THURSTON COUNTY PLANNING COMMISSION

Minutes
April 5, 2006

1. **Call to Order**

Chair Roper called the regular meeting of the Thurston County Planning Commission to order at 7:01 p.m. Everyone provided self-introductions.

   a. **Attendance**

   Members Present: Chair Joyce Roper, Commissioners Tom Cole, Liz Kohlenberg, Chris Lane, Bob Musser, Scott Nelson, Craig Ottavelli, and Rhenda Strub (7:07 p.m.)

   Members Absent: Commissioner Liz Lyman

   Staff Present: John Sonnen, Cami Petersen, Jennifer Hayes, Diana Smith, Nancy Pritchett, Katie Knight, and Cheri Lindgren, Recording Secretary, Puget Sound Meeting Services

   b. **Approval of Agenda**

   Commissioner Cole moved, seconded by Commissioner Kohlenberg, to approve the agenda as presented. Motion carried.

2. **Public Communications (Not associated with topics for which public hearings have been held.)**

   There were no public comments.

3. **Staff Updates**

   Mr. Sonnen reported during its worksession earlier in the day, the Board of County Commissioners (BoCC) discussed which lands to release from the moratorium. He referred to a display map and said tentatively, the areas in “white” will be released, all areas in the south County growth areas (Yelm, Tenino, Bucoda, and Rainier) because their current zoning is 1:5, “green” areas in north County, and “goldenrod” areas with sewer available with two exceptions - undeveloped properties.
along the Nisqually Bluff and the Salmon Creek basin remain under the moratorium.

Commissioners Wolfe and Macleod acknowledged they received the letter from the Commission but it was not discussed during the worksession.

*Commissioner Strub arrived.*

**Chair Roper asked staff to e-mail the Residential Subdivision Moratorium – Rural County map to Commissioners.**

4. **Briefing: Follow-up on Rural Rezoning Phase II**  
   *(Staff: Jennifer Hayes and Diana Smith)*

Ms. Hayes presented the rural rezone study area map and said it includes 41% of the rural lands. She explained the BoCC considered the Commission’s base recommendation and refined it to include parcel patches of 320 contiguous acres or more and added the Black River corridor, Green Cove and Salmon Creek basins, the Nisqually bluff, and buffers to both urban growth areas and resource lands. A 20-acre parcel size is the basis for the map. Parcels smaller than 20 acres may be on the map for several reasons, one of which is because the parcel falls within one of the buffer areas (resource or urban growth areas).

Commissioners and staff discussed the rural rezone study area process. The initial analysis concerned 20 acres and larger parcels. Property owners with 10 or more acres were notified, but may have not attended the meetings thinking the rural rezone did not affect their properties. Chair Roper requested the record reflect that the Commission had specifically recommended the public notice include parcels 10 acres or larger, and the BoCC chose 20 acres as the threshold.

Ms. Hayes referred to the *Information Needs for Rural Rezoning Project Phase II* matrix from the last meeting. She reviewed the three questions that need to be answered for the study areas/subset of study areas during Phase II of the project and asked whether Commissioners had information needs to add to or remove from the list. The Low Impact Development Task Force recommendation for vegetation retention in rural areas is not lined up with the Commission’s process. She encouraged members to think of Phase II as writing the basic ordinances to bring the County into compliance this year. There may be other aspects to consider that could be articulated in the adoption findings. The Commission could then amend the ordinance next year. Chair Roper asked staff what percentage of land is set aside within the urban reserve areas versus other areas, and how much is set aside based on abutting resource lands. Ms. Hayes conveyed that staff will provide the information at the Commission’s next meeting. Concerning the information needs matrix, Chair Roper requested information regarding water availability and areas where there are current drinking water issues.

