

Skagit County Planning Commission
Docket Workshops: MRO Removal (PL18-0404); County-Initiated (C-1 – C-8)
October 8, 2019

Planning

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

Staff: **Hal Hart, Planning Director**
 Mike Cerbone, Assistant Planning Director
 John Cooper, Senior Planner/Geologist
 Nick Schmeck, Intern

Chair Tim Raschko: (gavel) Good evening. The October 8th, 2019, meeting of the Skagit County Planning Commission is hereby in session. Has everybody reviewed the agenda?

Vice Chair Kathy Mitchell: Yes.

Chair Raschko: No changes? Okay. There's no public so we'll skip the Public Remarks. The purpose of tonight's meeting is to review the proposed amendments to the Comp Plan, and that would be the Mineral Resource Overlay Removal and the staff-initiated amendments C-1 through C-8. As we begin to address each one, I'm going to request that staff just give a short recap of what it's about so that everybody's memories can be refreshed and we'll be on the same page. So we'll start with Mineral Resource Overlay Removal, PL18-0404.

Michael Cerbone: Thank you, Chair. Mike Cerbone, assistant director for Skagit County. If I could have my screen shown up there I'd appreciate that. Thank you. So I have this evening John Cooper, who is a senior planner, a professional geologist, and is here to answer questions about the proposed Mineral Resource Overlay Removal. You had heard from the applicant at the last meeting. You had asked several technical questions of the applicant, and so I thought it would be important to have our resident in-house technical expert here to answer those questions for you. As the Chair said, you know, the point of this evening is for us to review the proposed Mineral Resource Overlay and, you know, get it to a point where you're comfortable having that out for public review. I think for this one it would just be, you know, whether you think it should be removed or should not be removed. And we would take testimony. You would be able to hear folks come in and provide that testimony or review the testimony that's written. And then after all of that is done, you would actually make a deliberation and make a final decision on your recommendation to the Board of County Commissioners.

(some discussion about technical problems)

Mr. Cerbone: So, I'm sorry! Technical difficulties. So the Mineral Resource Overlay, which he is going to go ahead and grab me my adaptor for, if you will recall, was located just north of Sedro-Woolley along the 9 corridor, and it's located to the east of that, and it is – thank you, Nick.

So this is the proposed MRO that was proposed to be removed. The applicant is here so they're the people that actually put in the application. The one update I would provide you on this application that's not reflected in your staff report but will be the next time we bring this before you, is after the last meeting it was clear that someone on the Board had asked the applicant if they had touched base with the neighbors about the proposed removal. They did not indicate that they had so I did take the liberty of sending a letter to everybody who's located within this MRO. There are 10 property owners. And so I sent that letter out to all 10 folks to let them know that there was a proposal to remove the MRO from the property. I did get a contact back from the folks from this property who did express concern about that. And I did get a call from this property and I have not been able to connect with that property owner yet. So, obviously, before your deliberations and before the public hearing, folks would be made aware and be able to come and participate, share that information with you. And I'll certainly type up anything I get from them and provide you any formal written testimony I get from them prior to that as well.

Aside from that, I will let Mr. Cooper go ahead and answer any questions that you may have about the proposal. Included in your packet was the complete application that was submitted to the County from the applicant, including the geological investigation of the property.

Chair Raschko: So are there questions for Mr. Cooper?

Vice Chair Mitchell: Not really.

Several voices: Go ahead, John.

Chair Raschko: Kathy, why don't you go ahead?

Vice Chair Mitchell: Just geologically speaking, it seemed like it was pretty simple from the report. Can you elaborate – you know, put it in a nutshell for people?

John Cooper: Sure. So it's a relatively complex system out there and there's not a lot known about it. So there's actually three formations in the area. There's an alluvial fan formation, which is evident on the geologic maps. There's also two different types of glacial outwash formations in there. So glacial outwash is something that we often look at to be a sustainable source of mineral aggregate. Glacial outwash often has lower fine content, depending on whether it's an advance or recessional glacial outwash, and it's something that if you're doing a desktop review to evaluate where an MRO might go, that's one of the things that you would look for. You would also look for the alluvial fan; however, alluvial fans can be composed of mudflows, debris flows and such that make them less desirable.

The interesting thing about this formation is it's in the proximity of Thunder Creek. So Thunder Creek is – if you look at the map, it's just kind of north of that peak up there – yeah, where Michael's cursor is. Literature and the geologic maps show that that formation may have resulted from some glacial outburst of unknown origin or time and may have provided those decent materials. So from a mapping perspective, it's logical to go ahead and put that formation within the limits of our MRO. It's not until you go out and you actually do some field truthing that you find out whether it's suitable or not.

So one thing that we noticed when we did do some field truthing out here as well – and so you're probably going to ask me is, Why is your field truth different than what Mr. McShane did? So if you look at the MRO and you're looking down to the southwest corner there, you'll see that larger parcel just right there – yes – where the cursor is. That actually happens to be a(n) old gravel mine, and that's where we did our ground truthing. So that was a glacial outwash material – moderately good material. I did take a look at it when we were doing this MRO review and it's probably looking at 15%, maybe 17%, fines content. When I say "fines," I'm referring to silt and clay, which are smaller particles in sand. And so the lower the silt content the more desirable the material is for development, for roads, construction, and things. So that's what we're looking for. So our ground truthing showed that, yeah, there may be something there that's worthwhile or obviously there's something right at that location. But once you move back in __ according to where Dan McShane was looking, closer to the Mangat Lane and up in there, it's certainly not as desirable – a much higher silt content.

Mr. Cerbone: So that was generally around this area where this –

Mr. Cooper: Yeah, right in there where you have your cursor.

Mr. Cerbone: Kind of in the heart.

Mr. Cooper: Yep.

Chair Raschko: Does that answer you?

Vice Chair Mitchell: Yes, thank you.

Chair Raschko: Go ahead.

Commissioner Mark Lundsten: I'd like to know – we talked about this last meeting a bit, but I'd like to get a primer on how the zoning is done. Who directs it? Who says, This is – this gets an MRO? This was designated as a certain other – Rural Reserve or whatever, or Ag, or whatever it was – now has this overlay, and it happened apparently after this person had bought the property, I believe.

Mr. Cerbone: So, Commissioner, what happened is the subdivision was platted for the nine lots and then after that plat had occurred the Mineral Resource Overlay was placed upon the property.

Commissioner Lundsten: So who decided to do that? That's an administrative – or maybe it's scientific – it has to do with your investigations. But I just wondered. I mean, I live in Rural Reserve. Are you going to put an MRO on – you know, and I don't know if it makes any difference! But I didn't know that it would happen without notice. _____ the landowner.

Mr. Cooper: Well, first of all, the MRO might only apply to those areas that are Natural Resource Lands – those designated as Natural Resource Lands.

Commissioner Lundsten: Okay.

