THURSTON COUNTY PLANNING COMMISSION

Minutes
January 4, 2006

1. Call to Order

Chair Kohlenberg called the January 4, 2006 regular meeting of the Thurston County Planning Commission to order at 7:03 p.m. Everyone provided self-introductions.

a. Attendance

Members Present: Tom Cole, Liz Kohlenberg, Liz Lyman, Bob Musser, Craig Ottavelli, Joyce Roper, and Rhenda Strub

Members Absent: Chris Lane

Staff Present: John Sonnen, Jennifer Hayes, Mark Swartout, and Valerie Gow, Recording Secretary, Puget Sound Meeting Services

b. Approval of Agenda

The agenda was approved as presented.

2. Approval of Minutes

November 2, 2005

Commissioner Ottavelli moved, seconded by Commissioner Roper, to approve the minutes and accept the tapes of the November 2, 2005 meeting.

The following corrections were requested to the minutes of November 2, 2005:

On page 2, the last sentence before the last set of bulleted items should be revised to read, “The Planning Commission discussed the following points raised by Mr. Nelson:”

On page 4, correct the spelling of the Assessor’s Office in the first paragraph.

On page 4, in the second sentence of the last paragraph, revise the sentence to read, “…an
already problematic area where nitrate and fecal coliform contamination already exists.

Strike the last sentence in the last paragraph on page 4 that reads, “She said she is against exasperating an already problematic area.”

On page 5 in the second paragraph under item 7, correct “couationed” to read “cautioned.”

On page 5, within the sixth paragraph, correct the misspelling of Jeff Fancher’s name.

On page 6, change the third sentence in the third full paragraph to read, “As study reveals areas that will be unaffected…”

On page 6, change the last sentence in the third full paragraph to read, “The Board will consider releasing unaffected lands…”

On page 8, revise the first sentence in the first full paragraph to read, “In reply to an inquiry from Commissioner Lane, Commissioner Roper said the subcommittee would distill the material and bring all issues and a list of additional information back to the Commission for review and comment.”

On page 8, in the third full paragraph, revise the last sentence to read, “Commissioner Roper suggested the subcommittee’s work product could include a working paper, such as an issues grid for review by the Commission.”

The motion carried as amended.

Minutes of December 7, 2005

Commissioner Roper moved, seconded by Commissioner Lyman, to approve the minutes of and accept the tapes of the December 7, 2005 meeting.

The following corrections were requested to the minutes of December 7, 2005:

On page 5, correct Commissioner Roper’s misspelled name.

On page 6, in the second paragraph, revise the sentence to read, “Commissioner Lyman expressed an interest in reviewing staff’s analysis for all the LAMIRDs.”

On page 6, in the fourth full paragraph, change “read” in the third sentence to “red.”

On page 7, in the third full paragraph, change the sentence to read, “In reply to an inquiry from Commissioner Roper, Ms. Pritchett said an open house for the Rainier Sportsman Club is scheduled for December 8, 2005.”

On page 9, the first sentence at the top of the page should be revised to read “…concurred and
requested staff to “tighten up” the area.”

On page 9, delete the last sentence in the second paragraph that reads, “The BoCC is interested in the Commission’s guidance by December 14, 2005.”

On page 2, the first motion should be corrected to read, “Commissioner Ottavelli moved, seconded by Commissioner Cole, to forward a recommendation to the Board of County Commissioners to approve both open space applications. Motion carried.”

On page 8, in the fourth full paragraph, change the last sentence to read, “…should be used across the board, even if it means they encompass lots that are further subdividable.”

On page 11, in the second full paragraph, change the last sentence to read, “If the Planning Commission did form a stakeholders committee, he has requested that the meetings be open to the public, balanced, structured, and for minutes to be kept. “

On page 11, in the third full paragraph, change the second sentence to read, “Commissioner Lyman attended the meeting and suggested an approach of splitting the Planning Commission with some members working on critical areas while some worked on GMA compliance issues to expedite its work.”

On page 11, in the third full paragraph, change the third sentence to read, “However, the BoCC discussed forming a stakeholder committee to take on the critical areas review and bring affected parties together to resolve the issues.”

