

**Skagit County Planning Commission
Public Hearing and Deliberations – 2021-2026 Capital Facilities Plan
Work Session: Bylaws (postponed)
November 10, 2020**

Planning

Commissioners: Tim Raschko, Chair
Kathy Mitchell, Vice Chair
Mark Knutzen
Joseph Shea (absent)
Mark Lundsten
Amy Hughes
Joe Woodmansee
Tammy Candler
Martha Rose

Staff: Hal Hart, Planning Director
Mike Cerbone, Assistant Planning Director
Peter Gill, Long Range Planning Manager

Chair Tim Raschko: Tonight's meeting of the Skagit County Planning Commission is now in session. So let's start out. I think it would be appropriate to have roll call. So when I call your name, please indicate that you are here. We'll start with Commissioner Mitchell. Okay.

Vice Chair Kathy Mitchell: Here.

Chair Raschko: Commissioner Candler?

Commissioner Tammy Candler: Here.

Chair Raschko: Did I hear? Oh, there you are! Commissioner Hughes?

Commissioner Amy Hughes: Here.

Chair Raschko: Great. Commissioner Lundsten? I think you're present.

Commissioner Mark Lundsten: Here.

Chair Raschko: Commissioner Rose is present.

Commissioner Martha Rose: Here. Yep.

Chair Raschko: Woodmansee. Commissioner Shea is absent. Commissioner Knutzen?

Commissioner Mark Knutzen: Here.

Chair Raschko: And I'm present. So we have a quorum. Are there any proposed changes to the agenda?

(silence)

Chair Raschko: I hear none. I do have a concern about item 4, which is our Bylaws Work Session. First, my understanding is that staff has not received from any member of this commission any proposed verbiage to put before the Planning Commission for discussion. Is that still correct, Mr. Gill?

Peter Gill: Yes. I have not received any proposed changes to the bylaws since our last meeting.

Chair Raschko: Okay. So this leaves us the option to go through the material proposed by staff for our bylaws, and my feeling is that these are to be the Planning Commission's bylaws. They should come from the Planning Commission and they should not come from staff. And this isn't to disparage staff in their effort. To the contrary, the staff recommendation was really presented to fill a void left by us who had not done our preparation or come up with *anything* to represent what we really want in these bylaws. I think basically we're unprepared to move forward in the way that we should. To me, it's discouraging and frustrating to waste our time going through somebody else's proposed language. We know we can and should be creating a document reflecting our own principles and vision. And secondly any newly appointed – or approved, excuse me – bylaws will need to be approved by the Skagit County Board of Commissioners. And there's a good possibility that we will have two-thirds of that board turn over in the near future. It would just seem appropriate that we do this work and present our approved version of the bylaws to the new Board of County Commissioners rather than to the old.

Okay, so for those reasons I'm going to move that I'm for this agenda – Bylaws Work Session – be postponed to a future time to be determined in early 2021. Okay? Now a motion to postpone – I've researched in Robert's Rules – is not debatable, so if somebody seconds my motion we just vote. Okay.

Vice Chair Mitchell: Second.

Chair Raschko: Who seconded?

Vice Chair Mitchell: Mitchell.

Chair Raschko: Okay. Commissioner Mitchell seconded. So it's been moved and seconded to postpone the discussion of the bylaws until the time to be determined in early 2021. All those in favor – and we will do this by roll call. We'll start with Commissioner Mitchell.

Vice Chair Mitchell: Should we have a discussion first, or is it no discussion?

Chair Raschko: There is no discussion.

Vice Chair Mitchell: No discussion. Thank you. Aye.

Chair Raschko: Commissioner Candler?

Commissioner Candler: Aye.

Chair Raschko: Commissioner Hughes?

Commissioner Hughes: Aye.

Chair Raschko: Commissioner Lundsten?

Commissioner Lundsten: Aye.

Chair Raschko: Commissioner Rose?

Commissioner Rose: Aye.

Chair Raschko: Commissioner Woodmansee?

Commissioner Joe Woodmansee: Aye.

Chair Raschko: Shea? Oh, he's not here. I'm sorry. Commissioner Knutzen?