Mr. Cooper: So it can only go on Rural Resource, Secondary Forest, Industrial Forest. So as a matter of fact, again, if you're looking at the diagram that Michael has up there you'll notice that the MRO stops before it gets to Rural Reserve in that area. It can't go any further. So the MRO was originally – when we did this MRO it was actually done – we were doing the studies about

2005, 2006. And the procedure that we went through is we hired a consultant – which is Kleinfelder out of Seattle. Kleinfelder came in. We talked about procedures, a little bit about the budget because that's important, and tried to figure out a path where we could find these materials. So with Kleinfelder we went through and identified those geologic formations which we thought would have decent material for mining. Under the Growth Management Act, we are required to identify and protect those. That's part of the MRO process. And I can't remember when we actually adopted the MRO. Shortly after 2006, I'm thinking, 7, 8, maybe 9 – somewhere in there.

Commissioner Lundsten: I see. That principle of what you were obliged to do explains it – that's *exactly* what I wanted to know.

Mr. Cooper: Okay.

Commissioner Lundsten: Thank you.

Mr. Cooper: You're welcome.

Chair Raschko: Go ahead.

Commissioner Martha Rose: So is there any relief – if the overlay is not removed, do these – does this landowner have any other recourse, such as a request for a variance?

Mr. Cerbone: So I'll go ahead and answer that and you correct me if you think I'm wrong.

Mr. Cooper: Go ahead.

Mr. Cerbone: So what the Mineral Resource Overlay primarily does is it limits the ability to increase density beyond one per 10 acres. And so in this instance, the presence of that really only affects the RRv, which is allowed to go to two dwelling units per 10 acres. And because the MRO is there, it only allows that to a certain density. My read of the code is that the MRO in and of itself doesn't allow you to stop a subdivision from occurring. It just limits the density at which that subdivision occurs at. And I have the exact question that you've asked me this evening before our legal counsel to confirm my interpretation. So that's why I said "my interpretation." I hope to come back when you get to deliberations with an actual determination that is also supported by our legal counsel.

Commissioner Rose: So I think you're saying no. That was a no, correct?

Mr. Cerbone: So a no...

Commissioner Rose: In other words, my question was: Is there a process such as a variance that they could apply for?

Mr. Cerbone: There is no variance. No. But they still could, I believe, subdivide the property. They just would not be able to realize the density that they would like to.

Commissioner Rose: It's my understanding with these nine lots that exist they're at the density that's allowed. That's what I took away from the last meeting.

Mr. Cerbone: So I've read the original staff report, and so for this area for the property that the property owner owns, they calculated in that original staff report for the subdivision – they calculated the ability to realize 18 dwelling units out of all those properties. And so they only platted and went through and did nine. And so, you know, their hope would be to be able to come back and realize an additional nine dwelling units on the property, and the MRO complicates reaching that determination.

Commissioner Rose: I thought that the 18 was relying on a CaRD. Would that –

Mr. Cerbone: It does, yes.

Commissioner Rose: Doubling the density.

Mr. Cerbone: Yes.

Commissioner Rose: And you're saying that it's your understanding that with this overlay they can't double the density.

Mr. Cerbone: So doubling the density only is achievable in this specific zone here, the RRv. These other areas are already limited to one per 10-acre. So if the MRO was not here, for this portion that's in here they could get equal to two per 10 acres. With the MRO in place, they can only realize one per 10-acre. So, again, my read and understanding of the MRO and how it affects the development potential of the adjacent property is that it limits that density to that one per 10-acre, where if that MRO was not there, they would be able to realize two per 10.

Commissioner Rose: So their whole property, is it 90 acres?

Mr. Cerbone: I don't have that off the top of my head.

Commissioner Rose: I see. I thought that Marianne said that when she was here last – a couple weeks ago. Okay, well, that's – thank you.

Mr. Cerbone: Yep.

Commissioner Annie Lohman: Maybe this is a question for you. So if you remove the mineral overlay and then one of the existing property owners that – you referenced that there was an existing mine at one point.

Mr. Cooper: Yes.

Commissioner Lohman: So if a property owner that is currently within the current wants to realize their gravel, are they precluded from doing it without the mineral overlay?

Mr. Cooper: Right. So, again, if you look at the zoning map you'll see that area where the cursor is – back where it was. There. That's actually in Rural Reserve so they're not eligible to get a mining special use permit to expand their operation; however, because it has been an ongoing operation they do have the opportunity to apply for an SM6 which would allow them a gravel mining operation as long as they don't extend beyond the boundaries of any previous permits that may exist either with DNR or ourselves. So they could continue. But if we were able to or if they were not able to demonstrate that the mine had been abandoned, then they would forfeit that right.

Commissioner Lohman: So they absolutely have to have the mineral overlay if they want to develop further than ___.

Mr. Cooper: Either that or continuously operate and utilize what they have. And I don't know the status of that permit or that particular mine now. It was – let's see. They were utilizing it up until the last decade, or maybe even five years. That's where I lost touch. They got to the point that they needed a reclamation plan from DNR. And that's a requirement when the aerial surface of their mine exceeds three acres or becomes more than 30-foot highwall in their depth of mining. So they approximate that now and they may have said, you know, we don't want to go there. But I haven't seen any activity out there.

Commissioner Lohman: Can I ask a ___? So in the Rural Resource, in the pink, is that under the ownership of the applicant?

Mr. Cooper: Not entirely, I don't believe. Partially.

Commissioner Lohman: Kind of diagonal from that.

Mr. Cooper: Yeah, I would say partially. So it's my understanding that obviously the SF-NRL is owned by Sierra Pacific in that area, and so they're partial owners of the MRO-designated lands out there as well.

Mr. Cerbone: And then these properties were historically owned by the Hall family and so different members of the Hall family owned different properties. And I spoke with one of those property owners and she mentioned that she was going to coordinate back with her two brothers and get us back some comments from them.

Chair Raschko: Okay, anybody else?

Vice Chair Mitchell: I've got a question that may go to Mike. It could go – I don't know. Either one of you. So, Mike, you said that letters had been sent out to the people, adjacent people, and one person came back with concerns. Did they say what they were?

Mr. Cerbone: Yeah. The immediate – there were two concerns that were highlighted. One of the, I think, is understandable by everybody in the room. She was concerned at how an application from another person could result in losing development rights on her property. So the request to remove the MRO, she was concerned about how that could occur and remove the MRO. And then her other concern related to the existence of the MRO. She said that, you know, it was intended to be passed on to *her* heirs, and that she wasn't sure that they knew what they wanted to do with that property, and wanted to preserve rights that are currently vested on the property. She also mentioned that they do pull gravel from their property and use it to repair their road, and so that was a concern as well.

Vice Chair Mitchell: So with that in with what John had said earlier, what the County had done with the people back in 2005, 6 when you did those checks, so what – am I hearing wrong? I was getting the impression that maybe there's a little bit more towards the southwest of the area that could be mined than we were thinking from what the McShane report says.

Mr. Cooper: Well, I think it really boils down to Dan McShane's report from Stratum Group because he actually did the physical investigation up in the midsection and northern part. There may be some materials down to the south. Obviously they're present in the Rural Reserve area

and they may extend up under the alluvial fan. So it'd be a glacial outwash, possibly a glacial marine outwash that underlies that alluvial fan. One of the things you have to consider when you're mining is, What's your overburden? If you have too much overburden, then it makes it not feasible to mine. If you look at Dan McShane's report, they went down to 16 feet and they saw considerable overburden that's not really useful or valuable on today's market. And that would kind of suggest to me that maybe even if there's material at depth it may not be economically viable to pursue it.

