MINUTES - Regular Meeting

Thurston County Planning Commission
Wednesday, May 2, 2001
County Courthouse Complex
2000 Lakeridge Drive SW
Building 1 - Room 152
Olympia, Washington 98502

1.  Call to Order

Chair Bower, followed by introductions of Planning Commission members, called the meeting to order at 7:00 p.m.

a.  Attendance

Members Present:  Bob Bower, Tom Cole, Liz Lyman, Janet Reiner, Peggy Paradise, Thomas Smith, and Mark Lovrien

Members Absent:  Brian Fagernes and Barbara Frost

Staff Present:  Jennifer Hayes, Fred Knostman, and Sandy Norton

Guests:  Andy Haub, City of Olympia; Steve Morrison, TRPC; Scott Clark, TC Water and Waste Management

b.  Approval of Agenda

The agenda was approved as submitted.

c.  Approval of Minutes

Commissioner Cole moved seconded by Commissioner Lyman to approve the minutes for April 18, 2001.  Motion carried.

2.  Public Communications

None.

3.  Worksession/Action:  2001 Comprehensive Plan Amendment Proposals

OLY-2, Green Cove Creek basin policies and land use designations providing for low impact development.

Mr. Knostman introduced Scott Clark from Water & Waste Management and Andy Haub from City of Olympia.  Mr. Knostman stated that Mr. Clark is Mark Cook’s replacement.
Mr. Clark provided a brief background of himself by stating he worked for the City of Olympia for five years in utility planning and code enforcement and prior to that he was in the Army.

Mr. Haub handed out a proposed agenda for discussion on Green Cove. The proposed agenda included an update on Olympia Planning Commission deliberations, summary responses to the Commission’s informational requests (included in Commission mailing), open discussion, Planning Commission recommendations, modifications of Olympia recommendations to reflect Planning Commission recommendations and then follow-up.

*Update on Olympia Planning Commission Deliberations*

Mr. Haub provided a handout to the Commission titled “City Streams and Wetland Project; Low-Impact Development Proposal; Summary of Potential Regulatory Changes” dated March 14, 2001. The handout highlights the major amendments that could be included in the Comprehensive Plan Amendments, Unified Development Code, and Development Guidelines and Public Works Standards/Olympia Municipal Code.

Mr. Haub stated that the initial recommendation from the Olympia Planning Commission was focused around density for the new residential low-impact development zone. Mr. Haub stated that it started out at two single-family residential units per acre with an optional increase in density to four units per acre if multifamily development is included. Mr. Haub stated that two weeks after the initial recommendation staff brought a legal concern to the Commission. The concern was whether you could down zone and maintain consistency with growth management.

Mr. Haub stated that the final recommendation from the Olympia Planning Commission increased the density to four to six units per acre and this is the recommendation that went to council on May 1, 2001 in a public hearing.

Mr. Haub stated that more analysis of Growth Management Act requirements has been completed and they are now suggesting that there is flexibility within zoning. Mr. Haub stated that it is likely the Olympia Planning Commission recommendation will hold, however, the Council will have the option to modify the recommendation.

Mr. Haub stated that the Olympia Planning Commission also requested to City Council that they be allowed to look at the development standards (standards noted on handout dated March 14, 2001). Mr. Haub stated that both staff and Council support the request. Mr. Haub also stated that the Olympia Planning Commission is holding a public hearing on Monday, May 7, 2001 to solicit testimony on development standards.

Chair Bower asked Mr. Haub about other significant changes. Mr. Haub stated that the fundamental change was the density and associated changes to setbacks from adjacent properties, adjacent
lots/streets, as well as lot size impervious cover (to be able to accommodate the greater density).

**Summary Responses to the Commission’s Informational Requests**

Summary responses to the Commissions questions and comments were included in the Commission mailing and included the following categories: Density/Population Shift; Economic Viability/Property Values; Affordable Housing; Habitat Protection/Impervious Surface/Stormwater Management; Tree Retention; Balancing Growth Management Goals; Basin/Zoning District Boundaries; Alternatives; and Process.

Chair Bower went through each category and provided the Commission an opportunity to ask questions that have not yet been addressed.

