1. **Open House: 2002 Comprehensive Plan Amendment Proposals**

The public was invited to review proposed amendments to the Thurston County Comprehensive Plan prior to the public hearing. Staff was available to answer questions.

2. **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, Janet Reiner, Peggy Paradise, Thomas Smith, Liz Lyman, Brian Fagernes, and Mark Lovrien

   Members Absent: Barbara Frost and Tom Cole

   Staff Present: Jennifer Hayes, Jeff Fancher, John Sonnen, Fred Knostman and Sandy Norton

   Guest: Tim Smith, City of Tumwater and Dave Smith, City of Olympia, and Tom Clingman, Thurston County Dept. of Water and Waste Management

   b. **Approval of Agenda**

   The agenda was approved as submitted.

3. **Hearing: 2002 Comprehensive Plan Amendment Proposals**

Chair Bower opened the public hearing at 7:05 p.m.

**QUASI-JUDICIAL AMENDMENTS**

**QJ-2 Larsen Rezone:**

Ms. Hayes stated that the proposal is to redesignate and rezone 2.5 acres at 16008 Ordway Drive, outside the Yelm Urban Growth Area from Rural Residential 1 unit per 2 acres to Rural Residential 2 units per 1 acre.
Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors offers support for this proposal based on the Washington State Growth Management Act. Specifically in reference to Goal 2 to reduce sprawl: Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

Kevin Pierson – 15944 Ordway Drive, Yelm
Mr. Pierson stated that his property borders the Larsen property. Mr. Pierson stated that his biggest concern is the traffic added to his driveway would adversely affect his property due to the gravel road. Mr. Pierson would like to see the Larsen property accessed from Ordway rather than across his gravel road. Four or five years ago when Ms. Larsen moved in, we approved verbally of the easement she is now using. There is no maintenance agreement with Ms. Larsen on the road she currently uses.

Steve Larsen
Mr. Larsen stated that he is doing the short plat for his mother, Alvina Larsen. Mr. Larsen stated that the issue of ingress/egress is not going to be a problem because there are only two lots that are going to be added to what is already there. The ingress/egress will be on the opposite side. The 20’ easement would be vacated that is on the Pierson side so they would not have access to that road other than to visit someone that may be there. We are going to propose that Ms. Larsen work out an agreement with her neighbors to maintain access just for that lot. There is one parcel in the back that is going to be set up for a boundary line adjustment.

QJ-4 Gemini Rezone:
Mr. Knostman stated that this was a rezone to redesignate and rezone approximately 5.2 acres at 70th Avenue SW and Kirsop Road SW in the Tumwater Urban Growth Area from Neighborhood Commercial to Single-Family Medium Density Residential. Staff believes the change in land use designation on the Comprehensive Plan on the rezone is consistent with the area and policies of the Comprehensive Plan. Therefore, staff will be supporting the designation change.

Rob Rice – Vice President, Gemini Corporation.
Mr. Rice stated that the site is a little over six acres and Gemini’s intent was not to change the zone of the site but to make it consistent with the Comprehensive Plan (CP) and zoning designation is. The goal under the CP, in the Neighborhood Commercial (NC), is to keep NC sites one acre or less to serve a small area or less of five thousand people. This site is a little over six acres, which would be large enough for community commercial, and large enough to place a Safeway on. Also, in the actual zoning ordinance for NC, the maximum building size is ten thousand square feet, which you could place a series of small buildings on or one building of ten thousand square feet. Ten thousand square feet is what you could put on one acre, which is consistent with the CP and so you would have about five acres you couldn’t do anything with.
Gemini is trying to make a proposal to be consistent with the CP. We proposed the NC zone next to the current commercial zone so that the two work well together and the balance of the site in single family.

Roy McGuire – 70th Avenue SW
Mr. McGuire provided verbal testimony, which is the same as his written testimony, which is attached to the minutes.

Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors strongly supports this proposal and would like to encourage the Planning Commission to do the same based on the Washington State Growth Management Act in the areas of urban growth, reducing sprawl, housing, property rights, and environment.