Vice Chair Mitchell: So would anybody go on the record for saying – would we stick with what the staff recommendations have been up to this point?

Mr. Cooper: I think so. Yeah.

Vice Chair Mitchell: Okay. Thank you.

Chair Raschko: Anybody else?

Commissioner Rose: Well, I just want some clarity about something.

Chair Raschko: Sure.

Commissioner Rose: So you said that the mineral overlay was put in place in '05, '06?

Mr. Cooper: That's when we were doing the research for it. I think it was probably 7, 8, or maybe even 9 is when it was adopted. Yes.

Commissioner Rose: I see. So these folks that had started this process with the plat, they were in their preliminary short plat phase or long plat phase – you know, doing that around the same time this mineral overlay was put into place, it sounds like. So they must have started their planning process before they knew where it was headed. I mean, I'm just trying to get the timeframe in my mind.

Mr. Cooper: Yeah, yeah. Yeah.

Commissioner Rose: Yeah, so I guess that's all. Tim?

Mr. Cerbone: So I wanted to answer Commissioner Rose's question. Yes, that would be my understanding as well. And you had asked previously about the total acreage. And so the actual subdivision originally was 140 acres and it was – used the CaRD process to go down to 10 lots, so that was approximately nine approximate one-acre lots. And then there was a – the 10th lot created an open space area and then the remaining area was put into approximately 128 acres of open space. And so in the findings – which are in the information provided you on page 6 – it goes through finding number 26 – says: As a result of the total acreage there are 18 development rights on the property, of which only nine are being developed at this time.

Commissioner Rose: And then the overlay would squash the other nine.

Mr. Cerbone: I don't know that it would squash the other nine. So the answer gets a little complicated moving forward because there wasn't really a clear indication in the original staff report of how those nine were laid out on the site. So if those nine were intended to be converted from the RRv or if those nine were at the density of one per 10. There wasn't a concrete, definitive

statement within the staff report that identified where those nine development rights came from. So moving forward, they would have to look and see what land is still available that's not encumbered and reconcile that in their next application. So not the clearest response I've given since I've been here!

Chair Raschko: Just _____.

Commissioner Rose: Okay. So when I looked at this map and when I listened to the presentation a couple weeks ago, what I see is that there's the nine lots all in rows, there's a road, and then across the road is where the other nine lots would go. We have a housing shortage. You know, I'm not in favor necessarily of removing the overlay just so they can have their nine lots. But to deprive other people of their opportunity to mine the gravel – but it seems like the County ought to look really hard at it being a win-win situation to provide more housing but not close down opportunities for other people to do what they want to do. And that's why I'm asking these questions – just because –

Mr. Cerbone: And I appreciate your question and I agree with – personally agree with the statement you're making right now, which is why I'm trying to get that determination out of our legal counsel –

Commissioner Rose: Right.

Mr. Cerbone: So that I can arrive at what's maybe not exactly where they want to get to but at least get them part of the way.

Commissioner Rose: Yep.

Mr. Cerbone: I'm certainly working to try and do that. Because to me whether or not you remove the Mineral Resource Overlay, you know, is predicated on the standards that are in the code as to whether there's minerals in the ground that are worth protecting. And what we're talking about, the housing should be separate from that.

Commissioner Rose: Right.

Mr. Cerbone: And so that's why I'm trying to focus and see if there is a way to address what they'd like to do with their property outside of whether this Mineral Resource Overlay gets removed or not. But, yes, I agree with you.

Commissioner Rose: All right, thank you.

Chair Raschko: Annie?

Commissioner Lohman: I can't help but notice that it's Rural Resource zoning, which is quite a bit different than Rural Reserve. And there's the friction really. If it was Rural Reserve I don't think we'd have any problem but it wouldn't have the mineral overlay either. But the problem is that you've got it zoned Rural Resource and so then I'm wondering: How do you protect Rural Resource and NRLs then from just willy-nilly putting housing developments and then impeding what that zone is actually zoned for? So I think you need to ask the question: Why is it Rural Resource/NRL and not Rural Reserve?

Mr. Cooper: Yeah, and I didn't do the work to evaluate what areas were to be designated as Rural Resource. I just did the MRO work. That was prior to this project.

Mr. Cerbone: But the MRO overlay – again, my read of it and my understanding of the intent of it – the intent of it is to limit the amount of development that could occur around it, to limit the impacts from the proposed mining of the aggregate on those new residents, and also to reduce the amount of people that could potentially be in opposition to trying to approve a gravel mine in that area. It's a pretty similar approach that they take with airports and landfills and things like that – things that where normally you would have concern about living near it, you try and limit the amount of development potential that's around it. And so when I read the MRO overlay and the intent in the title, that's what it reads as. And then when you look at it and you go out and you say, Okay, what does this actually do? The primary thing it does is it allows you to mine, as Mr. Cooper was saying. The secondary thing it does is it limits the density within the MRO, and then this gray, shaded area – that's a quarter-mile buffer off it. It also limits the density within that quarter-mile buffer as well. So that was my primary read and understanding of how that MRO functioned and how it served to protect the resource.

Chair Raschko: I've taken an interest in this interplay between the glacial outwash and the landsliding. I mean, that whole valley up there is just a series of big alluvial fans. And if you look, you know, on page 3 of the geology report it shows the location of the pits that were dug, and they're in close proximity to the cul-de-sac on the development, and there's 16 feet of overburden minimum. But then if you go down to that southwest property that's outside the mineral resource that has been discussed where the older gravel pit is, they must have had far shallower overburden to make that work. So I'm just wondering, Would the depth of the overburden from alluvial fans diminish as you move away from the toe of the hill, first off?

Mr. Cooper: I think that's very logical, yes.

Chair Raschko: Yeah. Which would mean then in the southwest corner of that piece of property, it could very well be economical to remove overburden and find better material.

Mr. Cooper: Right.

Chair Raschko: And that was not discovered at the clustering of the ____ into one small area.

Mr. Cooper: Right. And I think if you look at page 2 of the same report, the geologic map over there, you'll see the limits of the alluvial fan and you'll see how that feathers out to both glacial marine drift and eventually glacial marine outwash.

Chair Raschko: So which is the – which is which on here?

Mr. Cooper: If you allow me, I'll put this on here and we can talk about it. So QAF is quaternary deposits alluvial fan. And then if you progress from the designation here down here you'll see, again, quaternary deposits, glacial marine outwash. You can see that the fan came off the hill and went down a little ways before it ends and then exposes that. And then you'll find that the property that's to the southwest of the MRO and zoning area is more consistent with the glacial marine outwash than it is with the alluvial fan deposits. So that's why I agree with your statement that the alluvial fan likely does cover and pinch out to the south and west.

Chair Raschko: The other side of it, it strikes me, is that – if you could remove that and go back to the other map – the beneficiaries of the tapering fan material are the proponents so they

wouldn't care. And the people to the north who are concerned probably have the deeper alluvian and less operable property.

Mr. Cooper: Right.

Chair Raschko: But you need to take away their –

Mr. Cooper: Again, to the west and south but those are areas that are not zoned or eligible for MRO designation.

Chair Raschko: Right. Okay. Thank you.

Mr. Cooper: You bet.

Chair Raschko: Anybody else?