Commissioner Knutzen: Aye.

Chair Raschko: And I vote aye so that carries unanimously. Thank you. I just want to repeat: I don't want to disparage the work that staff put into prepare something to discuss. I just think that we have it incumbent upon ourselves to do that for our own benefit moving forward.

Okay, with that we are going to move on to our next item, which is the annual Capital Facilities Plan Update Public Hearing. The Commission will hear testimony addressing the annual updates to the County's Capital Facilities Plan for 2021 to 2026. The staff report, presentation, and attached draft plans, which were provided at the October 20 meeting, are available at the project website.

Each speaker will have three minutes. See meeting login information in the Virtual Public Meeting Access section.

So, Mr. Gill, have we any people wishing to speak tonight?

Mr. Gill: We haven't received any written comments and I didn't get anyone requesting to be added to the speakers' list early.

Chair Raschko: And I presume there's no call-in people wishing to speak. Okay, with that we will call the public hearing closed. So we'll move to deliberation on the Capital Facilities Plan Update.

So we all should have a copy of the Skagit County Planning Commission's recorded motion regarding the 2020-2026 (sic) Capital Facilities Plan and Transportation Improvement Plan that was provided to us as a starting point for Findings of Fact and Reasons for Action. Has everybody had an opportunity to see that?

(silence)

Chair Raschko: I think by the nods that it's yes. I presume the best way to this would be to go through it item by item, of which there are 11, and after we have finished that people can propose additions if they so wish. I think going just for a consensus on each of these points should be sufficient, so unless anybody has a better idea that you're hoping to present, I propose we go forward that way. Any other ideas?

Commissioner Candler: I was just wondering, are we going to put that up on a split screen?

Chair Raschko: That would be convenient to do so.

Commissioner Candler: Thank you.

Chair Raschko: Okay. A little higher there. Great, that's good. Okay, number 1 is: "RCW 36.70A.070(3) requires a comprehensive plan include a capital facilities planning element that provides an inventory of publicly-owned capital facilities, forecast of future needs, identification of the location and capacity of expanded or new facilities, a six-year financing plan for additional projects necessary to support development, and a requirement to reevaluate the land use element if the financing falls short of meeting the existing needs. The statute further provides that park and recreation facilities must be included in the Capital Facilities Plan element."

Any discussion on number 1?

Commissioner Lundsten: I have a question.

Chair Raschko: Yes, Mr. Lundsten?

Commissioner Lundsten: Yeah, thank you. I just wanted to know if staff could supply an example of the Land Use element when financing has fallen short of it meeting existing needs. I was – I read that a few times over the last few years and – has it happened? I just would like to fill in my ignorance there and figure out if – well, you know, what it would mean if it *didn't* work.

Mr. Gill: Chair, this is Peter Gill. This is part of the reason we have the Capital Facilities Plan, is to make sure that we have the infrastructure to support our Comprehensive Plan and our proposed zoning and everything else. So part of the requirement of the law is to make sure that we – if we're not able to develop or to build the infrastructure that we need that we reevaluate the Comprehensive Plan and, hence, the zoning map so that we don't overburden the existing infrastructure if we're not going to have it there. And so to my knowledge, we have never had to reopen the Comprehensive Plan in order to accommodate a lack of funding for a capital facility; however, my tenure is very short here, as you may know, so that may have happened in the past. I don't know.

Commissioner Lundsten: Thank you – exactly what I was asking.

Mr. Gill: Good.

Chair Raschko: Okay, maybe the best way to do this is assume we have consensus on this point. If anybody wishes to speak to it, please do so now.

(silence)

Chair Raschko: Okay, we'll assume then that item 1 in the Findings of Facts and Reasons for Action is accepted to the Planning Commission.

Number 2: "WAC 365-196-415(2) recommends a jurisdiction periodically review and update its inventory, at least at every periodic comprehensive plan update, and updates its six-year financing plan at least biennially."

Anything on number 2?

(silence)

Chair Raschko: Okay, do we have consensus on number 2? Please speak up if not.