QJ-3 Collins:
Ms. Hayes stated that this proposal is to redesignate and rezone 3.7 acres at 8912 Blomberg in the Tumwater Urban Growth Area from Light Industrial to Single-Family Low Density Residential 4-7 units per acres. The unique issue with this particular property is that half the property is already zoned for single-family residential and the back half of the property, where the bulk of his property is, is zoned for Light Industrial. This is a discrepancy and perceived by staff and Mr. Collins as an error that was made when the County zoned his particular parcel. Staff also proposes an alternative to this proposal, which would be to add three additional parcels to the Collins rezone proposals to the east and north. This would make a logical boundary and eliminate other properties that are Light Industrial that are provided access off Blomberg. This is because the joint plan for the Tumwater Urban Growth Area discourages Light Industrial access off Blomberg Road and prefers access to come from the south along 93rd Avenue. Staff supports the rezone of the Collins property and supports the Planning Commission’s consideration of rezoning the three additional parcels.

Richard Ritchie – 6138 Tiger Tail Drive SW, Olympia
Mr. Ritchie stated he owns the parcel east of the Collins site. Mr. Ritchie opposes the rezone and would like to retain the Light Industrial designation. Mr. Ritchie purchased the parcel several years ago and placed a mobile home on the property consistent with the Light Industrial requirements. Currently his son and daughter-in-law live on the property and run a small business out of that area. At this time, there is no advantage to have our property designated as residential. For residential purposes, it clearly will not enhance the value of the property. The problem of placing housing and drainfields with the pipeline there is clearly going to be problem. Mr. Ritchie stated that from his perspective a Light Industrial designation makes more sense and looks to be far more valuable then having a residential designation.

Robert King – 4009 South Glen Avenue, Tumwater
Mr. King stated he supports the alternative proposal. Mr. King stated he is now the legal owner of
an adjacent piece of property and with a 30’ easement in off of Blomberg, in to this currently Light Industrial area, he supports that it be rezoned residential. The reasons are as per the Thurston County Geodata, the large portion of this parcel, areas of his driveway, and part of this residential, is within a 300’ buffer of a high ground water area. Mr. King also stated that it was his understanding that these parcel are within the Salmon Creek Basin area and that as the regulations tend to become more ridged to preserve the sensitive areas, it will be more negatively impacted by Light Industrial property than it would be residential because of non-permeable surfaces. The Tumwater/Thurston County Join Plan states that Light Industrial areas should have controls to establish compatibility with surrounding non-industrial development and to protect with nuisance creating occurrences such as noise, dust, odor, vibration, air, and water pollution. Blomberg Road is a dead-end road which dead ends into residential. This is the only access currently into this Light Industrial area, which you would have to travel through residential. Mr. King states this is another reason he supports the proposal. As it stands today, the only access is currently down to the Light Industrial areas. The neighborhood lends itself to a single-family residence. Mr. King states he believe this to be an accurate statement because subject properties are allowed to remain Light Industrial and the potential for heavy truck traffic, industrial noise, and dust on Blomberg will negatively impact the existing residential areas. The Tumwater/Thurston County Joint Plan also states that Light Industrial areas should be able to readily provide public sewers, water, and stormwater facilities. Mr. King also stated that to the best of his knowledge, none of these utilities are planned for this area, which would restrict the development of Light Industrial. Fire flows are not available in this area for Light Industrial. This limits the feasibility of many industrial types of development. The best use of the parcels is single-family residential.

Bart Olson – 6728 Pine Street

Mr. Olson asked when a decision on this proposal would be reached. Commissioner Bower explained the process by stating that the Commission will not be taking action on the proposals at this time. Once the Commission takes action, they will make recommendations to the Board of County Commissioners. The Board will then hold another public hearing on the proposals.

Mr. Olson stated he owns the parcel to the north and was contacted by staff regarding the proposal. The staff report may be biased and he does not see why 3.7 acres should control 24 acres, and requested to submit further written testimony. Ms. Hayes stated that the Board of County Commissioners would hold another public hearing and that Mr. Olson would have another opportunity to comment on the proposal at that time.