(silence)

Chair Raschko: Okay. Thank you very much for coming.

Mr. Cooper: You're welcome.

Chair Raschko: So why don't we move on to number 4 on the agenda and start with C-1. Kindly give us a summary of C-1.

Mr. Cerbone: Sure. C-1. If you recall, C-1 is revisions to the Comprehensive Plan to reflect the updated estimates for the Guemes Island Ferry. And so this is basically when it was originally placed in the Comprehensive Plan it was at a much lower level of engineering and design, and so now that they've progressed further in their engineering design they have more accurate estimates. And then they also had some additional information about how some of the revenue that was going to pay for this improvement is going to occur. And so the items that they're requesting I can pop up on the screen here for you guys to take a look at in just a sec, but that's essentially what they're asking for. The big changes. The total project cost was originally envisioned to be 12 million. It is now envisioned to be 19 million. And it would affect our 20-year (2016 – 2036) total project cost as well, which was 170 million and is now 177 million.

But, like I said, I'll pop that up on the screen here in just a second...so, you know, what you see here: strikethrough are things that are proposed to be removed; underlined items are proposed to be added. Again, that kind of summarizes – it looks like originally they were considering possibly overhauling the existing ferry. They made a decision to replace it with an electric ferry. And they have identified some additional places, such as the County Ferry Capital Improvement Program for funding, and they've added – proposed to add some language that talks about the funding that includes the County's recent ferry surcharge that went into effect August 1st, 2018, and averages out to a 20% increase per ticket. The recent ferry surcharge is a capital revenue source that will *only* be used for the purchase of a new electric ferry. And then it gives the appropriate RCW quote, and then there are some additional amendments down below that deal with primarily accounting.

Commissioner Lohman: That's an impenetrable vault?

Mr. Cerbone: The money?

Commissioner Lohman: Yeah.

Chair Raschko: Could you say it again, please?

Commissioner Lohman: The money's in an impenetrable vault so that it can only for sure be used for that, right?

Mr. Cerbone: It is certainly accounted for properly so that there are controls on that so an audit will be able to identify where that money is and make sure that that money is earmarked and specifically spent for that purpose.

Commissioner Lohman: I was saying with my tongue firmly planted ____ because I've seen __!

Chair Raschko: Anything else on this?

Commissioner Rose: I guess I have one. So in the discussion about the electric ferry, do they also discuss ongoing upkeep? Are electric ferries in a way like the electric vehicles that require less maintenance than a regular gasoline or diesel-powered motor? So in the long run, will the operational cost possibly be less than with a standard ferry like they might have today?

Mr. Cerbone: So kind of like the concept of a compact fluorescent: If it costs a little more money upfront, is it expected to have lower maintenance costs over the life?

Commissioner Rose: I guess that's part of my question, yes.

Mr. Cerbone: Okay. I don't know the answer to that, Commissioner, but I can certainly research that and bring that back to you and potentially see if they have a comparison. I would imagine if they made a decision to not overhaul and go with replacing it with an electric ferry that was part of their decision process, so we can certainly talk with the folks that are managing the project and see if we can get that information for you.

Commissioner Rose: Okay, thank you.

Chair Raschko: Are we good?

Nick Schmeck: May I?

Chair Raschko: Yes.

Mr. Schmeck: I believe they're also still in the design phase so that question will be good to ask later once they actually set their design and start moving forward.

Commissioner Rose: Yes. Thank you.

Chair Raschko: Okay, we'll move on to C-2.

Mr. Cerbone: All right. So C-2 is an interesting one that I do have an update on. So C-2, I will get you a revised staff report for this. I did touch base with the drainage consortium – irrigation and drainage consortium executive director, Jenna Friebe, and we did discuss this application. There was a Comprehensive Plan amendment that, I believe, was approved last year that provided some more direction for how coordination is supposed to occur as part of the stormwater review.

The concern of the drainage districts obviously is, you know, if they're accepting increased runoff into their drainage district their facilities weren't necessarily designed to accommodate that increase in runoff. And so their concern is how stormwater runoff is dealt with in an individual property in order to mitigate the risk to their individual district. What I chatted with Jenna about was I told her that I had pulled this together to put in front of you this evening for consideration. What the reality is is we're currently working on the stormwater code. I have a draft of the stormwater code. You had all taken a look at that, I believe, last year. Since that time we had approved a new NPDES permit which has some different requirements, and so we're going to propose amending that draft code to include the new requirements of the NPDES permit. And so we have that code being reviewed by Brown and Coldwell, who's a consulting firm. They're reviewing the proposed code and our NPDES permit to make sure that we're capturing all the items that we need to in that code. As part of that code update process, which I would actually take before this body after we finish the docket – trying to get the docket cleared out before we put anything else into the queue. We could finalize and implement this language and make sure that we're doing a better coordinated effort with our friends in the irrigation and drainage districts.

So that would be the update I would provide for you. I think my recommendation would be that we wait until we take the stormwater code through which gives staff more time to engage directly with the irrigation and drainage districts and get their feedback as part of that code update. That would be my formal recommendation. That being said, I don't think you need to arrive at a decision about whether to do that or not until you get to deliberations. And so you could still offer this up for public comment and see if we do get comment back from the public. And certainly between now and when you enter into deliberations, I will have some additional time to be able to get that draft document back from our consultants that are reviewing it and then share that with Jenna so that she can also provide comments as well.

Commissioner Lohman: Mr. Chair, can I ask a –

Chair Raschko: You may.

Commissioner Lohman: Just to clarify what you just said, are we putting the cart before the horse doing this independently of the stormwater update?

Mr. Cerbone: I would feel that way, yes. I think that's an accurate – that's an accurate characterization of the long item I just described to you. Yes, I would certainly prefer to have additional time to coordinate a better set of language for your consideration, and it just so happens that everything is laid out that the next item that would come before you after the docket is stormwater updates. And so that would give us additional time to coordinate with those folks and make sure that they were on the same page.

Chair Raschko: Go ahead and complete your line of thought, please.

Commissioner Lohman: So if we do kind of basically say this isn't ready for prime time and set it aside, how do we make sure that we don't lose it?

Mr. Cerbone: So the primary way in which we would make sure that we don't lose it – being you, the Commission – I'm here to support you as staff. When I bring that stormwater code before you you have control over what that ultimate recommendation is going to be to the Board of County Commissioners. I'm certainly going to bring it before you as quickly as I can for several reasons. One is that it's something we've been working on for quite some time. It is important for us to get those standards in place and operationalized. It is important for us to reflect our new NPDES

permit which was recently approved this year. And there's a lot of will and desire to carry this forward. So it *will* be coming back before you and you will ultimately have the ability to alter any recommendations before you as you see fit.

Chair Raschko: Okay. Let's move on to C-3.

Mr. Cerbone: All right, C-3. So C-3 – if you recall, this deals with binding site plans. And in our code we require if you want to lease to more than two entities – and that could be in one building or that could be on one property. Say you had a property that had multiple pad sites on that. If you wanted to lease those to multiple people, we actually make you go through a binding site plan process to be able to do that. To put it in more simple terms, to be able to lease part of a building or lease a property to more than two people, you need to go through a land division process. That is something that adds complications in terms of time and cost to folks that want to create incubator space for light industrial buildings, or if you had a commercial piece of property – say you had inline retail and you had, like, two pad sites for a McDonald's and whatever your favorite fast food restaurant is – Burger King – you would have to go through a land division process to lease that.