(silence)

Chair Raschko: Okay, we approve number 2. Number 3 – I'm sorry? Okay. Number 3: "Skagit County's most recent update of its Capital Facilities Plan was the 2020-2025 document adopted in 2019." I presume there's no argument with that since it happens to be true.

We'll move on to number 4: "The proposed Skagit County Capital Facilities Plan improves upon the existing plan with an updated inventory, needs assessment, six-year financing plan, and by referencing the most recent draft of the Transportation Improvement Program."

Anything on number 4?

(silence)

Chair Raschko: Okay, number 5: The County published a Notice of Availability, Public Comment, and SEPA Threshold Determination for the Capital Facilities Plan in the Skagit County "Herald" on October 15th, 2020."

Do we have consensus?

(silence)

Chair Raschko: All right, number 6: "The proposed 2021-2026 Capital Facilities Plan is consistent with GMA requirements for capital facilities planning described in RCW 36.70A.070, the Skagit County Comprehensive Plan, the Countywide Planning Policies, and supports the requirements of Skagit County Code chapter 14.28, Concurrency."

Anything on number 6?

(silence)

Chair Raschko: Okay. And number 7: "RCW 36.81.121 requires a county to adopt a 'comprehensive transportation program for the ensuing six calendar years' consistent with the comprehensive plan that 'shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote non-motorized transit.'"

Does anybody wish to speak to number 7?

(silence)

Chair Raschko: All right, we'll move on to number 8: "The Transportation Improvement Program is incorporated by reference into the Capital Facilities Plan to fulfill the requirement for the Plan to address transportation." Number 8.

All right, we have consensus on 8. Number 9: “The proposed 2021-2026 Capital Facilities Plan includes the County’s best efforts to incorporate capital facilities information from special purpose districts throughout the county.”

Anything on number 9?

(silence)

Chair Raschko: Hearing none, we assume consensus. Number 10: “The role of the Planning Commission in reviewing the 2020-2015 Capital Facilities Plan is to help the County plan for capital facilities and public services to be provided to support development at the time” the “development occurs.”

Commissioner Knutzen: I have a comment, staff.

Chair Raschko: And who have we –

Commissioner Knutzen: There’s a typo there. It says “2020-2025 Capital Facilities Plan.”

Chair Raschko: Yes? Oh!

Commissioner Knutzen: It can’t be 2020-2015, I’m pretty sure.

Mr. Gill: (laughing) Thank you.

Commissioner Knutzen: Yes. Easy to _____.

Chair Raschko: Good catch. So with that error corrected, I presume we have concurrence on number 10.

Number 11: “Based on the projects, financing, and levels of service described in the Capital Facilities Plan, a reassessment of the land use element” – I’ve got a dry throat – “of the Skagit County Comprehensive Plan is not required.”

Okay, anybody have anything on 11?

(silence)

Chair Raschko: Okay, the Findings of Fact as presented by staff have been accepted. Are there any additions that anybody would like to propose?

(silence)

Chair Raschko: There are not then. Do I hear a motion to approve the recorded motion regarding the 2021-2026 Capital Facilities Plan and Transportation Improvement Program?

Vice Chair Mitchell: I have a motion. Mitchell.

Chair Raschko: Ms. Mitchell made the – is there a second?

Vice Chair Mitchell: If you want me to say it, I move that we accept the Capital Facilities Plan as written.

Commissioner Rose: I'll second it.

Chair Raschko: By Commissioner Rose? Is there discussion?

(silence)

Chair Raschko: Okay, hearing no discussion, we will now vote by roll call.

Commissioner Candler: I have a question.

Chair Raschko: Oh, who has a question?

Commissioner Candler: I didn't actually – did anyone actually see the notice in the October 15th? I didn't see the notice myself but I'm assuming Peter or somebody wrote that and that it's in there. Kathy Mitchell, do you – you raised your hand. Did you see it?

Vice Chair Mitchell: I saw the notice – not in the paper, but I saw the *notice* notice. Is that – Peter, can you pull that up for us?

Mr. Gill: Sure. Let me look for it real quick here. I have an affidavit from the paper. Let's see.

Commissioner Candler: I think that's fine. I just wanted to make sure to double-check the date because I didn't see it myself.