On page 11, in the third full paragraph, change the last sentence in the third paragraph to read, “The Board’s decision is to wait until the Planning Commission forwards its recommendation to form a stakeholder committee to review the Planning Commission’s work, which would allow the Board to identify…”

On page 11 the second to the last paragraph should be revised to read, “… proposed draft that will set forth the range of science and options.”

**The motion carried as amended.**

3. **Public Communications**

There were no public comments.

4. **Election of Officers**

Commissioner Cole provided the report on the results of the Nominating Committee. Committee members received several comments from Commissioners. The comments were indicative of a desire to have a Chair who is well organized and able to appropriately oversee the Commission’s meetings. The Chair should also be familiar with the Commission’s workprogram and the way
the Commission conducts business and considers issues.

Commissioner Cole reported the Nominating Committee’s 2006 slate of officers includes Joyce Roper as Chair and Liz Kohlenberg as Vice Chair.

Chair Kohlenberg asked for any other nominations from the floor. There were no further nominations from the floor.

**Commissioner Musser moved, seconded by Commissioner Lyman, to adopt the recommendation from the Nominating Committee to appoint Joyce Roper as Chair and Liz Kohlenberg as Vice Chair. Motion carried unanimously.** The chair position transitioned at this point in the meeting.

5. **Briefing: Agricultural Lands Designation Criteria**
   *(Staff: Jennifer Hayes)*

Ms. Hayes provided Commissioners with a draft of the *Response to Western Washington Growth Management Hearings Board (WWGMHB) Order to Amend Agriculture Land Designation Policies*, dated January 4, 2006. The amendment has been fast-tracked and is fairly straightforward and changes two policies. The County is not at this time, designating additional agricultural lands of long-term commercial significance, nor has the County been ordered to do so by the WWGMHB.

Ms. Hayes said the County is working on the first compliance report to the WWGMHB to advise the WWGMHB of the County’s approach to the order.

The Growth Management Act (GMA) requires jurisdictions to designate “Agriculture lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products.”

Thurston County has designated 12,692 acres as agriculture lands of long-term commercial significance as zoning districts – Long Term Agriculture and Nisqually Agriculture. The Board upheld the County’s basic classification system, which was challenged. However, the Board directed the County to revise two of the designation criteria to allow for future designation of additional agricultural lands. The criteria adopted by the County were deemed too limiting in the types of lands to be considered for agriculture designation.

Ms. Hayes reviewed the County’s comprehensive plan agricultural designation criteria:

1. Soil Type
2. The Availability of Public Facilities and Services
3. **Existing Land Use and Tax Status (affected by the Board’s ruling)**
4. Relationship or Proximity to Urban Growth Areas
5. **Predominant Parcel Size (affected by the Board’s ruling)**
6. Land Use Settlement Patterns and Their Compatibility With Agricultural
Practices

7. Proximity of Markets
8. Agricultural Diversity
9. Environmental Considerations

Ms. Hayes said the criteria must be met in order for the County to designate land as agricultural land.

Ms. Hayes reviewed conclusions of law from the WWGMHB pertaining to criteria #3 and #5, which states that the both criteria fails to comply with the requirements of the GMA.

WWGMHB decision points regarding designation criteria for #3 included:

- Lands otherwise eligible for designation as agricultural lands of long-term commercial significance may not be excluded simply on the basis of current use. Land is “devoted to” agricultural use under RCW 36.70A.030 if it is in an area where the land is actually used or capable of being used for agricultural production.
- Chapter 3 of the County comprehensive plan provides that “Designated agricultural lands should include only areas that are used for agriculture.” Thurston County Comprehensive Plan, Chapter Three – Natural Resources Lands, p. 3-4. This provision limits the designation (and thus conservation) of agricultural lands to those that are currently in use for agriculture.

Ms. Hayes said staff proposes changing the title of #3 to Land Capacity and Tax Status. The proposed amendment also includes additional language that speaks to historic use information and soil types that can help identify lands capable of being used for agriculture.

Commissioner Ottavelli requested clarification that land is defined as devoted to agriculture use even if it is not being used for agriculture production. Ms. Hayes affirmed that is staff’s interpretation. Agricultural land conservation has always been a high priority in rural lands under the GMA. Commissioner Kohlenberg said it appears the WWGMHB is essentially saying that if the land is capable and it meets all the criteria it could be designated.