Now you still would have to go through a land division process to be able to convey it. That's very clear. In order to make a parcel available to sell and convey to somebody, you need to divide that off. The intent of the binding site plan provisions when they were enacted in Washington state law was to provide a more streamlined process for commercial and industrial properties, and manufactured homes as well, to be able to divide those properties in a more efficient manner than a traditional platting process. And it appears that we have taken this language and inserted that into a requirement to be able to lease properties. And the feedback I got from a property owner is that he has property out by the airport. You know, he has people who are interested in the same property. By the time he gets to the ability to lease that property to an individual they've already obtained the ability to occupy a building in Anacortes or Whatcom County or to the south of us because they don't have this provision in place there. We've chatted with both of the ports that we interact with here, the Port of Skagit and Port of Anacortes. They're both supportive of this. It seems like it's an impediment to economic development. That is what it appears to be.

I did promise you that we would try and research back and understand how this provision got put into place. This provision got put into place when we were addressing GMA for the entire county so we were not able to find the specific portions of that because that record, as you can imagine, was a very large record. In terms of – that is literally finding a needle in a haystack and so we were not able to find that. I have not been able to find another jurisdiction that has this provision, though, as well.

So that is where it's at. The proposed alteration to the language is just to delete this section that says binding site plans shall be required for any commercial or industrial development that involves two or more leases or transfers of ownership which do not undergo a short plat per subdivision procedure.

Chair Raschko: Great. Thank you. Any questions?

(silence)

Chair Raschko: All right. Let's move on to C-4.

Mr. Cerbone: All right. So C-4 is the Trails in the OSRSI. And what we have here is a proposal to alter the code to make trails an outright permitted use, so that would become sub-item (l). And then the primary and secondary trailheads would still remain as an administrative special use. The thought there is that the trails primarily are providing access. The OSRSI is comprised – if you recall from last meeting – is comprised primarily of publicly-owned lands, so land that's owned by the Forest Service and the state DNR, Department of Natural Resources; however, it is important to note that there are several private inholdings that are located within those areas as well. And so we provided you maps that show where those inholdings are. Those could be private timber companies. They could also be folks that have a small property that allows them to have a cabin or such. This came out of a conversation, I believe – I tried to do some research on this – came out of a conversation with our Parks Department, and they were looking for ways to streamline the ability to construct trails. So the reason why staff feels that it should remain for primary and secondary trailhead as a special use permit is because those tend to be the staging areas where you have the most impacts from trails. So that's where people are getting in and out of their cars, that's potentially where they may be dumping garbage, that's where you have interaction from the parking facility onto the public right-of-way and you tend to have louder noises and things that potentially bother neighbors. So that's the proposal that's before you.

Chair Raschko: Any questions? Yes?

Commissioner Amy Hughes: When I look at where this is being proposed, I look at the mouth of the Skagit River and then I look at the forestlands and I see that as two very different regions. And I see that where you have a lot of private property and proposed trails is a small area, where up in the forest areas – I haven't been there but it could be vast. I'm concerned about a one-size-fits-all solution to this for two very different areas that could attract a lot of users. So I'm having a hard time wrapping my mind around it. So it's not a question; it's just that I'm seeing just two very different areas and a one-size-fits-all solution.

Mr. Cerbone: Yeah, the common denominator in this is the zoning and my understanding is the zoning was specially applied to properties that were in public ownership. Again, there are some inholdings that are surrounded on all sides and so those were also applied to those areas as well. So I think the concern that you're articulating was not thought of when they created the zone. But certainly as we go through and clarify uses, that is something that we could think about and consider. In order to address what you are describing, you know, we would almost have to – we'd either have to describe the areas in terms of their geography – so east of I-5, west of I-5, something like that, right? – or identifying overlay zones that encompass the area at the mouth of the Skagit and then the remainder of it would be in a different area. We would just have to have some sort of mechanism in place if you wanted to look at those and treat those differently. So it's possible, but there would definitely need to be some more thought put into it than what's in front of you right now.

Commissioner Hughes: Mm-hmm.

Commissioner Lohman: Kind of dovetailing on that thought – and I was looking at my notes from last time – there is a concern because there's places where it's overly loved. And you were talking about the impact being at the trailhead and the staging area, but I would argue there's places where the entire length of the trail is impacted because it's overrun. And so I agree that I think that we – just allowing it, we've got to be careful about how we do that in a real deliberative way because once you just allow it there's nobody responsible.

Mr. Cerbone: Yeah. So you *are* talking about permitting a trail and so that would be correct. Once that trail is permitted it would be practically difficult to go ahead and remove that through a regulatory action. So I think that is something for you as a group to consider. What you have before you is what the staff request was. You can put that out for public comment and see if there's other peoples that share those concerns within the community. If there is, you know, we can work to craft and address those and you could make a formal recommendation on it now. You could also have a recommendation that comes out of this process that says this is a little more complicated and probably requires a little more in-depth study and analysis before it comes back before the Board, and have that placed on the work plan. There's probably a lot of other options that you could take with it as well, but based on what I'm hearing from our two Commissioners this evening, those are options that I think that you should consider.

Chair Raschko: Before we move on any farther, correct me if I'm wrong, but I believe our purpose tonight is to glean more information rather than debate the merits of these. And so we should save the debate part until we actually have deliberations.

Vice Chair Mitchell: I've got a question, though.

Chair Raschko: Go ahead.

Vice Chair Mitchell: And this is half of that but it's also gleaning more information. We were pretty sure it came from Parks and Rec and we're still hoping before this goes to public comment that they could come – maybe Brian could come talk to us or something like that. Because I was concerned before and had said before one of my main points was under 14.16.500 it also says for the protection of environmentally sensitive areas. And so balancing that part of it with understanding this had to have come up before the Board of County Commissioners to go on the docket and us from the 2017 thing that you guys had sent through admin, they're having trouble somewhere that's precipitating the request to just do this across the board, right?

Mr. Cerbone: I don't know specifically. I can try and get Brian in here and that is my fault for not having the time to follow up with it. I don't know that I can get that – I can get that – probably get him in here as part of your deliberations. I don't know that I can physically accommodate the schedule to be able to get him in here before we go to hearing. And the reason why is at the next meeting we're going to be focused on the two Guemes Island proposals and the Blue Herons, which doesn't seem like a lot considering we're talking about nine tonight. We're only talking about three at the next one. But those three have a lot of moving pieces in them. And so my thought is that that next meeting is probably going to be consumed with us going over those three. But I can certainly reach out to him and see if I can get a formal response to the question you just asked, if nothing else, in writing, and then try and put some time together for him to come and answer questions.

Vice Chair Mitchell: That would be helpful. Thank you.

Mr. Cerbone: And, Chair, if I might, I appreciate you keeping us on topic but if there *are* things that folks want staff to look into in more detail before you get to the deliberations, that would be helpful to communicate to us, and that could be done at the end of the meeting during the PC Comments part of time. But if we can get a jump just because where we are compressed on the schedule, if there *are* things that you want us to look into in more detail I'd like to be able to come back with that information instead of trying to scramble and find it while I'm talking to you.

