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, Peggy Paradise, Janet Reiner, Thomas Smith, Brian Fagernes, and Mark Lovrien

      Members Absent: Liz Lyman and Barbara Frost

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

      Guests: Tim Smith and David Ginther, Tumwater Planning Staff

   b. **Approval of Agenda**

      The agenda was approved as submitted.

   c. **Approval of Minutes**

      Commissioner Cole requested that on page 3 paragraph 1 “there is no” be replaced with “with the” and the word “could” be removed and added after “still” and replace “conform to” with “satisfy.”

      Commissioner Bower asked that Mark Lovrien be added to the “Members Present” list.

      **Commissioner Paradise moved seconded by Commissioner Smith to approve the minutes for October 3, 2001 as amended. Motion carried.**

2. **Public Communications**

   None.

3. **Briefing/Discussion: 2001 Development Regulation Amendments**
Ms. Hayes introduced Tim Smith and David Ginther from the City of Tumwater Planning Department. Mr. Ginther and Mr. Smith provided an overview of the questions and answers as shown on the follow-up information sheet (green sheets), which was made part of the Commission mailing, on the 2001 Development Regulation Amendment Proposals for the Tumwater UGA. Staff additionally clarified the purpose and intent of these Tumwater proposals. The follow-up information was generated from questions the Commission raised at the October 3, 2001 meeting regarding the following amendments proposed for the Tumwater UGA zoning ordinance:

a) Removing the 25% Residential Density Bonus for Wetlands/Critical Areas - Staff clarified that density calculations in Tumwater are based on net density, with critical areas already removed from that equation. Coupled with the fact that the Tumwater UGA is already considered quite large and that mid-range densities are used to calculate build-out, removing this bonus would not create a significant impact on the ability of Tumwater to absorb allocated population growth. As for benefits to critical areas, Tumwater staff noted that they had not done impervious surface calculations and they had not found adequate scientific evidence supporting the benefits of removing this bonus at the staff or Tumwater Planning Commission level. The Tumwater City Council had, however, made findings in support of this amendment.

b) Calculating Residential Density: Critical Areas and Stormwater Facilities - Ms. Hayes noted that multi-use stormwater facilities are already permitted under the County Drainage Manual. Tumwater staff clarified that this change would simply allow some developers to count multi-use stormwater facilities as part of their open space requirements. Ms. Hayes said the proposal would be updated for the public hearing draft to clarify its intent, purpose, and effects.

c) Permitting Accessory Dwelling Units in the R/SR District - Tumwater staff went over the history of why ADUs were not permitted initially in the R/SR district, which was due to neighborhood desire to keep density very low. Now, however, permitting ADUs is seen as an affordable housing issue and important to allow in every single-family residential district. Commissioner Bower stated that he still did not see the logic behind allowing ADUs and their potential impacts, while removing a density bonus for critical areas.

d) Senior Housing Facilities - Commissioner Cole approved of the changes to the proposed definition to avoid conflicts with state licensing issues. Ms. Hayes will make the change in the public hearing draft of this proposal.

4. **Briefing: 2001 Development Regulation Amendments**

Ms. Hayes highlighted the draft amendment proposals by County staff, created in coordination with
City of Lacey staff and public reviewers, for the Lacey UGA zoning ordinance. These draft proposals were made part of the Commission mailing. Ms. Hayes stated that County staff put together review panels by advertising in the newspaper for members of the public who may be interested in helping draft the proposals for both the Home Occupations and Kennels. Ms. Hayes stated that there were twelve reviewers to help draft the Home Occupations proposal and six for the Kennels proposal. Ms. Hayes introduced a member of the audience, Rosalee McGourin, who was on the review panel for Home Occupations.

The proposed amendments to the Lacey Urban Growth Area Zoning Code are as follows:

a) Home Occupations (pink)

Ms. Hayes provided a brief summary of the background of the proposal, current Lacey UGA regulations, County regulations, and public comment. Ms. Hayes stated that staff took the input from the review panel and tried to recreate the home occupations regulations in Lacey to create three levels of review: 1) Allowed (no permits needed); 2) Permitted through an administrative permit (review by County staff); and 3) Permitted through a Special Use Permit (requires public hearing and decision by Hearing Examiner). Ms. Hayes highlighted the proposed regulations as noted in the draft home occupations proposal.