Ms. Hayes distributed an updated *Rural Rezoning Project Proposed Phase II Timeline* document that incorporates, “Determine how volunteered lands work with study area,” as requested by the Commission. A meeting to talk about volunteer lands is scheduled for Monday, April 24, 2006 at 6:30 p.m. at the Expo Center, Thurston County Fairgrounds. A representative from the Assessor’s
Office will attend. **The Commission decided if requested by the public, it is incumbent to consider volunteered lands outside of study areas.**

Commissioner Kohlenberg asked if there are guidance documents Commissioners could read that discuss general principles concerning rural rezoning. **Ms. Hayes said staff will develop a list of resource materials.**

In reply to an inquiry from Chair Roper, Mr. Sonnen reported the BoCC directed staff to draft a moratorium ordinance for its April 24, 2006 meeting. The BoCC needs to determine an effective date and May 1, 2006 is an option. Ms. Hayes said the rural rezoning study area map will be placed on the County’s website April 6, 2006.

**Chair Roper asked staff to e-mail the April 19, 2006 meeting packet to her, as she will be out-of-town. Commissioners expressed interest in receiving the meeting packet as much in advance of the April 19, 2006 meeting as possible.**

5. **Briefing: LAMIRDS**  
*(Staff: Nancy Pritchett and Katie Knight)*

Ms. Pritchett provided an overview and background history concerning Limited Areas of More Intensive Rural Development (LAMIRDs) prior to discussing the information contained in each Commissioner’s agenda packet. She quoted the LAMIRD language contained in the Revised Code of Washington (RCW).

Staff briefed the Commission on December 7, 2005 concerning the proposed boundaries for LAMIRDs. Some of the boundaries were changed at the meeting and revised maps were presented at the open houses in December and public workshops in January. Staff conducted follow-up research and analysis based on public input received to date. Staff recently met with a local planning consultant who has helped other jurisdictions meet compliance concerning LAMIRDs and other land use issues. Discussion ensued about nonconforming subdivisions and that current requirements would apply to land use activities.

Ms. Knight reported the **LAMIRD Project – Summary of Public Comments from Letters and Workshop Maps – January 2006** matrix provides a summary of the staff analysis of each of the LAMIRD areas that received public comment. Staff determined there are three LAMIRDS it could justify amending the boundary based on public comment: LAMIRDs 19 (NE Map), 20 (NW Map) and 57 (SW Map – Rochester). Most of the revisions are based on water service area boundaries. Staff reviewed all 59 LAMIRDs and the proposed changes are based on water service areas in existence in 1990 with the exception of LAMIRDs 19, 20, and 57. The study areas are outlined in “red” and “blue” indicate the revised LAMIRD. Commissioners and staff reviewed the following LAMIRDs in greater detail:

- **LAMIRD #19 (NE Map).** Staff distributed a City of Lacey water service area map. The proposed change creates a second LAMIRD (19b) along the western edge of the original study area, as it was predominantly developed by 1990 and is serviced by Lacey water. Including the
parcels shown with a “dashed line” allows for 18 additional lots. Excluding the three lots will result in only five additional infill lots. Discussion of Lacey’s water system and whether it has sufficient capacity to serve future residential development followed. Ms. Pritchett said staff will contact the City of Lacey and follow up. The Commission agreed to include the three parcels in the LAMIRD if Lacey confirms it has adequate water capacity. Otherwise, the Commission directed staff to exclude the lots from the LAMIRD #19 boundary.

- **LAMIRD #20 (NW Map).** Based on public comments, the suggested change is to expand the proposed LAMIRD boundary to include areas built-out by 1990 and rezone some areas from RR 1/1 to RR 1/2, and to exclude a few parcels that do not meet LAMIRD criteria. The changes are labeled A through E on the map. The revised boundary is shown in a “thick blue line.” Staff referred to a large display map and reviewed several options and corresponding infill potential for LAMIRD 20A as follows:
  - The current zoning is 1:1. There is a potential for 13 infill lots by expanding the LAMIRD and retaining the 1:1 zoning.
  - Changing the zoning to 1:2 results in only one additional infill lot.
  - Another option is to split the zoning between 1:1 and 1:2 resulting in five infill lots.