Chair Raschko: Right. I agree. That's the purpose tonight.

Mr. Cerbone: Yeah. Yeah.

Chair Raschko: Okay. Anything else for C-4? Or was it C-5?

(silence)

Chair Raschko: Okay, we're moving on to C-5.

Mr. Cerbone: So C-5 is Habitat Restoration. This is an interesting one where there was some background. There were some concerns about habitat restoration efforts that were occurring in our Ag-NRL, our Agricultural-Natural Resource Land. And as a result of those concerns, we created a specific use that was habitat restoration and we classified that as a hearings examiner special use in the Ag-NRL. Now what we did when we did that was we created a situation for all the other zones. Before that specific use was identified and classified in the Ag-NRL, it was interpreted by staff to be allowed within the zones within the county. We have a code provision in our code that talks about how we interpret the code, and if we have a use that's specifically called out and identified in another zone, we cannot interpret that use to be allowed in any of the other zones. So what we effectively did when we classified this as a hearing examiner special use in the Ag-NRL zone is we've precluded it from occurring in the other zones within the county. And so the proposal that's before you is literally to correct that. As proposed in front of you – I will not scroll through the entire thing, but it has every zone that we have in here. So this one is the first zone, which is the Rural Village Commercial, and so it places habitat enhancement and/or restoration projects except mitigation banks as permitted uses in that zone. We have done the same thing in every other zone in the county so that's the bulk of this document, is going through 28 pages of classifying this use in the other zones in the county. So that's the general approach and that's the reason why it's before you this evening.

Chair Raschko: Am I correct in remembering that forestland was left out? I think it was the one.

Mr. Cerbone: My understanding is the only – the habitat restoration provision was only added to the Ag-NRL. And so moving forward, the group can decide to include it in the zones, not include it in the zones, include it as a permitted outright use, include it as a special use, or include it as a hearings examiner special use. That's the purview that's before you. What we did is we took originally how staff had interpreted the code and that's what is being presented in front of you – that it would be an outright permitted use in the other zones. And we did coordinate this internally with the folks in our natural resource department as well as our natural resource professionals that are in the Public Works Department and they were all very comfortable with the proposal the way it is.

Chair Raschko: Anything? We're all good?

(silence)

Chair Raschko: Okay, C-6. Thank you.

Mr. Cerbone: So C-6 deals with amendments to the International Code, specifically the International Fire Code. The way that Skagit County operates is we adopt the International Fire Code and the International Building Code and different provisions of those codes. If there's something in the code that we're adopting that we disagree with or we want to alter, then we exempt that or discuss that in our actual code section that adopts that. And so the proposed revisions that are in front of you are to that section.

What we've done here are a couple of things. One is we have changed the minimum size of the cul-de-sac. The cul-de-sac, as previously identified in here, was too small to accommodate fire apparatus actually being able to turn around in it and so they've increased that to the proper size. Most of the other items in here are literally changing the language so the language is more clear. You know, we describe driveways as "driveways" as opposed to "roads," because most people don't think of their driveway as a road. So those are some of the changes that are before you. And I can just kind of go through them real quick.

So here where we went through and we changed it from "scope" to "general," that was to match the way that the International Fire Code is organized. So we're trying to use the same terminology that they're using. And then, again, we had talked about roads serving one or two residential lots. These are driveways. That's how we intended them to be reviewed, and we want people to be able to read the code and understand what they're reading. So we just went through, we changed it from (a) to sub-point (i), again, to be consistent with the way the IFC is actually prepared. And then I believe the cul-de-sac piece is at the end. Yes. So what we did is we proposed to remove this section where it said turnaround 70-foot cul-de-sac standards or as approved by the Fire Marshal. The reality of the Fire Code is that the Fire Marshal can approve an alternate standard. And so instead of putting a number in there we've just proposed to remove it so they have the flexibility to review that. There may be some instances where they're comfortable with a smaller cul-de-sac due to topography, and if they do special treatments to the structure to be able to offset, you know, their ability to fight a fire there – like sprinkle it or use a different type of construction methodology. And so, again, the proposal here would be to just remove that language.

Chair Raschko: Are there any questions?

(silence)

Chair Raschko: Thank you. Let's move on to C-7.

Mr. Cerbone: So this is very similar. So this deals with the building permit. In this instance, we're not proposing to amend the language that adopts the International Building Code. We have language that pertains to signs in our zoning code, so in 14.16. And what we have here is we have a situation where it was pretty prescriptive. It said that building permits shall be required for these specific instances. So the building official was in a situation where we had a staff member who's saying this requires a building permit, telling an applicant that a building permit was required. The building official was, like, We don't need a building permit for this. So I'll give you the example. If you're going to put a sign on a wall and attach it flush on the wall, he's not going to require a building permit for that. If you were going to project the sign so that it's subject to a wind load, he *is* going to require a building permit for that. The other thing that he identified is the code allows him to look at up to seven feet for a fence without a wind load and a structural permit, and so his determination there is well, if you can put a fence up that's seven feet tall, I'm okay with you putting a free-standing sign up that is seven feet tall as well.

Those are the primary changes. What we just want to do is provide people the opportunity when they read the code to know when they require a building permit and when they don't require a building permit, and we don't want them to think that they have to get one when they don't. So it's pretty fairly straightforward, I think.

Chair Raschko: Anything for staff? We're all good?

Commissioner Lohman: I thought that you changed that on the online to 32 square feet or something like that, instead of – I can't –

Mr. Cerbone: Yeah, the original language said “in excess of 32 square feet or greater than 6 feet in height” –

Commissioner Lohman: Maybe that's what I –

Mr. Cerbone: And we deleted that and said “as required by the currently adopted International Building Code,” and then freestanding signs less than seven feet in height and wall-mounted signs (that) do not project from the building do not require a building permit. So we kind of set up the threshold for when one would be required and then we gave some specific examples of situations when it would not be required.

Chair Raschko: Okay? Everybody's good?

(silence)

Chair Raschko: All right, C-8, please.

Mr. Cerbone: All right. I will say we are going through these quicker than I had envisioned! All right. So, C-8. This has to do with our coordination efforts with the Port of Skagit in relation to the Airport Environment (sic) Overlay. So this overlay is similar to what we were discussing with the MRO. This is an overlay that's placed over the airport with the intention of protecting the integrity of the airport. And what it does is it creates a three-dimensional space that we're trying to limit objects and development from incurring into that three-development (sic) space so that we can allow aircraft to land and take off safely. So what we've done here is we have two proposed amendments. These were requested specifically from the Port of Skagit. And the first one just deals with when we approve a variance. So we still can approve a variance to be able to encroach into these imaginary surfaces for the height of a structure. And what they've asked is that if you're going to do that can you please coordinate with us in that. And so what we've done is we've proposed some language that says the administrative official shall consult with the Port of Skagit prior to making such a determination. This subsection gives no authority to the Port of Skagit to actually require changes to the application. So it requires us by code to go and coordinate with the Port of Skagit when we're looking at these variances. I tell you one more important thing that this does: It signals to anybody looking for a variance like this that we're going to coordinate with the Port of Skagit, and so if they're doing their due diligence as an applicant they may actually reach out and have that conversation with the Port of Skagit ahead of time, which in my mind is always a good thing – when you can get that coordination effort occurring before we actually start reviewing the permit.