Vice Chair Mitchell: Smart move.

Mr. Gill: It may still be in my emails.

Vice Chair Mitchell: The NOA I saw – Peter, correct me if I'm wrong – the NOA I saw said that the public comments were to be due by 4 p.m. today.

Mr. Gill: Correct.

Vice Chair Mitchell: Is that correct?

Mr. Gill: Correct.

Commissioner Candler: Good. Thank you.

Vice Chair Mitchell: Which actually – can I make a comment here?

Chair Raschko: Please do.

Vice Chair Mitchell: Thank you. I think it's a great point that Commissioner Candler's bringing up. I think for the new people we all need to make sure that one of the standard operating procedures things that we should do – every single one of us – is to check each project when it comes out to make sure that they've seen the notice the way the public would have seen the notice. It's just

good practice to follow up and make sure that we've done things and the public's seen what we intend them to see. Thank you.

Chair Raschko: Thank you. So, Commissioner Candler, are you satisfied?

Commissioner Candler: Yes, and I don't have anything further. I was just checking that.

Chair Raschko: All right. Any other discussion?

(silence)

Chair Raschko: Okay, if no further discussion we will now vote by roll call, please. We'll go backwards this time. Commissioner Knutzen.

Commissioner Knutzen: Aye.

Chair Raschko: Commissioner Woodmansee.

Commissioner Woodmansee: Aye.

Chair Raschko: Commissioner Rose?

Commissioner Rose: Aye.

Chair Raschko: Commissioner Lundsten?

Commissioner Lundsten: Aye.

Chair Raschko: Commissioner Hughes?

Commissioner Hughes: Aye.

Chair Raschko: Commissioner Candler?

Commissioner Candler: Aye.

Chair Raschko: Commissioner Mitchell?

Vice Chair Mitchell: Aye.

Chair Raschko: And I voted "aye" as well – Commissioner Raschko. So thank you, everybody, for your hard work on the transportation plan. I appreciate that very much. Now we're _____our Director Update so, Mr. Hart?

(silence)

Chair Raschko: Mr. Hart?

Hal Hart: Peter, I think you're bringing it up. Yes. Okay, here we go. So for today – sorry without the comma there. Move it to the next slide, please. Okay.

So three updates. Shoreline update, we're working with our consultant from the Watershed Company to complete the draft plan. Our goal is June 2021. And I'll let Peter kind of take it as to where we are this week. And go ahead, Peter.

Mr. Gill: Sure. So, yeah, so some of you remember well the Shoreline Master Program update. There was quite a bit of work done on that by the Planning Commission in 2015 and 16, and maybe even before then. That has been picked up again and we have a deadline, like Hal mentioned, of June 2021. And so we would like to provide an update to you all at the December 8th meeting. We will have our natural resources division provide an update on where we're at in the plan for public participation moving forward. So that would be scheduled for December 8th.

Mr. Hart: Peter, we might want to provide some resources to anybody new to the Planning Commission that hasn't really dug into the Shoreline Master Program. Can we send a list of places where they can read a little bit more of that in advance of that Planning Commission? The shoreline master programs have been around since 1971 and so, you know, it's kind of this partnership between DOE kind of as the superior partner and the County as a little bit of the inferior partner. How does that all work? And I think that would be good for people to read some information prior to the update even. It might be helpful. Just some – you know, like the 101, laying out very easy parameters.

Mr. Gill: Yes, there's a – we have a very comprehensive update – or comprehensive website on the Shoreline Program and the work that has been done to get it as far as it has in the past.

Commissioner Rose: I have a comment on this. Can I make a comment? I went to – I attended a conference a couple of weeks ago and one of the presenters was from Israel and her topic was bringing concrete to light, but it was all about shoreline management. And it was excellent. It was one of the best presentations on shoreline that I've seen and I'd like it to be shared with everybody. It's, like, an hour long thing, so it'd have to be people watching it on their own time probably. But is there reception to that idea? Like, if I sent a link, could you disseminate it?

Mr. Gill: That would be great.

Mr. Hart: Yeah. Through the Chair I'm seeing a lot of nodding heads here.