Commissioner Ottavelli asked whether the proposed additional language of “and historic use information and soil types can help identify lands capable of being used for agriculture” is in addition to other information to identify agricultural lands. Ms. Hayes reported the language is in addition to other factors that may be considered in identifying agricultural lands.

Commissioner Lyman asked how the addition of historic use will be helpful. Ms. Hayes said from a planning perspective, if the County is designating additional agricultural lands and there is current GIS information it is also helpful to review historic agriculture census data and where farms were previously located and where specific types of farming was successful. Currently, the soil survey is very limited in Thurston County and is not very accurate. The County needs to rely on more than just soil types to determine whether a designation of agricultural lands is appropriate. Historic use information can be found in guidance documents and other types of
information.

Ms. Hayes reviewed staff’s proposed amendment to criteria #5. The decision by the board for criterion #5 is that parcel size doesn’t necessarily correlate to the size of a farm. Farms can consist of several parcels in common ownership. The County should not have criteria that speak to parcel size. However, the board has indicated the County can consider farm size. If size is to be used as a factor in designating agricultural lands, farm size rather than parcel size is the relevant consideration. Ms. Hayes reported the proposed amendment deletes information pertaining to predominant parcel and reads:

“For Thurston County, the majority of working farms are between 10 and 49 acres (2002 U.S. Census of Agriculture), while the average farm size is 64 acres. But many smaller farms have also been economically successful. Farm size, in conjunction with soil type and the other designation factors listed here, should be considered when evaluating capacity of agriculture lands for long-term commercial production.”

Ms. Hayes addressed questions from the Commission and noted the provision speaks only to long-term agriculture. Commissioner Strub pointed out that perhaps the proposed amendment does not address the issue pertaining to parcel size. She suggested striking #5 entirely. Ms. Hayes agreed and noted #5 pertaining to predominant parcel size is also included in WAC 365-190-050 Agriculture Lands. She explained that the WAC’s intent is that when a jurisdiction is designating lands, the jurisdiction must consider the ability of the land to develop into an urban use rather than an agricultural use by considering predominant parcel size. The County implemented the guidance by including language that the predominant parcel size is 20 acres. The language was never intended to be interpreted as the “minimum parcel size” but somehow that is what occurred according to the WWGMHB ruling.

Discussion followed about whether the board’s ruling dictates that the County must include language addressing parcel size. Commissioner Kohlenberg said the WAC requires counties and cities to consider the combined effects of proximity to population areas and the possibility of more intense uses of the land as indicated by items “a” through “j” of which one includes “predominant parcel size.” It doesn’t necessarily mean the County must consider all the criteria. Ms. Hayes suggested by excluding #5, the County’s policies covers all the criteria requirements of the WAC because the County considers intensity of land uses that are not located within an urban growth boundary. Ms. Hayes suggested that there may be benefits including a minimum parcel size such as five acres.

Commissioners and staff discussed options for retaining or striking the amendment within the proposed draft prior to the public hearing. The Planning Commission recommended deleting criteria #5. Ms. Hayes recommended having staff review the Commission’s exclusion of #5 with legal staff prior to the public hearing.
Ms. Hayes reported the Commission will receive a follow-up briefing with the final draft prior to setting the public hearing.

6. **2006 Draft Workprogram**

   *Staff: John Sonnen*

Mr. Sonnen reported that most of the Commission’s workprogram is carryover from 2005 with the exception of several issues. The Board of County Commissioners (BoCC) is considering the 2006 preliminary docket of comprehensive plan amendments on January 31, 2006, which includes some fairly significant projects that could be potentially added to the Commission’s workprogram.

Mr. Sonnen advised that staff is reviewing the entire workprogram and how items will flow through the Commission to advise the BoCC about the consequences of pursuing additional projects. Last year, the review process with the BoCC resulted in dropping several projects. Staff is determining what capacity is available month by month from a staff perspective as well as receiving input from the Commission on what projects are possible. The information will be shared with the BoCC for its decision on January 31, 2006.