A. **Density/Population Shift and Economic Viability/Property Values**

Commissioner Paradise expressed a concern about the environmental impact on the watershed of the increase in density from the 2-3 units per acre in the original proposal to the 4-6 units per acre recommended by the Olympia Planning Commission. Mr. Haub agreed to run a model and provide the Commission with results at a later date.

Commissioner Cole expressed a concern with decreasing the density on properties in the Urban Growth Areas and personal property rights. Commissioner Cole also asked if there is an analysis of down zoning from a current density to a lesser density.

Mr. Knostman provided a brief history by stating that there are only two parcels within the Green Cove Creek Basin area that have a density higher than what people are developing, and the rest of the parcels are in a 4-8 zone with a minimum of five units per acre. The Board of County Commissioners is holding a public hearing on May 3, 2001 to extend the interim regulations that eliminate minimum densities. A discussion followed.

Commissioner Lovrien expressed a concern on the basis of the down zone.

Commissioner Bower commented on the legal analysis and asked Mr. Haub if the City of Olympia felt they are not able to accept all the people they were suppose to accept. Mr. Haub stated “yes.” Mr. Haub also stated that the Olympia Planning Commission responded to what was characterized as a significant legal reality that they could not go below four units per acre. Because of that legal necessity they sacrificed the environmental benefits. A discussion followed.

Mr. Clark commented by stating that the modeling was based on single-family properties and associated runoff, so lot size is based on accommodating that runoff. Mr. Clark stated that increase of the density and reduction of lot size will no longer accommodate the runoff. A discussion
B. **Affordable Housing**

Commissioner Reiner expressed concern regarding homeowners in the Green Cove Creek Basin area being able to purchase homeowners insurance and mortgage financing. Commissioner Reiner asked Mr. Haub if he has heard from homeowners in the Green Cove Basin area having problems purchasing insurance. Mr. Haub replied by stating “no” and that he has spoke with the local fire department and they suggest that smaller insurance firms do not carry fire insurance for sprinkler system homes. The larger firms do provide insurance.

Chair Bower asked if the fire departments have concern with street width in getting to homes. Mr. Haub stated “no.” The fire department is supportive of the standard, but do suggest fire sprinklers.

Mr. Clark stated that after briefing with McClane Fire District they did not have issues with the street width because they already encounter these types of obstacles in the County. Mr. Clark stated they went to the fire departments and asked them how low can you go and what do you need to be safe. The fire departments responded with 1) sprinkled homes; 2) mark the houses so they can be seen; and 3) hose pull of no greater than 150 feet. A discussion followed.

C. **Habitat Protection/Impervious Surfaces/Stormwater Management**

Commissioner Paradise expressed a concern regarding the Riparian Buffers and the width of the buffers.

Mr. Haub stated the two biggest strengths of Green Cove Creek 1) the wetlands and head waters of the creek along Mud Bay Road and Kiser Road are still in tact; 2) buffers. University of Washington researchers have come up with several criteria to address the health of the buffer. One being the buffer should be at least 30 meters wide along the length of the creek. The other factor is the number of breaks in the buffer (roads). The standard is less than 2.3 breaks per kilometer and Green Cove is at 1.2. They also look at the amount of vegetation in the buffer. The buffer is in good shape. The current health of the creek is supportive by the buffer. In looking at what needs to be done to maintain the creeks, the researchers looked at total impervious area (limiting to less than 20 percent), reducing impervious surface, and maintaining the buffer.

Commissioner Paradise also expressed a concern regarding 4 to 1 units per acre vs. 2 to 3 units per acre and the possible impacts on the buffer.

Mr. Knostman stated that the buffer is covered by the Critical Area Ordinance, and that much of this area is protected under the ordinance with or without any zone change.
Commissioner Bower referred the Commission to Attachment 7, Green Cove Creek Watershed Quality and Land Use, which was made part of the Commission mailing and included in the Response to Questions packet. Chair Bower stated that he and Commissioner Lyman developed this form, based upon the science provided, to look at the things that were important to save Green Cove Creek Salmon Habitat. A discussion followed.

Commissioner Bower asked Andy Haub to provide a list of indices and commitments by the City of Olympia and Thurston County. Commissioner Bower requested this as assurance so that if the Commission passes the proposal and Green Cove Creek falls below target, both the City of Olympia and Thurston County would agree to do something to bring it back in line.