Ms. Hayes stated she received additional comments by email. The comment suggested was 400 square feet or 25 percent of the residence be devoted to the home occupation. Ms. Hayes stated that other issues she received via email addressed employees who stop by to pick up a product then leave to deliver the product. Those employees should be counted as employees of the business. Another concern was broken down delivery vehicles or trucks that could be stored on the property. Ms. Hayes stated that is an issue for the junk vehicles regulations for which the Commission will be briefed on during future briefings. Another concern raised was parking for customers.

Commissioner Cole asked if there was any control over commercial tractors and trailers that do not fit in a garage and are parked on the streets. Ms. Hayes stated that under this proposal if the business is operated out of the home and the truck is related to the business and the owner is parking it on the street, it would not be allowed.

Commissioner Cole expressed concern about enforcement of such a provision.

Commissioner Bower asked for the definition of a commercial vehicle. Commissioner Bower stated that some vehicles require a commercial license and a sign on the side of a vehicle, which does not mean it is a commercial vehicle.

Commissioner Bower stated that the only people who can have home businesses are those that are extremely small because all of the other limitations may restrict you from operating a
business out of your home. Staff agreed.

Commissioner Cole asked how this compares to the County requirements. Ms. Hayes stated that this is very similar to the County’s levels of approvals. The thresholds are higher in the Lacey UGA. The County allows up to two employees at the administrative level.

Ms. Hayes stated that this draft would be the one to go to the public hearing (tentatively scheduled for November 7) unless changes are made.

b) Kennels (blue)

Ms. Hayes stated that City of Olympia, Tumwater, and Thurston County all have regulations regarding the number of pets permitted, and Lacey UGA does not have these requirements. Ms. Hayes stated that the public review panel for this issue dealt with three basic questions: 1) How many dogs are ok in the Lacey UGA? 2) What type of permit review is appropriate? and 3) Should we allow for commercial profit kennels in residential districts? Ms. Hayes stated that these questions relate primarily to residential districts.

Ms. Hayes stated that she worked with the review panel, which included private citizens, staff, and Scott Spence who is on the joint animal services committee for this region and works at the city managers office in Lacey, to come up with the draft proposal. Ms. Hayes provided a flip chart and highlighted the draft proposal and the definitions of a commercial kennel and hobby kennel. The working draft proposal states that more than three dogs in a residential zoning district in the Lacey Urban Growth area is prohibited unless you qualify as a hobby kennel. A hobby kennel is more than three dogs kept for a non-commercial purpose. Ms. Hayes also stated that if you want to do a hobby kennel in a residential district you have to go through a Special Use Permit process, which requires a public hearing and the approval authority is the Hearing Examiner.

Commissioner Paradise asked about dogs having puppies. Ms. Hayes referenced the definition of hobby kennel on page 4 of the draft proposal. Hobby kennel means a place where more than three dogs over six months of age are kept for personal use or enjoyment and not for any commercial purpose.

Ms. Hayes stated that the existing definition of "Commercial Kennel" is proposed to be kept. Commercial kennel means a place where dogs or cats are kept by persons providing facilities for breeding and the offspring thereof are sold for profit, and where dogs and cats are received for care or training and boarding for compensation. Ms. Hayes stated that commercial kennels are prohibited in residential districts.

Ms. Hayes summarized the draft proposal:
• Add a definition for "hobby kennel" (more than 3 dogs kept for non-commercial purpose) and keep the existing definition of "commercial kennel (any number of dogs kept for commercial purposes)."

• Permit hobby kennels in all residential zones as a special use, subject to site plan review. Up to 3 dogs could be kept by right.

• Permit commercial kennels as a special use in appropriate commercial and industrial zones, but prohibit commercial kennels in residential zones.

Commissioner Reiner asked about cats. Ms. Hayes stated that when talking about zoning and land use issues, the review panel determined that cats were not the biggest issue therefore the focus was on dogs only. Ms. Hayes also stated that the Commission could disagree and decide to have the proposal include cats.