Chair Roper inquired whether the County has authorized additional staff or contracts for additional resources. Mr. Sonnen advised not at this point, but that staff is undertaking an objective evaluation of staff commitments and if there is a shortfall, the BoCC will be advised to assist them in determining whether to drop or pursue amendments. Some of the amendments are GMA compliance and involve joint planning partners and are not discretionary. There is also the issue of the Planning Commission’s capacity.

Mr. Sonnen distributed a copy of a monthly planning flowchart through February 2007 outlining the interrelationship of the projects. On December 15, 2005, the BoCC sent the WWGMHB a letter indicating the County’s approach for compliance with the board’s ruling. The letter also requested deferral of the January 17, 2006 compliance date to the end of 2006, concurrent with the County’s planning workprogram.

Mr. Sonnen outlined some of the relationships between the projects to highlight some of the timing implications. Currently, rural zoning workshops are underway with the study areas to be established in February. Staff will present an outreach strategy for public involvement to the Commission in March. From April through May, staff will work to refine study areas and form district boundaries and propose draft zoning districts. There will also be coordination with the cluster workgroup that is currently meeting. Work on the LAMIRDs is on a coordinated and parallel track. Following the workshops, staff will refine the boundaries and develop necessary comprehensive plan and code amendments. Coordination will be ongoing with the rural rezoning effort. Staff anticipates one public hearing for both projects, but the Commission will discuss options at a later date.
Concurrent with the two projects, staff is working on determining whether growth areas are oversized to accommodate projected population growth over the next 20 years. Technical analysis will occur early in the year. Currently, the County receives a population projection from the Office of Financial Management that has been allocated throughout the County’s jurisdictions. Thirty percent of the allocation is assigned to the rural County. If the rural rezoning and LAMIRD work determines there is insufficient capacity to accommodate the 30% allocation, some of the growth area boundaries may be adjusted to accommodate the growth projection. Once the public hearing draft of the rural rezoning and LAMIRD work is complete, the result will be modeled with Buildable Lands data to determine the impact. If the analysis results in a forecast confirming 30% capacity, much of the work will be completed pending any major changes. However, if the analysis reveals ten to twenty percent excess capacity, it will provide a target for the County to work towards. At that point, the County will initiate a public process with affected growth area residents to try to ascertain how best to make the adjustments.

Commissioner Cole questioned the timing of the completion of the draft of the Critical Areas Ordinance in relation to the work on buildable lands, rural rezoning, and LAMIRDs. Mr. Sonnen responded that many of the jurisdictions have adopted most of their respective CAO amendments, which is factored in the County’s workprogram. The analysis for rural rezoning and LAMIRD considers the draft CAO submitted for the public hearing, which includes the basic work completed to date on the CAO. However, Buildable Lands analysis and reporting is due by September 2007. TRPC has been contracted to complete the Buildable Lands analysis and has requested input data by December 2006. The Planning Commission accepted the offer and asked Mr. Sonnen to schedule a discussion for the next meeting. However, if other information becomes available early in 2007, TRPC has informed the County that it may have the capacity to include the data within the Buildable Lands analysis. TRPC staff has offered to present the Buildable Lands analysis workprogram to the Commission.

Commissioner Cole said that the conclusions noted on the workprogram flowchart appear to be based on the requirements anticipated to occur within to the CAO, which will be completed in February 2007 based on the flow chart projection. Mr. Sonnen pointed out as an example that if the CAO analysis shows the County will lose five percent capacity in buildable lands as a result of CAO regulations, then the County will have to expand the growth boundaries. Mr. Sonnen explained that the work is considering the analysis in the current CAO draft and if the final draft is different and it changes the variables, staff should be able to make adjustments.

Mr. Sonnen continued his review of the flowchart. Discussion ensued on the timing of the CAO and its impact on the buildable lands analysis. Commissioner Cole reiterated that if the CAO does have an effect, then the critical path of the flowchart should be changed. Mr. Sonnen reassured and described to the Commission how the various efforts on the components of the workprograms will flow and enable staff to complete the analysis.
7. **Discuss Approach for Critical Areas Review**  
*(Staff: John Sonnen)*

Mr. Sonnen reviewed the Commission’s work calendar and possible dates for worksessions on the CAO. The schedule calls for completion of the draft CAO by the end of July. He reviewed possible public hearing dates for comprehensive plan amendments and noted staff is undertaking a review of the schedule based on resources.