So that's the first proposed amendment. The second proposed amendment is in a section where we already identify specific land use applications that we coordinate those reviews with the Port of Skagit. And they have asked us to add the boundary line adjustment to that.

I don't see any issues with either of these. You know, I think these, like I said, do some important things. They make us coordinate with our partner who's managing the airport and the airport is a pretty important part of our economic development.

Chair Raschko: Anything on C-8?

(silence)

Chair Raschko: Everybody's good? Okay, well, that would conclude our workshop. Supposedly we can move forward with all of these now to public comment and deliberations. It would be nice to be have a motion to recommend doing so.

Vice Chair Mitchell: I have a motion.

Chair Raschko: Go ahead.

Vice Chair Mitchell: I move that we approve the proposed staff-initiated cluster, C-1 through C-8, and the Mineral Overlay proposal Removal to be put forth to the public for comment prior to hosting a public hearing and deliberating on the 2019 docket.

Chair Raschko: Is there a second?

Commissioner Rose: Second.

Chair Raschko: Discussion? I have one thing pertaining to Annie's comment on the drainage district issue. Should that be included in this?

Commissioner Lohman: I don't know.

Chair Raschko: Or we can include it and move it and if the feeling at that time at the conclusion of deliberations that it should be put off until after the stormwater matter is taken care of.

Commissioner Lohman: We could always recommend to make sure that it moves along with the stormwater NPDES language.

Commissioner Lundsten: If it's part of our discussion and public comment we – our decision could very easily be to make a *final* decision along *with* stormwater. We can decide that at the time. And this keeps it intact and before us. We don't lose it, as you were discussing.

Chair Raschko: Yeah. Anybody else?

(silence)

Chair Raschko: Okay. So we have a motion to __ propose staff-initiated C-1 through C-8 and the proposed MRO removal put forth for public comment prior to hosting the public hearing and deliberating on the 2019 docket. All those in favor, say "aye."

Multiple Commissioners: Aye.

Chair Raschko: Aye. Opposed?

(silence)

Chair Raschko: Nobody? So that was unanimous. Thank you very much. So that concludes that party of our meeting so we'll go to the Department Update.

Mr. Cerbone: So just a – Hal’s going to give you an update here about Safest Routes to School (and) capital facilities planning. Before we do that I did just want to share with you I had sat down with the Chair and the Vice Chair and we had talked about the upcoming meetings in terms of, you know, what we’re going to see before us. We’re going to do a good effort moving forward to coordinate more closely with the Chair and the Vice Chair as we prepare the meetings moving forward and we’re going to institutionalize that as part of our process for next year as well. They had asked for some additional information which I thought was very thoughtful and important. When we do the docket coming up this year, we’re going to try and bring more information to you ahead of the docket actually being determined by the Board so that you’re aware of what that docket is that’s being considered. And then when the docket is completed, I’m going to come and give you a presentation about what happened and what was actually enacted based on your recommendation. Certainly you guys can all watch it on TV or go see it, but I think it’s important to do a full circle, as the Chair had suggested, and report that information back.

The upcoming meetings that we’re going to be looking at these applications, as I alluded to earlier we’re going to be looking at P-1 and P-2, which were the two Guemes Island proposals, and the heronry. And so I’m going to put that on the agenda for this upcoming meeting in two weeks, and that is going to be the focus very similar to what we did this evening – is trying to arrive at something that we can put out for public comment. That is going to be something where we are probably going to take what the proposal was from the applicants and operationalize that into code. So that is probably what we’ll bring before you. I have a feeling that some of those because of the complexity of them you may want to alter that before we put that out for public comment. So that’s why I’m anticipating that that next meeting is going to be relatively busy.

The 19th is the meeting that I had planned for us having the public hearing, and so it’s important – before we have the public hearing I have to meet all the notice requirements, and so that is the goal. November 19th would be the public hearing and then we would have deliberations after that. So that is what I’m trying to get fit in. I won’t say “squished” in, but fit in to our upcoming meetings so that we can get through the docket. Now next year the goal will be to not be behind the eight-ball like we are right now and be much more ahead of the docket. And we’re in the process of hiring a new long range planning manager, so I’m hoping at the next meeting I’ll be able to tell you that we have hired that person who will assume that responsibility moving forward, and we’ll be able to share the information I just shared with you with him, as well, or her, rather. Does that sound fair moving forward?

Chair Raschko: Very good.

Mr. Cerbone: Mr. Hart?

Hal Hart: Pardon me. I’ve got the middle school crud, I think, so I apologize. I’ll stay a long ways away from you. I have a couple updates besides what’s on the screen.

A reminder: Next week is our housing effort here in Skagit County. So that’s on the 15th and that’s from 4 o’clock to 7 o’clock up at the college. So I think they’ve run out of tickets, but hopefully you’ve got your ticket and you can get in. I might be able to squeeze people if you haven’t done that, but if I need to pull rank and try and do that and try and get you in there. But I think it’s important to hear that conversation as it goes forward. We certainly invited area developers as well to hear the conversation and weigh in on: How can we provide affordable housing as we move forward as one of our goals? That’s an element of your Comprehensive Plan, and the State felt that it was so important that you’ve got to. They – you know, they’ve made every City and County address that. So we’re coming up with some, I think, good ideas this next year as to how

to address that. But we'll see what the Commissioners would like to do on that. And I'll keep you informed at each step of the way.

The other update is I was talking to John outside as he left just now, and I thought, you know, the Growth Management Act is full of multiple things – multiple thoughts that you have to always hold. And part of it is a balancing effort and we go to you to go, Hey, what's the balance going to be in Skagit County? And so I'm throwing back to the housing issue that one of the most expensive things in Juneau was the cost of concrete. And so as you're building that structure, you pour a lot of concrete, and what is the availability of concrete here? What's the cost of that concrete? I said, Hey, do you have any way to tell, to inform us: What is the cost of concrete and what's happening across Puget Sound? And so what he generally said to me was they're having a tougher and tougher time in Snohomish County in finding those resources. They're having a tougher time in the county to the north of us as well, and certainly King and Pierce are probably having those issues too. And so I'm going to ask them to report back, to *me* at least, in an email what he's finding from those other counties on gravel resources just generally. I think it's a really important component to the cost of housing, and I know we have experts far greater than me – like Martha here, that she recently built things – and maybe the cost was great here. But I want to look at that because I think it's also important to know about that industry, Where is the gravel going? Right? And so, are we exporting it north or south? And I think in Whatcom County in the mid-2000s a lot of it was actually going over to support Vancouver for BC's growth. And I thought, wow, that's interesting. So where does that go? And that was my question kind of to him, and I'd like to find out what he finds out and then pass that on to you, if that's okay. Okay?

Chair Raschko: That'd be very interesting.

Mr. Hart: Yeah, I think so too. And he's got – he talks to those guys all the time. He works with the gravel industry because they come in for permits and things a lot. So I want to bring that perspective back.