Mr. Olson also stated that the property to the east of his parcel is accessed by an easement through his property and that is Light Industrial. Mr. Olson states that he believes this to be their only access. To make me residential, providing access to Light Industrial behind me as their only access would not make a lot of sense. Mr. Olson then provided a demonstration on the map provided by staff and stated that we need Light Industrial zoning in this County for jobs.

Phil Harlan – 3015 Azalea Court SE

Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors offers a position of
support for QJ-3, which we find to be consistent with the Washington State Growth Management Act, and asked the Commission to read the additional rational provided in the written testimony.

Gary Grossman – 8915 Blomberg Street
Mr. Grossman stated that he lives on the parcel surrounded by the Collins property and he has lived there since 1984. Mr. Grossman agrees with everything that County staff is recommending. Blomberg Street is a residential street and is the only access to what is currently zoned commercial property. Mr. Grossman stated that he believes it was an error that was made about 22 years ago when a blanket rezoning was done without consideration with what the rest of the property in the area was used for. There are currently two residences/businesses that are operating off of Blomberg under the Light Industrial zone. Mr. Grossman stated he assumes that they would be grandfathered in if it were residential. Mr. Grossman stated he would not like to see the number of businesses multiplied. It is not a good idea to have Light Industrial, mixed with residential, when they all have to use the same access.

QJ-5 Hulbert:

Mr. Knostman provided an overview of the proposal and stated that the proposal is to redesignate and rezone 5.37 acres at Henderson Boulevard and Yelm Highway in the Olympia Urban Growth Area from Rural Residential 4-8 units per acre to Neighborhood Retail. Mr. Knostman stated that based on the background and points outlined in the staff report, staff recommends denial of the proposed change.

Richard Phillips – Partner Owens Davies – 926 24th Way SW
Mr. & Mrs. Hulbert have a family nursery in the area and were interested in having an open air produce stand and were informed they could not do that nor could they do the gift shop that they wanted as part of their nursery because that was not nursery, that was commercial. On the last day the Hulbert’s could apply for the change, we blasted out a quick request to you for a Comp Plan Amendment. We were not sure what zoning, if any would fit, so we just listed commercial. In conversations with Fred, we asked what was the least restrictive. What the Hulbert’s really want is an open-air produce market and approximately a 3000 square foot building as a gift shop and that everything else would be a nursery and a special use. In the application prepared for the Hulbert’s, I put down both of the tax parcel numbers. Mr. Phillips stated he had no idea that would change the zoning on all five acres. What the Hulbert’s are looking for is a process that would allow the nursery to expand to have an open air produce market and a gift shop. We do not want gas stations or convenient stores. We are caught in a Catch-22 where we cannot get it under the Special Use Permit and we have to have a rezone to be able to do it. To be competitive in the markets a family nursery would need to offer more than just plants. The open-air produce market has no permanent structures. The County says open-air produce stands could done for 30 days without a permit. The Hulbert’s could not make this economically viable without going from an April – October time frame. Now we were back to a rezone. Mr. Phillips handed out written testimony of the Hulbert’s and photographs of what the Hulbert’s would like to do with the property. Mr. Phillips stated that Mr. Hulbert does not need the neighborhood uses that are in the commercial neighborhood retail. He is more than happy to have a restrictive zone that lets him have what he is trying to do, which is
the gift shop that other similar business have, and an open air produce market.

Mr. Phillips also stated that he was concerned that staff had a traffic study produced. The traffic that you get is Saturday and Sunday traffic from 10 a.m. to 4 p.m. Mr. Phillips stated that he received an AM and PM peak hour analysis. Mr. Phillips states that the “fix is in” to see that we do not do neighborhood commercial, and the applicant agrees. What we want is something less than neighborhood commercial but we cannot get it through a Special Use Permit. Mr. Phillips recommended that the Commission make a recommendation to the Board that there be a limited zone that we go through for neighborhood commercial. Cross out gas stations and convenient stores because the applicant does not want that. A recommendation of neighborhood retail limited would be more than appropriate. The Hulbert’s could have appealed a formal determination from staff that the open air produce and gift shop would not be allowed with a Special Use Permit, but the problem was timing of how to meet our applications to get this in front of the Commission and whether we could get a formal opinion from staff saying it would not be allowed with a Special Use Permit, then appeal that in time. The process has made this more convoluted than it probably needs to be. Mr. Hulbert really does not need neighborhood retail or the broad based neighborhood commercial but we do not know how else to get him what he wants without having something of that nature.