  The area is not served by a water system. Ms. Knight conveyed splitting the zoning is a good compromise that provides for five infill lots and acknowledges development on the ground in 1990. Discussion ensued regarding the options presented by staff, what was built by 1990, and how the area is developed. Ms. Knight said most of the lots to the west were not developed by 1990. The "yellow outline shows areas built-out by 1990. Using the large display map staff pointed to the lots that could develop further. **The Commission concurred to split the zoning in LAMIRD 20A between 1:1 and 1:2 as outlined by staff.**

Ms. Knight explained there are three, two-acre parcels in LAMIRD #20B and the owner wants to retain the 1:1 zoning. Including the property in the LAMIRD with 1:1 zoning results in 29 infill lots. A possible compromise is to rezone the area 1:2 allowing for three infill lots and not affect the person making the comment. **The Commission determined that adding the areas to the LAMIRD and zoning them 1:2 is reasonable.**

Staff explained that adding Area C to LAMIRD 20 at 1:2 zoning density (current zoning) creates a logical boundary and only allows the potential for three infill lots. **The Commission concurred with staff’s proposal.**

Area D includes parcels that should be added because they were predominantly developed by 1990 and there is no infill potential. **The Commission concurred with staff’s proposal.**

Area E concerns a few parcels that should be removed from the LAMIRD boundary because they were not developed by 1990 and are located on the outer boundary. **The Commission concurred to remove the parcels as outlined by staff.**

- **LAMIRD #57 (SW Map – Rochester).** Ms. Pritchett explained the proposal is to expand the proposed boundary in four areas to include parcels served by the Rochester Water Association (RWA). The areas are labeled A through D on the aerial map. RWA Manager Lowell Deguise
was present to answer questions. Staff presented a large display map reflecting the proposed revised boundary and the existing zoning. The “red” lines indicate water pipes in the ground. The majority of the infrastructure was in place by 1990. A line that serves the Applegate Village Subdivision was placed in service in 1995. The “blue dash” line indicates what was used for the initial LAMIRD boundary, while the “hatched” areas were not included in the initial boundaries. Mr. Lowell pointed out the lots that are currently served by water. Ms. Pritchett said staff recommends including the Applegate Village Subdivision as it creates a better LAMIRD boundary compared to creating several smaller LAMIRDs served by the same water system. Discussion followed on when portions of the water system were in place. Another part of the proposal for Area A is to remove two areas that include larger parcels that are not served by the RWA. **The Planning Commission concurred with staff’s recommendation for LAMIRD #57.**

Ms. Pritchett requested that the Commission discuss the addition of Area B to LAMIRD #57, as the property owner was present. The two “long” parcels were not included. One is shown as being serviced by the RWA and the other is not. The parcel immediately to the west is not on the water system, can be further subdivided, and the current zoning is 1:6 with sewer.

- **LAMIRD #60 (SW Map – Grand Mound).** Ms. Knight explained the proposed change is to create five small residential LAMIRDs (60d through 60h) and include areas served by water since 1990. **The Commission concurred with staff’s recommendation.**

**Chair Roper requested staff include the area map for the entire County with future LAMIRDS discussion materials.**

6. **Calendar (Tentative) and Attendance**

Mr. Sonnen distributed an attendance list for members to indicate their availability for upcoming meetings.

- April 19:  B: Rural rezoning; D: Alternative minutes approach (*Chair Roper unable to attend*)
- April 26:  W: Critical Areas – Flooding and Geologic Hazards (*Chair Roper unable to attend*)

7. **Adjournment**

There being no further business, Chair Roper adjourned the meeting at 8:49 p.m.

Joyce Roper, Chair  
Liz Kohlenberg, Vice Chair

Prepared by Cheri Lindgren, Recording Secretary, Puget Sound Meeting Services
<table>
<thead>
<tr>
<th>DATE OF REQUEST</th>
<th>ISSUE/REQUEST</th>
<th>AUTHOR</th>
<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>
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<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>
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<td>6/22/05</td>
<td>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.</td>
<td>Commissioner Lyman</td>
<td>N. Pritchett</td>
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<tr>
<td>6/22/05</td>
<td>Third Party Review report should include 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.</td>
<td>Chair Kohlenberg</td>
<td>N. Pritchett</td>
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<tr>
<td>6/22/05</td>
<td>Obtain a more definitive answer about whether gravel resources are used from the mine in recycling operations.</td>
<td>Commission</td>
<td>J. Hayes</td>
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<tr>
<td>6/22/05</td>
<td>Prepare a Countywide map to include all draft</td>
<td>J. Hayes</td>
<td>J. Hayes</td>
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layers from the critical areas regulations in addition to other criteria to assist the Commission in its discussion.