Mr. Sonnen reported there are a number of overarching issues that pertain to more than one critical area chapter, such as agriculture and mining interests. There are also public comments compiled by chapter and section to be reviewed. Two chapters that are fairly devoid of any controversial issues or public comments are the Flooding and Channel Migration and Geologic Hazards.

Mr. Sonnen asked for direction on the format for presenting the critical areas work to the Commission. For instance, the options could include staff providing an introduction of the overarching issues or the Commission could begin the review chapter by chapter. Commissioner Lyman suggested Commissioners should begin by reviewing the matrix of public comments and make a list of information and data Commissioners believe they will need to facilitate their review. She noted that many of the questions will need to be addressed by legal staff, planning staff, or additional information may be required. Mr. Sonnen suggested the Commission begin by reviewing the overarching issues and provide an initial identification of the research needs and then proceed with the review of flooding and geologic hazards, followed by aquifer and important habitat and species with the final review on wetlands.

Commissioner Kohlenberg commented that the matrix the subcommittee of the Commission is providing includes the grouping of public comments by issue to minimize duplication and provide a summary description of each issue. The document is quite large.

Commissioners discussed different review methods and respective benefits for each method. Mr. Sonnen suggested the Commission begin with an introduction of the overarching issues and then begin with chapters with the fewest issues/comments.

Commissioner Lyman noted the matrix will be provided to each Commissioner prior to the next meeting.

8. **Calendar**

Mr. Sonnen referred to the Commission’s next meeting and suggested canceling the January 18 regular meeting and rescheduling the meeting to January 25, 2006 to afford time for the completion and distribution of the matrix. Commissioner Cole reported he is unavailable for a January 25 meeting. After identifying that a quorum is available on January 25, 2006, Commissioners agreed to cancel the January 18 meeting and reschedule the meeting to January 25, 2006. It was noted the matrix will be distributed to the Commission to afford Commissioners two full weekends to review the information.
Commissioner Ottavelli said he will be unavailable for meetings from February 5 through February 23, 2006.

Mr. Sonnen advised that staff will contact members individually for their respective schedules for the Commission’s work calendar.

9. **Draft Public Outreach Approach for Critical Areas**
   
   **Staff: Mark Swartout**

Mr. Swartout referred Commissioners to a copy of the draft public outreach strategy. He reviewed typical public outreach tools that generally work well. Mr. Swartout outlined his experience as the Endangered Species Act Coordinator for the County in 1999 and how he developed a similar public outreach strategy.

Mr. Swartout said he interviewed key staff from four counties on public outreach efforts each county undertook for their respective critical areas ordinance. The counties include Kitsap, Whatcom, Snohomish, and Pierce. The counties that experienced the greatest success undertook more public outreach opportunities resulting in the public becoming engaged and gaining a better understanding of the issues. People have different ways of understanding issues and different ways of communicating, which is why there are different methods in engaging the public.

Mr. Swartout outlined the goals of the strategy:

1. Successfully inform County citizens about the Thurston County Second Draft Critical Areas Ordinance.
2. Provide multiple opportunities for citizens to review, understand, and comment on the draft ordinance.

Mr. Swartout reviewed actions to achieve the goals to include applying for grants to provide funding for public outreach through publication of a quarterly newsletter for all property owners within the rural and urban growth areas in the County; working with the County Agriculture Committee; and development of public outreach products to include maps, frequently asked questions (FAQ), CAO summary, press releases, newspaper inserts, and newspaper ads.

The quarterly newspaper (March, June, September, and December) will focus on the Critical Areas Ordinance update (March and December) and growth management activities update (June and September).