**Phil Hulbert**

Mr. Hulbert states he has owned and operates the nursery on the SE corner of Yelm Highway and Henderson Boulevard since 1989 and applied for a Special Use Permit in 1990 to put in a retail nursery and garden center. At that time, it was denied because of the congestive traffic in that area. This was not fair. Seven years later, the Briggs YMCA was constructed. I like Briggs YMCA and am glad about what Briggs is doing with the urban village. Mr. Hulbert stated he would like to get a retail nursery. The type of nursery my wife and I are trying to develop is currently not developed in Thurston County. We are trying to get something that is more in line with Molbacks. Swanson’s nursery out of Seattle and Puyallup are very beautiful and different nurseries. They all have gift shops, flower shops, small coffee shops and are all are about the same size as my land, between 5 and 7 acres. We utilize most of the land for the nursery. Some of it will be growing and some of it will be the nice green houses that you see at Swanson or Watson’s. Nurseries are different. We offer a wider selection of plant material, things that are new and upcoming. We are more diversified than these other nurseries that are attached to stores such as Costco, Home Depot, etc. It is a good thing to have in the neighborhood because most of the time you wont be able to find things at these other nurseries that you will be able to find at ours. We are a unique nursery anyway because we do grow and train plant material specifically for Japanese gardens. Mr. Hulbert states that to his knowledge, there is no other nursery in Oregon or Washington that does the specifics type that we do. We feel there is going to be no other nursery in the state like ours. In order to get the nursery and to survive, we need to be competitive with these other nurseries. We want a gift shop, flower shop, coffee stand. We have artists that do painting of gardens and settings, and these are things we want to carry in our gift shop. We want to be very unique. This is going to be a much different type of nursery than people in the Olympia area have seen. This is the reason we are going after a rezone. We are trying to figure out how we can get this thing to happen.
Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors supports the proposal finding it to be concurrent with the Thurston County’s adopted Comprehensive Plan section of Neighborhood Goals and Policies. Rational attached to the written testimony.

George Eisentrout – 5036 Orvas Court SE
Mr. Eisentrout stated he lives two residences from this proposed rezone. Last week Mr. And Mrs. Hulbert met with our homeowners association to explain their proposal. We appreciated their attendance, frankness, and honesty with us. It is fair to say, as the neighborhood representative, they were receptive to the proposal of Mr. Hulbert. He has been a good neighbor and we appreciated what business he has had there. It is fair to say that the neighborhood is not receptive to the opening up of the rezoning to retail commercial. The neighborhood would be very much opposed to a gas station or convenience store or something else of that nature on the corner. The neighborhood would be receptive to the ideas as proposed by Mr. Hulbert.

JOINT PLAN AMENDMENT PROPOSALS

OLY-1 Woodard Creek Crossing:
Dave Smith, City of Olympia transportation staff, stated that the proposal is to update the Transportation Chapter of the Olympia Joint Plan to remove the Woodard Creek Road crossing and realign street connections in the northeast urban growth area. Mr. Smith then provided an overview of the proposal as outlined in the staff report, which was made part of the Commission mailing.

Rick Smith – 3104 10th Avenue SE
Mr. Smith stated that he is here to testify in favor of the amendment. Mr. Smith then asked Dave Smith questions/clarification about the proposed lines shown on the map. Dave Smith stated that the purpose of the lines is not an exact alignment that is meant for the area. A lot of time, homes with a lot of acreage will redevelop, and at the time they redevelop and go to a higher density, that is when consideration for a road in that area would be made. Rick Smith then asked if the lines were new per this amendment. Dave Smith pointed at the map and stated the line was moved to avoid impact to the wetland. Dave Smith also stated that moving the line is part of the amendment.
Mr. Rick Smith stated he proposed the original amendment to remove this crossing in 1998. The Commission recommended it be approved. The County Board of Commissioners approved it then it got stalled in the City. The City has studied it and has now come back and recommended that the crossing be removed.