Commissioner Cole expressed a concern about the lack of remediation of existing problems.

Mr. Haub stated that retrofits, remediation, work with the land trusts, maintain stormwater systems, and education are the recommendations that came from the independent science reviews conducted over a year ago. They suggested that there is no biological model for protecting a creek system in an urbanizing area. The science team suggested that Green Cove is a good case study because of the relatively low development, good buffers, and good water quality. Mr. Haub stated that the directive from Council was not to “save” Green Cove, but to identify what could possibly save Green Cove Creek. Mr. Haub stated that Friday, May 4, 2001 the science team is meeting again and staff will be asking them the questions the Commission has. Mr. Haub also stated that he will provide the Commission with a written summary of what took place at the meeting.

Mr. Haub handed out, and spoke briefly on, the following three handouts:

1. Figure 4.1: Alternative Habitat Management Goals for Urban Stream Basins
2. Effects of Urbanization on Stream Traits (May, et al. 1999)

Commissioner Bower expressed a concern regarding the proposal failing based upon the statistics/science he has looked at.

The Commission expressed concerns regarding the 20 percent impervious surface and what the actual percentage of impervious surface is.

Commissioner Lyman stated she spoke with Dr. Chris May, University and Washington, about the low impact development standards and resulting impervious area of 22 – 25 percent. One of the issues she explored was the concern raised by a member of the public who testified and Commissioner Reiner as to whether low impact development can be justified when there is only a
minor reduction in impervious area from the 29% under current development standards. Commissioner Lyman stated that Dr. May responded by stating that impervious surface under the old development standards versus the low impact development standards are not equivalent. Under the old standards the impervious areas are connected whereas with the low impact development standards they are disconnected. The impervious surface using low impact development standards has less hydrological impact. Dr. May also stated that the hydrology of the basin would be overwhelmed when the impervious area reaches 20 percent.

A discussion followed.

D. Tree Retention

Chair Bower was interested in what the County can do regarding tree retention. Chair Bower raised the issue on whether the County should explore an agreement with DNR to implement stricter standards in Green Cove.

The Commission briefly discussed the possibility of revising the Urban Growth Boundary.

Mr. Knostman stated that timber projects in the urban area have to go through a conversion process reviewed by the County. We are in position to protect tree tracts if tree tracts become a standard. In the rural area if someone wants to harvest trees and replant trees, they go through DNR. The County will review projects for someone who is converting from a forest classification to development. A discussion followed.

Chair Bower asked staff to pursue with DNR to see what they could looking at to protect sensitive areas, and ask what ability DNR has to limit cutting.

Commission discussed the amount of forested acreage in the Green Cove area. Mr. Knostman stated he would provide an aerial dated June 2000 to take a look at the areas.

DISCUSSION

Chair Bower asked each Commission member on whether or not they agree with stormwater impact fees. The vote was: 4–yes; 3-no.

Chair Bower asked each Commissioner if they agree with providing a tax incentive for property owners who maintain a suitable buffer along the banks of the creek. All Commissioners agreed. Commissioners discussed the purchasing of large tree tracts in the Green Cove Creek area to set aside for preservation using conservation futures monies. Commissioner Lyman asked that the county consider purchasing development rights. Commissioner Paradise agreed that that option be explored.
Mr. Knostman stated that on May 3, 2001 the Board is holding a public hearing to extend the six month interim zoning, which means there is not minimum density for the urban area that would expire in six months or if the Commission adopts new regulations. Mr. Knostman stated that if the Comprehensive Plan is not amended now, the County will revert back to the 4 – 8 units per acres, which has a minimum density of five units per acre. If no action is taken, the current development standards will cause greater problems in preserving Green Cove Creek. A discussion followed.

Mr. Haub stated he would have the information the Commission requested by the next Planning Commission meeting, which is scheduled for May 16, 2001.

Ms. Hayes stated that a briefing before the County Commissioners on the Comprehensive Plan amendments is scheduled for June 5, 2001.

The Commission took no action. Mr. Haub will be providing the additional information requested by the Commission at the May 16th meeting. A “Special Meeting” has been tentatively scheduled for May 30, 2001 to prepare final recommendations to the Board.

