THURSTON COUNTY PLANNING COMMISSION

Minutes
March 2, 2005

1. Call to Order

Commissioner Kohlenberg, followed by introductions of the Thurston County Planning Commission members, called the meeting to order at 7:00 p.m.

   a. Attendance
      Members Present: Liz Kohlenberg, Margaret Paradise, Craig Ottavelli, Liz Lyman and Chris Lane
      Members Absent: Tom Cole, George Darkenwald and Joyce Roper
      Staff Present: John Sonnen, Nancy Pritchett and Cami Petersen

   b. Approval of Agenda

      Commissioner Paradise moved to approve the agenda. Commissioner Lyman seconded. Motion carried.

2. Public Communication Not Associated For Topics That Have Not Been Docketed As Quasi-Judicial

None.

3. Approval of Minutes

   a. Approval of Minutes and Acceptance of Tapes from January 26, 2005 and February 2, 2005.

   Discussion:
Commissioner Lyman requested the following changes to the January 26, 2005 minutes:

- Add Department of Ecology Staff member Grechen Lux to item 1a: staff present.
- Add a notation stating there was no public communication
- Item 3 Staff Updates, first paragraph, third sentence should be corrected to read: Ms. Pritchett stated that the burden of proof is on the appellant to argue why the County is not in compliance with the Growth Management Act.
- Item 4 Briefing: Wetlands, section 17.15.950 **Wetland Buffers**: should read: Proposed change “…retain the natural functions of wetlands, the buffers consistent with this Sections shall be established and maintained in undisturbed condition except as provided for in this section.
- Item 4 Briefing: Wetlands, section 17.15.950 (3) **Buffers on mitigation sites**, fourth paragraph, first sentence should read: Mr. Sonnen pointed out that there are provisions in this code for citizens who have questions about their property/wetlands to ask for a determination by county staff.
- Item 4 Briefing: Wetlands, section 17.15.950 (3) **Buffers on mitigation sites**, seventh paragraph should read: Commissioner Lyman brought up the issue of when a wetland straddles
- Item 4 Briefing: Wetlands, section 17.15.900 (4) should read: **Wetland complexes. After discussion, the Planning Commission decided to remove wetland complexes from the draft.**

Commissioner Paradise moved to approve the minutes as amended from January 26, 2005 and February 2, 2005 and accept the tapes as the official record. Commissioner Lyman seconded. Motion carried.

4. **Briefing: Wetlands**  
   **Staff: John Sonnen**

Wetlands discussion briefing of the document Wetlands Committee Draft; Amendments to the Critical Areas Regulations TCC 17.15.900 dated 01/04/05 began. The Planning Commission reviewed pages 38 through 59 and the following changes were agreed upon:

**Section 17.15.970 Standards for allowed uses and activities in wetlands and associated buffers.**

- Section S2cvi – the Planning Commission agreed to add this language to the Riparian draft concerning allowing the approval authority to ability to authorize the use of additional space necessary to accommodate an onsite sewage disposal system if the applicant demonstrates that due to topography, etc. that there is no alternative outside of a buffer area.
- Section U. Onsite Sewage Disposal Systems, Utility Service Lines and Wells, Item 3 – The Planning Commission agreed to add this item concerning new wells to the Riparian draft also.
- Section W. **New Stormwater Facilities.** – Mr. Sonnen asked if the Planning Commission had
anything additional to add to this section as a follow-up to the recent review of this section with Dale Rancour of Roads and Transportation Department. The Planning Commission had nothing additional to add or change to this section.

- **Section Y. Vegetation Removal.** Item 3b – Commissioner Ottavelli requested that this item discussing the trimming of vegetation to provide a view corridor in the outer fifty percent of the buffer of a Category III and IV wetland be clarified to explain what fifty percent of the wetland means. A lot of discussion occurred concerning the definition of “trimming” and what that could entail. It was agreed that Mr. Sonnen will look at the City of Olympia’s definitions and descriptions of “trimming” within their code.