Mr. Swartout reviewed proposed actions after the final draft ordinance is forwarded to the BoCC. He asked Commissioners to provide input on the proposed strategy:

- **Month 1 and 2 (After BoCC receive CAO)**
  - Develop CAO Stakeholder Committee guidance from BoCC.
  - Presentations to interest groups
- Purpose is to inform citizens of new draft and differences from first draft and current CAO
- Inform about public outreach process
- Provide for and track input comments and concerns
- Board choice of interest groups

➤ **Month 3**
- Panel Format – 4 hour community meeting in large auditorium
  - 3 – science panels – 4 to 5 members each panel (volunteers)
    - Establish credential criteria for panel members
    - Allow stakeholder groups to suggest members
    - Three panels/1 hour each/each different topic – e.g. riparian, geohazard, and aquifer recharge.
  - Staff panel – 3 to 4 staff
    - Include long range planner and current planners
    - One hour

➤ **Month 4**
- CAO workshops – different locations around County
  - Listening posts
  - Brief overview
  - Breakdown to smaller discussion groups
  - Focus 1-2 workshops on agricultural community
  - Include computers to allow current planners to answer parcel specific questions
    - Need to establish parameters
- TCTV – provide an overview of public input
- Tour – BoCC and Board’s choice of (staff?) and/or (key stakeholders?) tour examples of areas where critical areas ordinances will have impacts. The purpose is to gain an on the ground understanding of the proposed ordinance.

➤ **Month 5**
- Board of County Commissioners
  - Provide input gathered from Stakeholder Committee, interest group presentations, and workshops
  - Receive direction on next step

Mr. Swartout cited the results from the staff panel at Kitsap County during its CAO update process. The staff panel was very successful in that it provided county commissioners with the knowledge that staff did everything possible to engage the public, consider the input, and documented the input for the county commissioner to review for their action on the CAO. There was also excellent attendance to the panels in Kitsap County. He noted one measure of success is in how many people attend the final public hearing. Kitsap County had approximately 150 attend and in Pierce County, over 600 citizens attended.

Mr. Sonnen noted the Kitsap effort included four different versions of the CAO, which
resulted in some confusion and a fractured process. Commissioner Cole commented that in his view, the County has not had success in generating attendance to public hearings and meetings. However, it was acknowledged by staff and several Planning Commissioners that it will be important to pursue a public outreach strategy that will show to the BoCC that the Commission and staff did everything possible to engage citizens.

Mr. Swartout reviewed the CAO workshop format and noted several will be focused to the agricultural community. Including computers for current planners to answer parcel specific questions will require some parameters regarding the degree of information that will be provided. Commissioner Lyman said the idea is a good one, however; there could be some negatives associated with the process due to the inaccurate data that could lull citizens into a false sense of security. Mr. Swartout said it’s one reason why current planners will coordinate the effort as they are aware of parcel specifics and GEO data. Commissioners suggested including written disclaimers since GEO data is not always accurate and actual impacts could be dependent upon an on-the-ground assessment such as a wetland delineation. Mr. Swartout replied that the goal is to eliminate the fear that many people expressed during the previous public hearings and to share information about the true impacts of the CAO. The stations will offer an opportunity for the public to actually understand the impact of the CAO on their specific parcel. Commissioner Ottavelli pointed out its one thing to empower people to look at the information and draw their own conclusions versus staff looking at parcel specific properties and providing an evaluation of the impacts. Chair Roper asked that the approach and its risks be discussed with the County’s legal counsel.

Chair Roper referred to the science panel and suggested staff should review comments and invite experts to serve on the panel based on the specific areas generating the greatest public concern. Mr. Swartout said another aspect of the CAO that the public needs to understand is that the CAO is a public safety issue as well, such as flood impacts. Chair Roper said that some people traditionally think of wetlands as an environmental concern and do not also realize it is a flood protection concern and that wetlands serve other functions that are in fact protective of people. Mr. Sonnen said the Planning Commission draft will be available to the public as well as an opportunity for the public to offer comments. It would be beneficial if the public comments allow staff to reflect revised or alternative language that captures some of the public comments within the public hearing draft. Otherwise, the public hearing draft will not have captured any of the public comments and the public could point out that the County is not listening to their input.

Mr. Swartout said a matrix of changes will be provided between the first and second drafts.

10. **Adjourn**

There being no further business, Chair Roper adjourned the meeting at 9:29 p.m.