Commissioner Smith asked why the number of dogs was three. Ms. Hayes stated that three was chosen to be consistent with other jurisdictions. The County currently has a threshold of three and City of Olympia and Tumwater also have that threshold as well as many other jurisdictions surveyed across the state.

Commissioner Paradise asked if you could sell a litter of puppies under six months old without a Special Use Permit. Ms. Hayes stated that theoretically you could if it wasn’t a commercial operation. The County and other jurisdictions do not address that. Ms. Hayes stated that the Animal Code, Title 9, defines what is a hobby and what is a commercial kennel consistent with the proposed definitions, and is responsible for licensing.

Commissioner Paradise stated she would like to see the threshold focus on hygiene, cruelty to animals, etc. rather than focus on the number of animals and selling or not selling of animals.

Commissioner Bower stated there should be separation between commercial use and non-commercial use.

Commissioner Reiner stated that cats should be included in the amendment proposal. Commissioner Paradise stated she did not think the selling of puppies should be in the ordinance.

Commissioner Cole expressed concern regarding enforcement.

Commissioner Bower asked that A, B & C options be added to the proposal. Ms. Hayes agreed and said she would prepare options for review at the public hearing.
c) Encroachment of Decks into Rear Yards (yellow)

Ms. Hayes stated the change is made to be consistent with the building code.

Commission had no questions/comments.

d) Combining On-Premises and Off-Premises Sign Regulations (white)

Ms. Hayes stated that this was an administrative change and that there are no changes to the content.

Commission had no questions/comments.

5. Planning Commission and Staff Updates

Planning to Stay Conference

Ms. Hayes stated that the Commission should be receiving information on the Planning to Stay Conference scheduled for Thursday October 29, 2001 from 6-9 p.m. at the Lacey Community Center. The conference is about 10 years of integrating transportation and land use in Thurston region. The conference is sponsored by TRPC.

Thurston County Agriculture Advisory Committee

Ms. Hayes stated that the Thurston County Agriculture Committee will be hosting a meeting on November 15, 2001 from 7-9 p.m. (location to be announced at a later date). Guest speaker Steve Evans will be speaking about the success of King County’s different programs to support agriculture.

Commission Field Trip

Ms. Hayes stated that a field trip is being scheduled for the quasi-judicial proposals sometime during the last week in February or first Saturday in March. Ms. Hayes asked the Commission to email her specific dates in February that would not work for them.

Development Services Department Director Position

Mr. Knostman stated the closing date for the Director’s position is Friday October 20, 2001.
Development Services Department Reorganization

Mr. Knostman stated that reorganization is taking place within the current planning section. This includes the land use and SEPA/shoreline sections of the Development Services Department. Mr. Knostman stated that up until this time there were two divisions with land use doing the land use permits and the SEPA section, which has done the environmental, shoreline, and critical area review. This new organization will remove the two divisions. One Planner from beginning to end will now handle projects. Mr. Knostman also stated that with this new organization change there would be two compliance officers rather than one. The effective date of the change is tentatively set for November 1, 2001.

Transfer of Development Rights

Ms. Hayes stated that the County has issued its first development rights to a gentleman who owns 70 acres of land west of Rochester. He now has 13 development rights that are marketable. An easement was recorded on his property to keep it in agricultural use in perpetuity.

6. Calendar (Tentative)

7. Adjourn

The meeting adjourned at 8:55 p.m.

Bob Bower, Chair
# Thurston County Planning Commission

## REQUEST FOR INFORMATION

<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>04/18/01</td>
<td>How much money are the cities paying to the County for Parks?</td>
<td>Bower</td>
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<tr>
<td>06/06/01</td>
<td>Is a Planning Commissioner prohibited to testify as a member of the public on issues before the Commission if they are not acting as a member of the Planning Commission?</td>
<td>Lyman</td>
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<tr>
<td>09/05/01</td>
<td>Amount of funds diverted from Roads and Transportation to the Sheriff’s Office Traffic Safety Unit.</td>
<td>Bower</td>
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