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.

Commission J. Sonnen

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.

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

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.

Commissioners  Commission Lyman

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.

Staff  Staff/Planning Commission

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

Planning Commission  Staff

12/7/05 Commitment to the BoCC to provide a companion piece in addition to the proposed

Commissioner Lyman  Commission
draft (CAO) to help the Board to determine the range of science and options

2/15/06 Follow up with legal staff to ascertain how many other counties have been challenged by Futurewise
Commissioner Cole Jennifer Hayes

2/15/06 Staff to check to ensure the refined map (Map 2 Rural Character) looks at 20 acre or greater parcels
Commissioner Ottavelli Jennifer Hayes

2/15/06 Interest expressed by several Commissioners to receive a map combining aquifer/sensitive areas, unbuildable areas, and rural character as well as adding marine conservation lands and also the above combination with the exclusion of rural character to ascertain how the rezoning study areas look
Commissioners Staff

2/15/06 Ascertain whether it is possible to provide an interactive workshop showing several map combinations
Commissioners GIS Staff

2/15/06 Obtain legal opinion regarding risks associated with large removal of large areas of agricultural lands from the rezone study areas project
Jennifer Hayes Staff

2/15/06 Staff was requested to provide the Commission with a recommendation concerning a protocol for drafting a volunteer program. Commissioner Strub requested staff work with the Farm Bureau also.
Commissioner Ottavelli Jennifer Hayes

2/22/06 Commissioner Kohlenberg requested knowing how local species are defined and selected
Commissioner Kohlenberg Staff

2/22/06 Staff to research public testimony regarding what is the BAS for expanding a list of rare and endangered species as outlined in the amendment
Commission Staff

2/22/06 Requested staff analysis of the impacts of gravel mining in riparian and management zones concerning important habitats
Commission Staff

2/22/06 Research with legal staff what the distinction is of agriculture occurring on designated agriculture resource lands and agriculture on other lands
Commission Legal Staff

2/22/06 Provide comparative data for habitat about the impacts of mining similar to data on
Commission Staff
impacts to wetlands caused by mining

2/22/06 Ascertain pros and cons for removing beaver ponds versus prohibiting the removal of beaver ponds. Commission Staff

2/22/06 Discuss clarification of terms related to estuary and estuarine wetlands Chair Roper/Commissioner Lyman Staff to add to 3/1/06 agenda

3/1/06 Commissioners requested a review of frequently asked questions (FAQs) prior to posting online Commission Staff

3/1/06 Present a list of target interest groups for the Commission’s review for the volunteer rezoning strategy Commission Staff

3/1/06 Air information on TCTV Channel 3 regarding the Volunteer Rezoning Program Commission Staff

3/29/06 Staff to provide notice to other river councils and other organizations regarding the Volunteer Program. Commission Staff

3/29/06 Commissioners to provide feedback and comments by April 5, 2006 regarding the three questions: Do we really want to create a new zoning district in this area? What is the appropriate density? What specific regulatory tools can work here? Staff Commission

3/29/06 Invite representative from Assessor’s Office to the Volunteer Meeting Commissioner Lyman Staff

4/5/06 Staff to e-mail the Residential Subdivision Moratorium – Rural County map to Commissioners. Chair Roper Staff

4/5/06 Staff to provide information regarding water availability and areas where there are current drinking water issues. Chair Roper Staff

4/5/06 Staff will develop a list of resource materials. Commissioner Kohlenberg Ms. Hayes

4/5/06 Staff was asked to e-mail the April 19, 2006 meeting packet Chair Roper, as she will be out-of-town. Commissioners expressed interest in receiving the meeting packet as much in advance of the April 19, 2006
meeting as possible.

4/5/06 Staff will contact the City of Lacey and follow up whether the City has water capacity to serve future residential development. Ms. Pritchett Ms. Pritchett

4/5/06 Staff to include the area map for the entire County with future LAMIRDs discussion materials. Chair Roper Staff