Chair Bower stated that he and Ms. Hayes will be working on draft recommendations of all the proposals. These drafts will be made part of the next Commission mailing. The drafts will be discussed at the May 16, 2001 meeting along with the information provided by Mr. Haub.

4. Planning Commission and Staff Updates

Regional Planning Commissions Meeting

Ms. Hayes gave an update on the regional Planning Commission meeting. Ms. Hayes stated she has spoken with other Planning Commission Chairpersons within the County and the potential guest speaker who could speak on regional transportation. Ms Hayes stated that a tentative date has been scheduled for June 19, 2001. Ms. Hayes also stated that the guest speaker is Doug Hurley. Mr. Hurley is on the Governor’s Blue Ribbon Commission that created the transportation recommendations that the Governor is using.

2001 Preliminary Docket of Development Regulation Amendment Proposals

Ms. Hayes stated on June 6, 2001 the Commission will potentially be looking at Development Regulation proposals on the Docket for 2001. Staff briefed the Board on April 24, 2001 and the Board created a preliminary Docket of Development Regulation proposals. Ms. Hayes handed out a copy of the 2001 Preliminary Docket. The information on this handout is current as of April 26,
2001. Ms. Hayes stated that the comment period on the Docket ends May 20, 2001. The comment period allows people an opportunity to address items on the Docket or to request additional items to be placed on the Docket. The Commission can also comment within the comment period. The Board will act the end of May or beginning of June to create the final, “Official Docket.”

**Other**

Mr. Knostman stated that Don Krupp is now Acting CAO and the Development Service Department is operating on team management. Mr. Knostman stated it could be four to six months before the position is permanently filled.

Mr. Fancher provided an update on the Cooper Point Sewer Plan appeal. Mr. Fancher stated that oral argument with the court of appeals is scheduled for of June 21, 2001.

Chair Bower read a couple sentences from an article in the April 25th issue of The Olympian. Nesting pairs of bald eagles in the state have climbed from 100, some twenty-five years ago, to more than 600 today. About 20 percent of the state nest are in Urban Growth Areas. The Chair made the point that rural residents are taking on more of the burden of wildlife protection than urban residents.

Commissioner Lyman shared briefly her conversation with Dr. May. Commissioner Lyman asked him about the concept of bankful flow. Dr. May stated that research indicates that sustained bankful flow that results from the current way we are handling stormwater runoff appears to be detrimental to the stream system. The low infiltration soil underlying most of Green Cove Creek Basin compromises the effectiveness of traditional BMP’s based on retention and infiltration. Dr. May also emphasized that low impact development standards are only one part of the solution and that good buffers and forest need to be maintained. Dr. May also stated that large woody debris is critical to the stream habitat. There should be additional efforts to educate people to leave the downed trees. Dr. May agrees with our concern about existing problems and that it is very important to address these problems.

Commission Lyman stated Dr. May also stated that chemical contaminants such as pesticides, herbicides, and hydrocarbons, should be annually obtained and analyzed from sediment samples from the lowest part of the creek. The chemistry of the water samples should be checked after the first or second rainfall in the fall and to survey the creek for inventory of large woody debris.

### 5. Calendar (Tentative)

The next regular Planning Commission meeting is scheduled for May 16, 2001.

Commissioner Cole and Paradise stated they would not be attending the May 16th meeting.

“Special Meeting” to discuss final recommendations to the Board on the Green Cove Creek

6. Adjourn

The meeting adjourned at 9:20 p.m.

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Bob Bower, Chair
# Thurston County Planning Commission

## REQUEST FOR INFORMATION SUMMARY SHEET

<table>
<thead>
<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
<th>AUTHOR</th>
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<tbody>
<tr>
<td>01/24/01</td>
<td>What percentage of SEPA projects were in the UGA last year?</td>
<td>Bower</td>
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<tr>
<td>04/04/01</td>
<td>Copy of citation quoted by Andy Haub from the Dept. of Ecology’s new stormwater manual.</td>
<td>Bower</td>
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<tr>
<td>04/18/01</td>
<td>How much money are the cities paying to the County for Parks?</td>
<td>Bower</td>
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<tr>
<td>04/18/01</td>
<td>Provide the Commission with the City of Olympia’s multi-family requirement for open space</td>
<td>Bower</td>
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