- **Section Y. Vegetation Removal.** Item 4c – Mr. Sonnen explained that the Roads and Transportation Department are concerned about this item regarding temporary fencing requirements due to the possibility of fencing being required on a very long expanse of roadway. The Planning Commission decided to refine this item to say that fencing will be required if the distance is a quarter mile or less and string and staking will be required if the distance is greater than a quarter mile.

- **Section AA. Maintenance of Landscaping and Gardening.** A lot of discussion occurred concerning the type of gardening allowed, the use of chemicals and pesticides and its affects on the wetlands. The Planning Commission agreed that gardening in these areas would be allowed but only with the use of “best management practices.” It was also decided that the reference to bogs and natural heritage wetlands would be eliminated.

- **Section DD. Drilling and Testing.** It was agreed that “testing” would be eliminated from this heading. The Planning Commission also discussed the concerns with “dewatering.” It was agreed that Mr. Sonnen would add some clarifying language that will protect vegetation and minimize disturbance of the wetland.

- **Section FF. Fencing.** Item 4 – The Roads and Transportation Department requested that “new use” in this item be clarified to not include new roadways. The Planning Commission did not make the requested change, but removed “pets” from this item.

- **Section GG. Intensive uses.** Mr. Sonnen explained the Best Available Science for this item topic and referred to a previous handout “Table 3.3 of Chapter 3, Disturbances resulting from different land use practices that can change the factors that control wetland functions,” as well as the information provided to the Planning Commission at the February 16, 2005 meeting from David Ward, attorney for Quality Rock and interested public in attendance at the Planning Commission review of the Wetlands chapter. Commissioner Lyman asked if the code is treating habitat the same in this chapter as well as in the riparian chapter. Mr. Sonnen stated that it does and explained. A discussion occurred concerning Item 2 Mineral Extraction. It was decided to remove this reference to mineral extraction. The Planning Commission directed Mr. Sonnen to revise the language so it applied to all use that generate emissions, effluents or pollutants.
- **Section JJ Signs.** Item 2 – The Roads and Transportation Department believes that this signing may not be necessary. The Planning Commission would like to keep this requirement.

- **Section KK Water Dependent Uses.** Commissioner Lyman asked if any examples should be referenced in this section. Mr. Sonnen stated that it is defined in the Shoreline Master Program and that he could add that here to refer to that document.

### 17.15.980 Mitigation for Wetland Impacts.

Mr. Sonnen explained this section and referred the Planning Commission to the CD that they have been provided which includes the literature of the study titled: Washington State Wetland Mitigation Evaluation Study, Phase 2, 2002.

- **Section A. Avoidance and mitigation of impacts to wetlands/buffers.** Item 2a – Commissioner Lyman expressed that she believes this item is vague. This was changed to read: *Minimizing impacts by limiting the degree or magnitude of the use or activity, by using appropriate technology, or by taking other actions.*

- **Section A. Avoidance and mitigation of impacts to wetlands/buffers.** Item 2c – It was agreed that this item concerning reducing or eliminating the impact over time through maintenance and mitigation be removed here.

- Commissioner Lyman requested that the following language from CTED be added to the Wetlands chapter: No net loss of functions or values of critical areas. Use and activities carried out pursuant to this chapter shall result in equivalent or greater functions and values of the critical areas associated with a proposed action, as determined by the best available science. All actions and developments shall be designed and constructed to avoid, minimize, and restore all adverse impacts. Applicants must first demonstrate an inability to avoid or reduce impacts before restoration or mitigation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of functions or values of the critical areas. It was agreed that this paragraph should be added to the Administrative Section so that it will apply to all chapters of the Critical Areas Ordinance (CAO).

- **Section C.** The ordering of items 3 and 4 were reversed. The Planning Commission noted that sub watershed needed to be defined.

- **Section E. Wetland mitigation location.** Item 1a and b – these items were deleted and will be replaced with siting criteria consistent with Department of Ecology guidance.

- **Section E. Wetland mitigation location.** Item 3 – It was agreed to allow the approval authority to make the determination as to whether mitigation on-site is viable or not.
Section E. Wetland mitigation location.  Item 4 – it was decided after discussion to remove this entire item except for the first sentence which reads: Location of off-site compensation. Off-site compensation shall occur within the same subwatershed as where the wetland loss occurred.  Section E items 1 through 4 will also be rearranged for better clarity.