Mr. Rick Smith stated he is here to testify in favor of the proposal with exception. Mr. Rick Smith stated that the amendment is unclear about exactly what is going on and asked that it be made clear. This could generate concern and some testimony.
Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors offers support with a condition of caution to the Planning Commission. The area laid out in the proposal, mostly the area between Martin Way and Pacific Avenue has had a long history in environmental and land use issues to include but not limited to wetlands. That being the history of the particular property, we ask that the Planning Commission request information or documentation to verify that the integrity of the proposed property is not jeopardized in any way. Additional rational attached to written testimony.

TUM-1a Lands for Public Purposes/Essential Public Facilities:

Tim Smith, Senior Planner with City of Tumwater stated that the proposal is to update Chapter 4, Lands for Public Purposes/Essential Public Facilities, of the Comprehensive Plan for Tumwater and the Tumwater Growth Area. The update is to include an updated inventory of lands for public purposes, including revised maps that identify general areas where future Tumwater School District facilities may need to be located. The proposed amendment consolidates the chapters of the existing plan and proposed plan to Chapter 1. The second update is an updated list of essential public facilities that includes secure community transition facilities. The amendment proposes the Light Industrial zoning district as the appropriate location for these facilities.

Commissioner Lyman asked Mr. Smith to identify the boundaries of the Salmon Creek Basin area on the map.

Elaine Taylor – State of Washington Department of Social and Health Services
Ms. Taylor handed out written comments to each Commissioner. Ms. Taylor stated that there were a couple minor corrections that the language needs to be updated to reflect the changes that have occurred in state law. Ms. Taylor then highlighted the minor changes as noted in the comment letter.

Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors asks the Planning to postpone looking at this application based on the lack of information. Great deal of text from Chapter 4 is deleted in this proposal and replaced by the Capitol Facilities Plan and is not included in the proposal making it difficult as to what the proposal is really talking about. Additional rational provided in the written testimony.

TUM-1b Transportation Chapter Updates

Tim Smith provided an overview of the proposed amendment as outlined in the staff report. Mr. Smith stated that the proposal it to update the Transportation Chapter of the Tumwater/Thurston County Joint Plan to comply with HB 1487 by identifying state transportation facilities and providing traffic estimates resulting from build out of the 20 year land use plan.
Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Association of Realtors understands that the intent of this proposal is to comply with HB 1487. In our review of the actual identified roadways, we have no real objections and would encourage governments to work and plan together for greater efficiencies.

COUNTY AMENDMENTS

CO-1 Accessory Dwelling Units

Jennifer Hayes provided a brief overview of the proposal as outlined in the staff report. Ms. Hayes stated that the proposal addresses accessory housing in the rural area of Thurston County by permitting accessory dwelling units and revising family member unit regulations. Ms. Hayes also states that the proposal contains three main components, which are as follows:

1. To permit attached accessory dwelling units only in rural residential zoning districts. Attached means attached to the main house or built over a garage that is accessory to the house.
2. Limit the size of the Accessory Dwelling Unit to 850 square feet, which is similar to the size allowed in all the urban growth areas and is the common size found in jurisdictions across the country.
3. Tighten the regulations governing family member units and eliminate guest housing. Also, to implement a tracking system to know over time where these units are located and an annual reporting system to confirm the family member units are being occupied by family members over the life of the housing.