Joyce Roper, Chair
## Thurston County Planning Commission

### REQUEST FOR INFORMATION
**SUMMARY SHEET**

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<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
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<th>STAFF</th>
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<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>
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<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>
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<tr>
<td>2/16/05</td>
<td>Requested advice on whether legal counsel should be present at public hearing</td>
<td>TCPC</td>
<td>J. Sonnen</td>
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<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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<tr>
<td>5/18/05</td>
<td>Establishment of a subcommittee to study cumulative impacts of development on steep slopes</td>
<td>Staff</td>
<td>J Sonnen</td>
</tr>
<tr>
<td>5/18/05</td>
<td>Consider special management areas the TCPC may want to evaluate for critical areas, infiltration, and development within the UGAs</td>
<td>Staff</td>
<td>J Sonnen</td>
</tr>
<tr>
<td>5/18/05</td>
<td>Requested staff to check on “aggrieved person” within the definition section of the CAO</td>
<td>TCPC</td>
<td>J Sonnen</td>
</tr>
<tr>
<td>5/25/05</td>
<td>The Commission, after review of the Definitions and Administrative sections of the CAO</td>
<td>TCPC</td>
<td>J Sonnen</td>
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requested numerous changes, deletions, and additions to various provisions within the sections

5/25/05 Commissioners agreed to review the tentative calendar of future meetings and forward suggestions to staff

TCPC J Sonnen

6/15/05 Staff is to provide the following information at the Commission’s next briefing.

• The number of mine sites that are currently less than five acres in size.
• Data from the state related to the timeframe an applicant has to complete the reclamation process.

A Countywide map showing available land for mineral purposes after taking critical areas and other overlays into consideration

TCPC Staff

6/15/05 Staff will present examples of how the test has been applied, and rework the language to clarify how it is measured at the next briefing on Mineral Lands

TCPC Staff

6/15/05 Staff requested the Planning Commission review the draft ordinance, the Mineral Extraction Code, and consider the critical areas designation criteria. Staff will e-mail the “homework assignment” to absent members

Staff TCPC

6/15/05 The Planning Commission agreed to send the final draft to the task force for review

TCPC Staff

6/15/05 The Planning Commission requested alternative language to pick from should be shown in a “box” in the draft document.

TCPC Staff

6/22/05 A request was made to identify “certain geologists and geologic engineers” who refuse to work in Edgewood because they claimed their liability insurance carrier would not allow them to issue a letter or report without the hold harmless clause.

Commissioner Lyman N. Pritchett

6/22/05 Third Party Review report should include

Chair Kohlenberg N. Pritchett
questions that should be addressed, such as how much additional stormwater will be introduced into the slopes by the proposed development. Chair Kohlenberg agreed to work with staff and draft some questions to include as part of the report requirements.

6/22/05 Schedule a tour of an extraction operation to attain a better visual sense of a working mineral extraction operation. Commissioner Ottavelli J. Hayes

6/22/05 Obtain a more definitive answer about whether gravel resources are used from the mine in recycling operations. Commission J. Hayes

6/22/05 Prepare a Countywide map to include all draft layers from the critical areas regulations in addition to other criteria to assist the Commission in its discussion. J. Hayes J. Hayes

6/22/05 Verify first August meeting date by e-mail to Commissioners. Commission J. Sonnen

6/22/05 The Planning Commission agreed not to send the final draft of Mineral Lands to the task force for review at this time. TCPC Staff

7/6/05 Commissioner Cole referred to the Request for Information Summary Sheet attached to the minutes and noted his request on January 26, 2005 about concerns for citizen and how they can find out if there are impediments as to what can be done with a piece of property has not been addressed by staff nor has staff been identified who will address the question. Commissioner Cole J. Sonnen

7/13/05 Discussion of an appropriate buffer width necessary to protect adjacent properties from fire management practices on prairies and air quality followed. Staff will investigate whether it’s unlawful to burn, and if there are specific things that could be taken into consideration to help establish an appropriate distance. Commissioners suggested staff could confer
with the Fire District or U.S. Forest Service.

7/13/05 The Commission requested staff investigate how to allow fish hatcheries without impacting the natural resources the County is attempting to protect.  

Commission J. Sonnen

8/31/05 Mr. Sonnen said there were many comments from the public about justifiability of the document (CAO). Staff has received several suggestions about how to respond to the complaints. He noted each chapter includes a summary that pertains to existing uses that some individuals found helpful. Staff could adapt the information and post it on the County’s website.