Section F. Wetland mitigation timing.  Commissioner Ottavelli requested that a time frame be given here.  It was agreed that wetland mitigation must occur within one year, or as determined by the approval authority.

Table 9.3 Mitigation ratios for projects that do not alter the hydrogeomorphic setting of the site used for mitigation.  The Planning Commission agreed to not allow removal, therefore, mitigation for Category I – Mature/old growth forested wetlands.  A lengthy discussion occurred concerning the table and the ratios that are listed.  The Planning Commissioners were concerned that there is no basis or guidelines from which these ratios are established.

The discussion ended on page 59 of the draft and will be continued at a special meeting on March 9, 2005.

5. Staff Updates
   Staff: Nancy Pritchett

- A new Planning Commission member was appointed on Monday, February 28, 2005 to fill the vacant District 3 position.  The new member, Bob Musser, will be attending the meetings after his orientation.
- Mr. Welter has directed Ms. Suomi to hire a recording secretary to work solely on recording and preparing the minutes for the Planning Commission meetings.  The new employee will begin in the near future.
- A handout was provided titled: 2005 Preliminary Docket of Comprehensive Plan Amendment Proposals which provides information concerning upcoming amendments.
- The Advanced Planning Manager position has been opened up and closes on Friday, March 5, 2005.  The Planning Commission expressed an interest in being represented on the interview panel for this position.
- Capital Facilities Plan – Mr. Swartout had emailed the Planning Commissioners and would like to know if they would still like to be involved in this process.  A sub-committee will be formed.
- Annual Dinner Meeting with the Board of Commissioner and Planning Commission – this has been scheduled for April 7, 2005 at 6pm at Kennydell Lodge.  Commissioner Paradise will be unable to attend, unfortunately, because she will be out of town.  The Planning Commission will begin preparing an agenda for this meeting with the Board and Commissioner Lyman asked that the Planning Commission members email her with any items they would like to see discussed and she will prepare the agenda.
6. **Calendar**

*Who will not attend the following upcoming Planning Commission meetings?

1. **March 9, 2005 – Briefing: Critical Areas – Geologic Hazards (Commissioners Paradise and Darkenwald will not be attending)**
2. **March 16, 2005 – Briefing: Critical Areas – Administrative Sections (Commissioner Darkenwald will not be attending)**

**NOTE:** One additional Parking Lot Issue was added at this meeting.

11. **Adjourn**

The meeting adjourned at 9:40 p.m.

Liz Kohlenberg, Chair  
Tom Cole, Vice Chair
## REQUEST FOR INFORMATION SUMMARY SHEET

<table>
<thead>
<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
<th>AUTHOR</th>
<th>STAFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/26/05</td>
<td>Field Trip when begin working on Development Code Docket or at least comprehensive maps</td>
<td>Chair Kohlenberg</td>
<td>Advanced Planning Staff/N. Pritchett</td>
</tr>
<tr>
<td>1/26/05</td>
<td>Commissioner Cole has concerns for citizens and how they can find out if there are impediments as to what can be done with a piece of property</td>
<td>Commissioner Cole</td>
<td>Not identified</td>
</tr>
<tr>
<td>2/16/05</td>
<td>TCPC participate in the CFP process or comments</td>
<td>Commissioner Lyman</td>
<td>John Sonnen/Mark Swartout</td>
</tr>
<tr>
<td>2/16/05</td>
<td>Balancing GMA goals with the WEAN decision</td>
<td>TCPC</td>
<td>J. Sonnen</td>
</tr>
<tr>
<td>2/16/05</td>
<td>Requested advice on whether legal council should be present at public hearing</td>
<td>TCPC</td>
<td>J. Sonnen</td>
</tr>
<tr>
<td>2/16/05</td>
<td>Revised Draft Work Plan for Advance Planning</td>
<td>Commissioner Kohlenberg</td>
<td>J Sonnen</td>
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