Robert Meyer
Mr. Meyer stated that as it relates to ADU’s staff did a good job in putting it together and he appreciates the restrictions and limitations that are enforceable. I have no problem with recommending approval with that. Mr. Meyer stated that his main concern deals with the FMU’s. What staff is proposing in terms of restrictions is good. If we were going to have these, and I think there are some cases where they are necessary, we need to have it spelled out clearly and concisely what is and what is not allowed. The real problem is the enforcement of the existing regulations. Very frankly, I would be very concerned if these enforcement conditions were not going to be factored in on existing situations. The fact is now that when you complain about a situation you are told that it is difficult to be enforced, then you are asked to become a policeman and detective, which is the County’s job of enforcing their regulations. This does not make sense to me. Next to my and my son’s home we have a FMU that is lived in by the ex son in law of the landowner who is now absentee and rents the main unit to a second person. None of this is legal and it appears the only way to get it enforced is to go to court ourselves. This is an unnecessary burden on the public. If were going to draft new regulations they should be drafted so they can be enforced. We want to protect the rural attributes that we have and the fact is, in many instances, this provision is being used to double the number of homes on the given zoning. They become permanent when they should not be. You then have 2 per five acres rather than 1 per five acres. For a person in my
business, which is farming, it creates real problems. Mr. Meyer encourages making sure enforcement provisions are there and also apply to existing units. With this addition, the proposal is well put together and should be adopted.

Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors opposes the proposal. A primary concern, although we have several and are provided in the written testimony, is with the design requirement of the attached as opposed to detached as it relates to the ADU’s. RCW 43.63A.215 requires accessory dwelling units to be allowed in counties that are planning under the GMA. The Association does not believe it was the intent of the RCW to require an accessory unit to be attached, therefore we ask the Planning Commission to oppose the proposal for attached requirements of accessory housing.

CO-3 Boston Harbor Water System
Tom Clingman from Thurston County Water and Waste Management provided an overview of the proposal as noted in the staff report, which was made part of the Commission mailing. Mr. Clingman stated that the proposal is to update the Boston Harbor Water System General Plan, including a limited expansion of water service, which is adopted as an element of the County Comprehensive Plan.

Mr. Clingman handed out a comment letter from Bob Knight, Chairman of the Boston Harbor Water General Plan Review Committee/Utility Advisory Committee. Mr. Clingman stated that the statute we operate under requires that whenever there is a general plan for one of our utilities, we have a review committee. In this case the County utilize the Boston Harbor Utility Committee and this Utility Committee is recommending approval of this amendment.

Phil Harlan – 3015 Azalea Court SE
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors offers support for this proposal and would ask the Planning Commission to do the same. It is the belief of our association and many like us that the communities must promote the redevelopment of lands with existing infrastructure and public services through the maintenance and rehabilitation of existing residential neighborhoods. Realtors believe the municipalities and other public water system providers should be allowed to grow into the inchoate water rights to serve for future growth needs.

CO-4 Cooper Point Wastewater Facilities Plan Amendment
Tom Clingman provided a brief overview of the proposal as noted in the staff report, which was made part of the Commission mailing. Mr. Clingman stated that the proposal is an amendment to the Cooper Point Wastewater Facilities Plan. The amendment supports replacement of the Tamoshan plat with service area expansion to accommodate Beverly Beach. Mr. Clingman also stated that Beverly Beach is supportive of the notion of consolidating their flow with Tamoshan. We would still be achieving one of the objectives we had by reducing the number of small wastewater
treatment plants on Cooper Point. We would have one outfall instead of two. We would consolidate the two communities flows into a single modern treatment plant with modern facilities. The plant would be located at the site of the current Tamoshan plant. In contrast to the current plant, the sizing of the treatment basins would meet standards. UV disinfections would be used and the plant could be accommodated within the area now utilized for the plant and associated parking.

Mr. Clingman handed out a comment letter recommending adoption of this proposal from Roger Horton, Chairman for Tamoshan Sewer General Plan Review Committee/Utility Advisory Committee serving as the review committee for this recommendation.

**Cal Taylor – 2154 Beverly Beach Drive NW**
Mr. Taylor stated he was the secretary and operations officer of Beverly Beach Homeowners Association. Mr. Taylor stated that a separate comment letter has already been submitted from the homeowners association. Mr. Taylor read his comment letter dated April 3, 2002.