Staff J. Sonnen

8/31/05 Mr. Sonnen offered a suggestion of a test with staff and with frequent users of the CAO document by providing an explanation of how the document is organized and then test the response to see if the person can work through and understand the document. The exercise will be in a form of a survey to seek some objectivity about the readability of the document.

Staff J. Sonnen

8/31/05 Commissioner Strub requested inclusion of a definition list of all acronyms used in the document for easy reference by the reader. Mr. Sonnen acknowledged the request and suggested including a glossary of acronyms.

Commissioner Strub J. Sonnen

8/31/05 Staff recommended that the County’s legal counsel review the decision to ascertain whether the HEAL decision coincides with the recent decision as well as issue an interpretation of the decision.

Staff J. Sonnen

8/31/05 Commissioner Lyman suggested the Commission should schedule legal counsel to attend a meeting to respond to the Commissioner’s questions. Responding by email often raises additional questions. The

Commissioner Lyman J. Sonnen
Commission needs legal counsel support. Mr. Sonnen recommended the Commission pose questions in advance to enable adequate preparation time by legal staff to develop a response.

8/31/05 Commissioner Lyman asked that the Commissioner’s contact list also include staff information as well. She asked that staff consider a formal method for notifying Planning Commissioners of the County Board of Commissioners worksession dates involving issues the Planning Commission has referred to the Board. Mr. Sonnen said he will review the Board’s procedures for notification.

9/21/05 Staff and Commissioners discussed scheduling one-half or longer day sessions to address critical areas rather than scheduling additional evening meetings. Chair Kohlenberg suggested staff follow up with members via e-mail on which Saturdays and/or evenings in October would work best.

9/21/05 Commissioners asked Commissioner Lyman to draft a letter to the County Board of Commissioners requesting the Board intercede on behalf of the Planning Commission to receive additional legal support.

10/12/05 Staff asked members to consider an option of forming task forces to focus on key topics such as agriculture, mineral extractions, etc. The task force could consist of two or three Planning Commissioners and those with technical expertise to help address issues raised by the public. Additionally, consider examining how other jurisdictions have addressed similar issues. The task forces could make recommendations to the Planning Commission.

10/12/05 Commissioner Lyman said Commissioner Oberquell has requested a letter from the Commission.
Planning Commission addressing the names of the invited participants within the CAO process so she can provide answers when she receives queries. Commissioner Lyman offered to work with staff and draft a letter to Commissioner Oberquell. The draft will be circulated to the Planning Commission before it is forwarded to Commissioner Oberquell.

10/19/05 Mr. Clark requested the Planning Commission defer its recommendation of the Grand Mound WSP amendment until it has the findings from the review committee. He anticipates a staff recommendation for the Planning Commission’s November 2, 2005 meeting.  

10/19/05 Mr. Sonnen offered to draft the Planning Commission letter to the BoCC. The letter will be presented to the Planning Commission for review.

10/19/05 Request for legal counsel to attend a future meeting and/or clarify in writing the public record disclosure requirements specific to the Planning Commission. Also provide written guidance as part of the orientation materials provided to Planning Commissioners.

11/2/05 Poll Commissioners for availability of a Saturday meetings in January through March.

11/2/05 Provide the Commission with a monthly status check on the Commission’s subcommittee work on the CAO review.

11/2/05 Develop a tentative schedule for the CAO review for the Commission’s review and input at its November 16, meeting.

11/2/05 E-mail Commissioners to ascertain interest in attending November 10 CAO subcommittee meeting.

12/7/05 Various requests regarding LAMIRDs: 
- Interest in viewing analysis for all LAMIRDs including Grand Mound.
- Suggestion to include intervening properties between the areas shown in yellow to the left of #53 (Maytown

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- Supply larger maps for the open house on December 8, 2005
- Determine what is located on the area located within the tribe’s UGA

12/7/05 Commitment to the BoCC to provide a companion piece in addition to the proposed draft (CAO) to help the Board to determine the range of science and options

Commissioner Lyman

12/7/05 Suggestion for staff to provide a flowchart outlining the work program for the ensuing year with milestones attached. Staff to provide critical path analysis to the Commission at its January 4, 2006 meeting

Commissioner Cole

Staff