Commissioner Rose: I have to figure out how to get my hands on the link first, but once I do I'll send it over and then you can share it with everybody. It was just – you know, and I've learned a lot about shoreline and been in a lot of presentations and this was really at the top of the tier, so that's why I'd like to have everybody who's interested watch it.

Chair Raschko: Thank you. Commissioner Mitchell has a question.

Vice Chair Mitchell: Yeah. Peter and Hal, when you send the information out for, like you said, maybe for the new people, could you send the same to all of us? I've got a funny feeling we all could use everything! It's been too many years! Thank you.

Mr. Hart: Yep, I think that's a great idea. So we'll go ahead and do that. Are there any other questions at this point?

(silence)

Mr. Hart: So – oh, Tammy, did you have a question? No? Okay. Okay, good. So public participation's a key point on that going forward. Peter, anything more to say on that piece?

Mr. Gill: I don't think so. Not at this point.

Mr. Hart: Okay. Other than – we're just trying to figure it out and in a time of COVID is difficult.

And then finally, agency coordination. I think we're probably going to be coordinating with them probably every other week – something like that – going forward.

So on the next issue is ag tourism. Let's bring them up to speed on where we are in ag tourism this month and what to expect in the month ahead.

Mr. Gill: Sure. Yeah, this is Peter. So I think last meeting we talked about that we signed a contract with BERK and Associates to help us assess and provide some analysis around agriculture and agricultural tourism within Skagit County. We are just getting things rolling. We did have a chance to brief the Ag Advisory committee at their last meeting and that was well-received by the committee and they do want to be quite involved. So we look forward to working closely with them. But right now we're just putting together kind of an overall list of stakeholders and trying to put together public outreach and participation plan, and so similar to the Shoreline Program. We will be bringing you all an update at the next meeting on the 24th of November on agri-tourism and what it can mean for Skagit County.

Mr. Hart: So we as a – staff and the Planning Commission will want to coordinate both those public participation plans as we go forward for the next year. And we're going to want to understand when those decisions are teed up for the Planning Commission. What are those key months and that we're looking ahead in 2021, Peter. So I think the better we can calendar that so that everybody can plan – because this is the first year since we've had two really significant pieces of – potential pieces of legislation that – ground up through the Planning Commission for a while, so I want to make sure everybody has it on their schedule and that we can do the best we can to bring that forward in a way that means the fewest extra meetings possible. Right?

Mr. Gill: Well, and that's what we – it *is* going to be tricky to coordinate everything that needs to get done including Comp Plan amendments and anything else that gets docketed by the Board with these two projects. That said, the agri-tourism project you probably won't have too much in terms of code review or development regulations to look at until the summer of 2021. There's quite a bit of work in kind of looking at the financial, the economic side of things; doing the public outreach; trying to access the tempo of the community and figure out what's right for Skagit County and whether we already have everything we need or whether we need to make some changes. So there's going to be a pretty big push to get a lot of public participation on this on the front side. So you won't have to deal with it quite right away other than through some – hopefully some public participation as individuals. So...

Mr. Hart: The only other thing might offer is if we find anything in the news of other counties doing things, we'll bring that to you, because I think we need to see what the county to the left, to the right, north, south, east, and west – what are they doing? And a hot one is wedding venues. So I think Snohomish County may be doing something on wedding venues in the agricultural areas. So stay tuned. When we see what they're doing, we'll pass it your way.

Okay, are there questions or anything – okay – on that one? Don't see any. Then the third and final one is something called the Voluntary Stewardship Program, or VSP. That's being run out of

Kara's shop down in Public Works. That program is – again, that's a voluntary program. The County's a part of it. The conservation, I believe, comes – the money from the state comes through the Conservation Commission. There's a little bit of money and that funds certain projects for them. One of the projects – I just wanted to put it out there – is – that is due is a five-year report from Public Works that's due in January 2021. So it'll be interesting to see, How are agriculture areas dealing with critical areas generally? And see what that information provides.