**Cheryl O’Connell – 2113 Beverly Beach Drive**
Ms. O’Connell read her testimony from her April 3, 2002 comment letter.

**Shiela Gunderson – 2145 Beverly Beach Drive**
Ms. Gunderson stated that she is the president of the Beverly Beach Homeowners Association. Ms. Gunderson read her testimony from her April 3, 2002 comment letter.

**Phil Harlan – 3015 Azalea Court SE**
Mr. Harlan provided comments on behalf of the Olympia/Thurston County Association of Realtors. Mr. Harlan stated that the Olympia/Thurston County Association of Realtors offers support with reservation. We draw the Planning Commissions attention with some concerns we have for preservation of the adjacent areas to the Beverly Beach subdivision. Our first thoughts were the possibility of the expansion to existing services located to the south of the Beverly Beach subdivision. Excepting any limitation to that expansion, we would offer our position of support to the replacement facility of Tamoshan Wastewater Facility. Additional rational provided in the written testimony.

Chair Bower closed the public hearing at 8:40 p.m.

4. **Worksession: 2002 Comprehensive Plan Amendment Proposals**

Chair Bower thanked the audience for attending and stated that action on the proposed amendments would be taken on April 17, 2002. The Commission will then forward their recommendations to the Board of County Commissioners and the public hearing before the Board of County Commissioners is tentatively scheduled for June 4, 2002.

Chair Bower read each of the proposed amendments and allowed the Commission an opportunity to ask staff any questions they would like staff to resolve prior to the April 17th worksession/discussion.
**QJ-2 Larsen**

Commissioner Reiner asked if a SEPA review had been done in conjunction with the application. Mr. Knostman stated SEPA review would be done for the total number of amendments and done prior to the Board's action. Mr. Knostman also stated that the applicant did submit a checklist.

Commissioner Reiner expressed concern with the impact on the adjacent property owners and the added traffic on the joint driveway. Commissioner Reiner stated that her challenge would ensuring that the infrastructure is contained within the property. Mr. Knostman stated that in order to create the new lots they would need to go through a short plat process. Part of the process would be reviewing the access.

Commissioner Reiner requested a copy of the SEPA Checklist.

**QJ-4 Gemini**

Commissioner Reiner asked for clarification on the number of acres involved in the rezone. Ms. Hayes stated the proposed rezone is approximately 5.2 acres.

Chair Bower addressed the question of Mr. McGuire concerning how the proposal affects the business on the north. Mr. Knostman stated the business remains Neighborhood Retail, which is a permitted use within that zone.

Commissioner Reiner stated that before Mr. McGuire left, she was able to obtain a written copy of his testimony and asked if the written testimony could be made part of the record. Mr. McGuire’s written testimony is now part of the record.

**QJ-3 Collins**

Commissioner Fagernes asked for clarification of the property owners. Ms. Hayes used a map to illustrate the property owners and their position on the rezone.

Commissioner Lyman asked about the issue raised with no access to the industrial area to the east of all the parcels. Mr. Knostman stated that currently it could not be used for industrial access. If the property was to be built as an industrial use, access would need to be obtained off 93rd. Industrial access could not be obtained off Blomberg. If an attempt was made, they may have to upgrade Blomberg Road, which would be cost prohibitive.

**QJ-5 Hulbert**

Commissioner Paradise asked if there was a way to do this proposal with a Special Use Permit. Mr. Knostman stated that there may be a way. The Applicant’s attorney may submit a proposal within the next couple weeks to use the entire site as a commercial retail nursery. They will have accessory uses as part of the nursery. It will depend on the type of uses and scale proposed by the applicant. Mr. Knostman also stated that there is no ability to do a limited rezone in our current code.
Commissioner Paradise asked what we could do to limit the use of the land and still allow the applicant to have a nursery, gift shop, and open-air market. Mr. Knostman stated that GMA has removed the possibility of contract rezones or concomitant agreements. GMA has what is called “development agreements” that developers can enter into. With this agreement, you still must be consistent with the zoning and have a specific project proposal. Since this is a joint plan, City of Olympia must also approve the proposal. Mr. Knostman also stated that this is the first time staff has seen the drawings provided by the applicant.

