MINUTES – Public Hearing

Thurston County Planning Commission
Wednesday, October 2, 2002
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, Peggy Paradise, Liz Lyman, Tom Cole and Mark Lovrien
Members Absent: Barbara Frost and Brian Fagernes
Staff Present: Jennifer Hayes, Fred Knostman, John Sonnen and Sandy Norton

   b. Approval of Agenda

The agenda was approved.

2. Public Hearing – Open Space Tax Program

Chair Bower opened the public hearing at 7:02 p.m.

Ms. Hayes stated that John C. Moench is requesting to reclassify 13.42 acres from Open Space Farm and Agriculture into Open Space Open Space. The property is no longer being actively farmed and qualifies for 3 points under the public benefit rating system as Open Space-Open Space. The property has significant wildlife habitat and includes a portion of Little McAllister Creek. Several important species and habitat areas are involved in the parcel and it meets the County’s eligibility criteria. Staff recommends approval.

John Moench – 8731 Pacific Avenue SE
Mr. Moench stated that the property is 20 acres that he plans to live on for as long as he is alive. He would like to see the animals living there after that. Mr. Moench added that this was his motivation for the reclassification.

Chair Bower closed the public hearing at 7:04 p.m.

3. Worksession/Action: Open Space Tax Program

Commissioner Lovrien moved seconded by Commissioner Paradise to approve CUSE 020540 to reclassify 13.4 acres from Open Space-Farm and Agriculture to Open Space-Open Space for current use assessment condition on the Applicant following recommendations of the habitat management plan. Motion Carried.

4. Public Communications
None.

5. **Briefing/Set Hearing: Critical Areas Clean-up Amendments for High Groundwater Areas, Wireless Communication Facilities in Aquifer Recharge Areas, and Technical Corrections**

Mr. Knostman highlighted the purpose, background, and proposal for three of the proposed Critical Areas Ordinance amendments as outlined in each of the staff reports, which were made part of the Commission mailing. The three Amendments are as follows:

1) **High Ground Water Standards**

Commissioner Lyman inquired about the high groundwater concerns relative to Salmon Creek. Mr. Knostman stated that the high groundwater concerns are County wide and not specific to Salmon Creek.

2) **Section 17.15.190**

Commissioner Lyman stated that in Section K, number 5, salmonid should be changed to anadromous fish. Mr. Sonnen agreed and stated that this change should be made throughout the Critical Areas Ordinance when it is updated next year.

3) **Wireless Communication Facilities within Aquifer Recharge Areas**

The Commission discussed the impacts on groundwater, risk that the proposed foundation will pose, contamination of groundwater, depth to the aquifer, and components of additives.

Commissioner Cole expressed concern with concrete having an effect on the hardening of groundwater for shallow wells.

Commissioner Lyman expressed concern with piers that come into direct contact with areas that have high groundwater.

**Commissioner Lyman moved seconded by Commissioner Lovrien to set a public hearing on the Amendments to the Critical Areas Ordinance for November 6, 2002.**

6. **Briefing/Worksession: Natural Resource Lands Update – Narrowing Proposal Options**

Jennifer Hayes reviewed the staff analysis of suggested amendments to natural resource lands policies contained in two matrices mailed out to the Planning Commission. She also passed out a question and answer handout regarding farmland and forest land policies, a previously e-mailed paper on shellfish designations, and an analysis of potential mineral resource lands of long-term commercial significance.

The Planning Commission reviewed the staff analysis and decided to pursue the development of amendment proposals to create or strengthen Comprehensive Plan policies and action statements in Chapter 3 for the following topics only:
- Purchasing more development rights from willing landowners of farmlands and forest lands. The Commission also decided to send a letter to the Agriculture Advisory Committee suggesting that they consider PDR criteria that would include lands that protected salmon-bearing streams.
• Requiring a resource use notice for development w/in 500 feet of existing ag and forestry operations enrolled in Open Space tax programs, if administratively feasible through a new automated systems.

• Calling for the County to work with the state Department of Natural Resources to produce a document that would clarify permitting thresholds and requirements for landowners confused by state vs. county forest practice permits, including the Conversion Option Harvest Plan.

• In the Forest Lands Conversion Ordinance, change the definition of “development moratorium” to exempt from the moratorium work done on an existing structure.

• Eliminate the policy requiring a buffer strip of uncut trees along roadways to hide clearcuts (this policy is not implemented by county code).

• Re-evaluating long-term agriculture designations given water rights issues that may constrain the ability to use this land for agriculture. (A long-term project not to be implemented this year.)

• Re-evaluating the impacts of cluster development on natural resource lands. (A long-term project not to be implemented this year.)

• Providing for staff training on agricultural issues to better assist local farmers with the regulatory process.

• Strengthening language about the importance of shellfish growing areas and the need to protect them through an integrated regulatory approach.

• Educating people living near shellfish growing areas about how to limit polluted runoff from their land (using county resources such as the Conservation District, WSU-Extension, and Environmental Health Dept.).

• Expanding the resource use notice for mineral lands of long-term commercial significance from 500 feet to 1,000 feet, and considering additional notification areas as the site requires.

• Designating some additional mineral resource lands of long-term commercial significance, contiguous to existing designated operations, based on the interest of the operator and designation criteria.

• Consider exempting mines from an expiration of their Special Use Permit after 3 years of inactivity (further staff research into this issue is required).

• Prohibiting asphalt plants within a certain distance of environmentally sensitive areas and residential areas (further staff research into this issue is required).

• Calling for better implementation of monitoring of mines for their compliance with the mineral extraction code.

Text changes to implement the above suggestions will be provided for Planning Commission review at the next Planning Commission meeting. Suggested amendments listed on the matrices and not cited above will not be pursued due to their unfeasibility or impracticality.

7. Approval of Minutes from September 18, 2002

Commissioner Paradise moved seconded by Commissioner Cole to approve the minutes for September 18, 2002. Motion carried.

8. Planning Commission and Staff Updates
Planning Commission Rules of Procedure

The Commission agreed that a grievance procedure should be added to the Planning Commission Rules of Procedure. The Commission requested a copy of the Robert’s Rules of Order to see if they want to adopt that procedure.

Case Law on Testimony by a Planning Commissioner to the Planning Commission

Commissioner Bower requested that a copy of the case law provided to the Planning Commission by Elizabeth Petrich be added to each Planning Commissioners reference notebook.

9. Calendar

The next Planning Commission meeting is scheduled for October 16, 2002.

10. Adjourn

The meeting adjourned at 10:10 p.m.

_________________________________________
Bob Bower, Chair
Peggy Paradise, Vice Chair
<table>
<thead>
<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
<th>AUTHOR</th>
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</thead>
<tbody>
<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>06/05/02</td>
<td>Legal position of the Commission relating to inviting private interest groups to a Commission meeting to provide a presentation on their point of views on a topic when inviting a governmental agency to speak on a topic. Chair Bower also wanted to know the number of private interest groups the Commission would need to invite.</td>
<td>BOWER</td>
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