Okay, so what am I doing with this? One of the goals I have on director's dialog is to bring you concrete examples of planning in a rural county and how we're implementing it in just a lot of different ways. So this is – I know it's probably too small for you – but the community brought up a need a few weeks ago, but they also brought it up last year. So the need was, Hey, Clear Lake – we had a big meeting at a church last July, a year ago July, and some of the issues were around crumbling infrastructure. And today a neighbor sent me a packet about – I'd say about an inch thick of examples of, Hey, the infrastructure here is crumbling in my community. How do we reinvest in a rural community in a rural context in Skagit County? How do I do that? And so there are a number of programs or ways that you could do it, but Growth Management has afforded us the capital facilities planning process. And what is that? So in a nutshell we hear from people all the time that, Hey, our road needs work. Our county road needs work. Or we hear that, in this case, Our sidewalk needed work. And so what I'm just showing you is one example of, Hey, our sidewalk needed work; what is a possible way to fix it? And so working with the community means, in this case, you've got somebody who's saying, Hey, we've got a problem. And it's actually the business owners are also telling me that too. And so the business owners there are saying, Look, it floods in my – it's flooding. It's coming off the state road. It's flooding across this old sidewalk that's decades old, and it comes into the front of my business. And so we've got an issue. How do you solve that? We have to figure out how to solve those practical, everyday problems and it means communication, coordination, and collaboration. You know, the three Cs of getting it done.

And so what that means in the Growth Management context is – and I'm just showing you what was once there – but what this means in the Growth Management context is calling the school

district; getting the school district to put the sidewalks as a priority. And the reason I say that is because there's a competitive process out there right now and it's called Safest Routes to School. Sedro-Woolley did this and was very successful in getting sidewalks around its schools so that kids get there safely. This is a rural school but the kids *walk* there, right? A lot of the 244 kids will walk there. Parents will take them if they don't think it's safe but if you had a more walkable neighborhood that'd be a good win-win, both for the businesses there as well as for the community generally.

Now one of the issues that was also identified just in discussion was, How do you get across that road safely too? So in wealthy communities and other places all over the state, Snohomish County being my example in my head, they've figured out how to put a blinking light on a really busy street and when you come up to it you just hit the blinking light. The lights go all over the place and then you can safely walk – you wait until the cars stop and then you walk across. You could do something like that in that community, but in order to even have that conversation we have to – communication, collaboration, and coordination has to happen. So I'm using this as a – I contacted the school district. They said, Hey, we're game. They just gave me that an hour or two ago. And they said, Yeah, this sounds like a really good idea to have sidewalks improved in that area – at least their capital facilities guy. And then the next one is our own Public Works office, and they would say, Yeah, we can help with that as well. And the third is going to be DOT local programs. And with DOT local programs we would simply say we'd like to put in for this grant. We think we have 244 kids that would benefit from this and we have a community as well that would benefit. And I know of communities like **North Port**, Washington, that did it on a highway going just before you go over – it's Stevens County – just before you go over. They did it on their Main Street and it's because there was no definition of where Main Street or parking was. They felt it was unsafe for their kids and the loading and offloading and times. And so they spent some money and they invested in that little community.

So this is a way of spending money. Look for the wins-wins of future economic development or preservation of businesses or maybe dealing with drainage issues or maybe the utilities that are there could be – you know, it's part of thinking ahead, too, when we sit down. So we'll have the community there, we'll have the engineering community there and try and work on it on a win-win for everybody. So we'll keep you posted, but I just want to say this is one of those processes that we can be involved in and make a difference in. How *you* can be involved is that we'll bring the capital facilities plan and we'll have to have that approved and recommended and approved in going forward. And there would be a CFP list that we would be looking at as well.

Do you have any questions? My question for you is: Does that sound like a good thing to be doing? I guess. Okay, I'm seeing nods.

Chair Raschko: I would say so.

Mr. Hart: Okay, thank you. We appreciate it.

Vice Chair Mitchell: One quick question for you.

Mr. Hart: Okay, sure.

Vice Chair Mitchell: You were saying "competitive" and you brought that back to the GMA. But the competitive part, it's not just for funding or grants; it's for other kinds of resources?

Mr. Hart: So the competitive part in this one is there are schools all over the place that need sidewalks and investment in sidewalks. So it would go into a list and we would want to make sure that our application is going to be competitive enough with everybody else so that we define what the win is in such a way that it's a good thing for them to invest in for the state of Washington.

Chair Raschko: It's kind of a sales job.

Mr. Hart: It is, but hopefully it's a safety job.

Chair Raschko: Yeah.

Mr. Hart: Right?

Chair Raschko: Yeah. Anything else?

(silence)

Chair Raschko: Okay, well, thank you. We'll go to Commissioner Comments and Announcements. Is there anybody with an announcement? When is our next meeting?

Mr. Cerbone: It should be the 24th. Two weeks from today.

Chair Raschko: Okay. I have an announcement.

Commissioner Rose: 22nd.

Mr. Cerbone: Thank you. 22nd, yes.

Commissioner Lundsten: Thank you!

Chair Raschko: I have an announcement. I'm on the hook. My wife and I, we have a new grandkid that's going to be coming close to that time and if it happens I'll be absent. I'll let you know as soon as I know, okay?

Vice Chair Mitchell: Congratulations.

Several Commissioners: Yeah.

Chair Raschko: Thank you. Anything else?

Vice Chair Mitchell: I've got one thing. I was thrilled, Mike, when you said that you would come full circle and come back to us to tell us about the results of the Planning Commission's recommendations when they go through the BoCC and everything like that. If we could help each other to remember to – like, when we're saying when the next meeting's going to be, also announce the date and time when they're going to meet for their public hearing and their deliberations, where if people are interested in sitting there, you know, following through, they can watch from, you know, Skagit 21 or something like that, too.

Mr. Cerbone: Yeah. Yeah, I can make sure that information's available to you and to the public as well. And Kathy has been doing a great job helping me make sure that the materials are available and easily accessible by the public, which I think benefits everybody in the community. And so I think part of what we talked about was trying to make sure that that information is there

moving forward. And one of the other things we talked about was trying to plug in with our two advisory groups as well, the Ag and Forestry Advisory Boards. And so I'll be meeting tomorrow night with the Ag Advisory Board with Mr. Hart, and we'll be reviewing the docket with them. They had some specific questions about a couple of items on the docket. So I wouldn't be surprised if you got some formal correspondence from them for consideration as part of the deliberations, or maybe even one of their members came to testify before you.

Vice Chair Mitchell: Thank you.

Chair Raschko: Okay, anything else?

Commissioner Lundsten: I'd like to thank you for putting in the language about the zoning and adjacent properties. That shone (sic) a light on it that would have been very opaque without it. So for those of us who don't sit around and read code for a living it's really useful to have that kind of thing, that kind of context which I appreciated.

Mr. Cerbone: Yeah, there's not that many people who can tolerate sitting around reading code for a living.

Commissioner Lundsten: Well, I applaud you for doing so!

Mr. Cerbone: There's a few amount of us!

Commissioner Lundsten: I say the same thing to an accountant who does taxes, but, you know, some people love that stuff.

Mr. Cerbone: Yeah, yeah.

Commissioner Lundsten: So there you go.

Mr. Cerbone: Well, thank you.

Chair Raschko: Is there anything else?

(silence)

Chair Raschko: If not, then we'll stand adjourned.

Mr. Cerbone: Have a good evening.

(gavel)