The second piece is they are continuing to look at funding sources from the state for mapping – better mapping – so they can understand in greater detail when rivers and/or critical areas – small streams and things – where they have invested in planting things and when those get removed. What's going on? What's happening if people are going into buffers that have been planted and then they subsequently get removed for some reason? Sometimes they get removed because there's diking things or there's some other district that needs to get in there and do something. So they're trying to keep track of what's going on across the landscape. So I think that's kind of important just generally to have some knowledge about that. They're going to be coordinating through NOAA and looking at the kind of a coastal land cover program of overall what's happening across the Skagit County landscape in agricultural areas.

So that might be good informational information to share with you. I'm not sure how it's going to come back to us, but I think the policy ramifications would be – those farmers would then have to be – if they leave the Voluntary Stewardship Program or if it were to go away, they would then be subject to the critical areas ordinance provisions which are stricter, and may not be in the best interest of agriculture. And so I think it's just – it's a very interesting time that we're in. We'll see which way it is going this year. Let's look at the report, know that we're trying to get better data for the VSP, and possibly if I can wrangle Kara into giving you an informational update if you want it. So I see Amy nodding on that one, and maybe Kathy as well. So we would normally give those updates to the ag folks as well, but I think critical areas is really important countywide so information I think you should have. Not that you have to act on it, just what's the direction of it going and where is it going. I'll defer that to the chair to tell me what he wants to do.

Chair Raschko: Are there any other suggestions or comments? Go ahead, Ms. Mitchell. Commissioner Mitchell?

Vice Chair Mitchell: Sorry. I muted myself! More of a housekeeping thing: As you wrap these things up, if you could run through all those dates again for us that would be helpful. And I sat in on the Voluntary Stewardship Program presentation to some of the farmers I can't remember how many years ago now, and it was really very interesting. It was eye-opening, actually, when you see what people are looking at and having to do. It's very important that people understand what those things are, so anything you could do to bring us some more information will help. Thank you.

Mr. Hart: Thank you.

Chair Raschko: Ms. Hughes?

Commissioner Hughes: Thank you. Hal, just to clarify: When the Public Works releases that report in January will it be forwarded to us?

Mr. Hart: That's a great idea. I hadn't talked to anybody down there. I just – I was – how this happened is I wanted to ask questions of our GIS guy when I heard the report from the IT department about the kind of level of mapping they're doing. So I thought that mapping would be

useful to all of us at some point to see updated maps. So, yes, I will ask that they can forward that out.

Commissioner Hughes: Okay, thank you.

Chair Raschko: Any other comment?

(silence)

Chair Raschko: Well, I apologize, Mr. Hart, but what were you looking for as far as –

Mr. Hart: Oh, I just – right now I'm just seeing very – my screen, I'm looking at the Director's Report in very small gallery, so if I'm missing somebody raising their hand.... That's all. I wanted to make sure we got everybody.

Chair Raschko: All right, thank you. Anymore comments or questions? I'd just make one quick one. I really liked your last bullet point. Having mapping available where you could look at changes in the landscape over time I think would be really interesting and helpful. Thank you. Mr. Lundsten, were you raising your hand? No. Okay. Anything else for Mr. Hart?

Mr. Hart: No, sir.

Chair Raschko: All right. So we'll move then to Planning Commissioner Comments and Announcements. Mr. Knutzen, have you anything to say?

Commissioner Knutzen: I do not at this time.

Chair Raschko: Thank you. Mr. Woodmansee?

Commissioner Woodmansee: I do not.

Chair Raschko: Ms. Rose?

Commissioner Rose: I already said my thing.

Chair Raschko: Okay. Thank you. Commissioner Lundsten?

Commissioner Lundsten: No.

Chair Raschko: Commissioner Hughes?

Commissioner Hughes: Nothing.

Chair Raschko: Commissioner Candler?

Commissioner Candler: I don't have anything.

Chair Raschko: Commissioner Mitchell?

Vice Chair Mitchell: Nothing, thank you.

Chair Raschko: Okay, thank you all. I would just say I appreciate everybody's patience with me tonight and thank staff for their hard work and everybody else's hard work, and I just wish everybody to have a good evening. So with that, this meeting is adjourned. Have a good night.