John Sonnen stated that another option would be to create a separate zoning district for the parcel. Commissioner Lyman asked about timing of doing a separate rezone. Mr. Knostman stated that it could be a long administrative process because this is not something you would find in the zoning code.

Commissioner Bower asked about only rezoning one acre as mentioned by the applicant. Mr. Knostman stated that could be a recommendation of the Planning Commission.

Commissioner Bower requested staff provide a list of various options and the pros/cons of each option.

Commissioner Lyman expressed concern about the type of development allowed if the owners should go out of business. Mr. Knostman stated that currently anything permitted in the neighborhood retail could be allowed, such as gas stations, grocery store, etc.

Commissioner Reiner asked about doing a “development agreement.” Mr. Fancher stated that “development agreements” would have no connection to this rezone and we could not guarantee we could enter into a binding agreement.

**OLY-1 Woodard Creek Crossing**
Commissioner Bower asked about Phil Harlan questioning about whether the new proposed roads could be done without impacting the wetlands. Mr. Knostman stated these road alignments are all in the City of Olympia.

**TUM-1a Lands for Public Purposes/Essential Public Facilities**
Commissioner Bower stated that minor corrections need to be made of Type 2 facilities. Mr. Sonnen stated staff would respond to Department of Social and Health Services comments and have that response available for the Commission on April 17th.

Commissioner Reiner expressed concern with an issue Phil Harlan raised regarding text being deleted from the proposal and being replaced by the Capital Facilities Plan (CFP). Mr. Knostman stated that the Tumwater CFP is adopted by the City of Tumwater. The County’s CFP will come before the Commission in the fall.
**TUM-1b Transportation**  
Commission had no questions of staff.

**CO-1 Accessory Dwelling Units**  
Commissioner Bower made a comment that detached new construction was found by the Hearings Board to be adding to the housing and the conversion of an existing garage was not found to be adding to the housing. The County does not seem to allow conversion of an existing structure. Mr. Fancher stated a new structure in one Growth Management Hearing Board case was found to be in violation of Growth Management. Ms. Hayes stated that the staff proposal allows an accessory dwelling unit over a detached garage. The proposal states that either attached to the house or to a detached garage is considered “attached.” Ms. Hayes also stated that a new detached ADU would not be allowed but a new attached one would be allowed.

Commissioner Bower asked about limiting accessory dwelling units to parcels in the 1 to 5 units per acre zoning district. Ms. Hayes stated that staff considered a lot of options presented the Commission with the option that staff felt made the most sense. If the Commission would like additional data on impacts on smaller lot areas vs. larger lot areas, staff would be willing to make a comparison. Commissioner Reiner requested additional information and also requested more information on the RCW and the intent of the RCW.

Commissioner Bower expressed concern regarding the issue of affordable housing.

Commissioner Lyman expressed concern with enforcement of owner occupancy regulations and asked staff if there was a mechanism in place. Ms. Hayes stated that we have not proposed a mechanism. Mechanisms other jurisdictions have used is annual reporting or certification, or recording a deed restriction.

**CO-3 Boston Harbor Water System General Plan**  
Commission had no questions of staff.

**CO-4 Cooper Point Wastewater Facilities Plan**  
Commission had no questions of staff.

5. **Public Communication**

None.

6. **Approval of Minutes: February 20, 2002 and March 6, 2002**

Commissioner Bower stated that the February 20, 2002 minutes would be moved to another meeting for discussion.

*Commissioner Paradise moved seconded by Commissioner Fagernes to approve the minutes*
for March 6, 2002. Motion carried.

7. Planning Commission and Staff Updates

Ms. Hayes informed the Planning Commission that the Board of County Commissioners had invited them to attend the Board briefing on the Comprehensive Plan Amendments on May 1 at 2:00 p.m. Mr. Lovrien asked that an e-mail reminder be sent with this date.

Mr. Knostman gave the Planning Commission an update on the recent Supreme Court decision on annexation, which found the petition method of annexation to be unconstitutional.

8. Calendar (Tentative)

9. Adjourn

The meeting adjourned at 9:47 p.m.

Bob Bower, Chair
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Thurston County Planning Commission