linda.

Ms. Mitchell: No, that's the next question.

Mr. Pernula: Yes, Kathy Jewell is who we hired to replace Linda. She's been working with Linda for the last several days and she seems to be a very good employee. She's catching on quick, and you'll be hearing from her.

Mr. Walters: They'll have about two weeks of overlap so she should be fully caught up by the time Linda retires.

Ms. Mitchell: Thank you.

Chair Raschko: All right, could I have a motion to adjourn?

Ms. Jett: I move to adjourn.

Ms. Mitchell: Second.

Chair Raschko: Moved and seconded. All in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Thank you. We're adjourned (gavel).