THURSTON COUNTY PLANNING COMMISSION

Minutes
April 19, 2006

1. Call to Order

Commissioner Lyman called the regular meeting of the Thurston County Planning Commission to order at 7:04 p.m. Everyone provided self-introductions.

   a. Attendance

Members Present: Commissioners Tom Cole, Liz Kohlenberg (7:12 p.m.), Chris Lane, Liz Lyman, Bob Musser, Scott Nelson, Craig Ottavelli, and Rhenda Strub
Members Absent: Commissioner Joyce Roper
Staff Present: Katie Knight, Nancy Pritchett, Cindy Wilson, Gina Suomi, Cami Petersen, Jennifer Hayes, Diana Smith, and Recording Secretary Cheri Lindgren, Puget Sound Meeting Services

   b. Approval of Agenda

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

2. Public Hearing/Worksession/Decision: Jones, Wagar, and Windsor Open Space Applications
   (Staff: Katie Knight, Nancy Pritchett, Cindy Wilson)

Commissioner Lyman opened the public hearing at 7:05 p.m. for four open space applications:

- Aaron and Sandra Jones, 7920 186th SW, Rochester (18.76 acres)
- Kimberly and Mark Wagar, 649 101st Avenue SE, Olympia (39 acres)
- Edward Windsor, 13131 Morris Road, Yelm (40 acres)
- Edward Windsor, 13131 Morris Road, Yelm (40.58 acres)
No one from the public testified. Commissioner Lyman closed the public hearing at 7:06 p.m.

**Commissioner Cole moved, seconded by Commissioner Musser, to recommend to the Board of County Commissioners (BoCC) approval of open space applications for Case #2005102882 (Aaron and Sandra Jones), #2005101703 (Kimberly and Mark Wagar), #2004105391 (Edward Windsor), and #2005103841 (Edward Windsor). Motion carried. Commissioner Lyman abstained.**

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

There were no public comments.

4. **Approval of Minutes and Acceptance of Tapes from March 29, 2006 and April 5, 2006**

**Commissioner Musser moved, seconded by Commissioner Cole, to approve the minutes and accept the tapes of the March 29, 2006 meeting.**

The following correction was requested to the March 29, 2006 minutes:

- On page 3, within the third full paragraph, second to the last sentence, change the first reference to “County” to “UGA.”

*Vice-chair Kohlenberg arrived.*

**Commissioner Cole moved, seconded by Commissioner Nelson, to approve the minutes and accept the tapes of the April 5, 2006 meeting.**

Discussion ensued about the status of staff’s contact with the City of Lacey concerning Limited Areas of More Intensive Rural Development (LAMIRD) #19 and adequate water capacity as stated in the April 5, 2006 minutes at the top of page 4.

**Motion carried to approve the March 29 as amended and April 5, 2006 as presented.**

**Commissioner Ottavelli abstained from voting on the March 29, 2006 minutes.**

**Commissioner Lyman abstained from voting on the April 5, 2006 minutes.**

5. **Worksession/Decision: Alternative Minutes Approach**

*Staff: Gina Suomi, Cami Petersen*

Ms. Petersen distributed a copy of the sample abbreviated minutes format using the April 5, 2006 digital recording as a test. Discussion followed about the status of staff supplying the corresponding hyperlinks to connect to the applicable discussion in the audio. Ms. Petersen demonstrated how it will work and played a portion of the audio using a laptop computer. She provided a draft of what the web page will look like that lists by date the audio recordings.
available that can be accessed by “clicking” the appropriate audio link. Until the hyperlinks are functional, the Commission and public will not be able to access the audio portion of the minutes by clicking on the time stamp.

Commissioner Ottavelli expressed support to begin utilizing the Development Services digital system for recording Commission meetings. He asked staff to include time stamps as a reference, and hopefully those time stamp hyperlinks will become functional in the future.

In response to additional member comments, Ms. Petersen replied staff can provide CDs for the Commission as necessary. Once the audio is available on the website staff will no longer provide copies of the meeting tapes to those Commissioners unable to attend a particular meeting. Staff is able to post the audio portion of the meeting within one or two days following the meeting. Staff will post the minutes once approved and signed by the Chair.

**Commissioner Cole moved, seconded by Commissioner Ottavelli, to approve utilizing the Development Services digital system for recording its proceedings, the format for abbreviated minutes as presented by staff, and direct staff to change the Planning Commission Rules of Procedure to reflect the change as necessary. Motion carried.**

6. **Briefing: Rural Rezoning**
   (Staff: Jennifer Hayes, Diana Smith, Celinda Ramsey)

Staff reviewed an agenda for the discussion and distributed the following information:

- April 14, 2006 *Rural Rezone Sub-Area Profiles* memorandum with an attached *Thurston County Rural Rezone Sub-Areas* map based on watershed boundaries
- *Rural Rezone Study Area Sub-Area Profile Sheets*, current land use characterization maps, and zoning district boundaries and densities – preliminary recommendations - for the following sub-areas:
  - Skookumchuck River
  - Chehalis River East
  - Chehalis River West
  - Black River West
  - Black River East

Ms. Hayes reported this is the first of three briefing concerning Phase 2 of the rural rezoning project. Follow up briefings are planned for May 3 and May 17, 2006.

**Commissioner Cole suggested renaming “Rural reserve” zoning to “Rural resource” zoning.** Staff agreed.

The purpose of the profiles is to assess what is going on with selected study area parcels within each sub-area, ascertain zoning district boundaries, provoke discussion about what information the Commission may still want about a particular area, and provide initial rationale for density
Staff recommendations for density choices, based on some preliminary criteria, are as follows:

- **1:10 zoning** is recommended for areas where protection of rural character or environmentally sensitive areas is the dominant reason for rezoning, and/or where the area is in smaller lots or located near urban services. Staff suggests calling this zoning category “Rural Protection.”
- **1:20 zoning** is recommended for areas where larger lots are appropriate for resource use (agriculture and forestry, or lands bordering agriculture and forestry resource lands, as well as areas with designated mines). Staff is tentatively calling this zoning category “Rural Reserve.”
- “Urban reserve” zoning at 1:20 density is recommended for some areas bordering the urban growth areas (UGAs). Not all lands selected for study because they border a UGA are appropriate for future urban expansion. These lands may be zoned 1:20 or 1:10 or dropped from the study and remain 1:5. Some will be LAMIRDs.

Staff and Commissioners discussed in general the density choices explained above. Ms. Hayes explained the *Thurston County Rural Rezone Sub-Areas* map follows watershed boundaries. There are 10 sub-area profiles.

Staff and Commissioners discussed the *Skookumchuck sub-area*. Ms. Smith reported the sub-area contains approximately 10,000 acres and the median parcel size is 5 acres. She outlined the location of predominant land uses on an aerial display map: timber, agriculture, sparse single and multi-family residential, and vacant/undeveloped lands. Problem areas/hazards include steep slopes and landslide hazard areas, 100-year floodplains, and high groundwater and recent flooding areas. Staff recommends 1:20 zoning because of current agriculture and forestry use, in addition to environmental considerations. There are some areas with smaller lots recommended for 1:10 zoning. The “red Xs” indicate areas staff recommends dropping from the study area. Comments offered by the Commission are as follows:

- The area north of Bucoda includes small, legal lots, as well as an area east along the bend of Skookumchuck Road. Staff replied there are areas that may be LAMIRDs. There are larger 10-20 acre parcels around smaller lots.
- **A majority of the Commission preferred creating as few nonconforming lots sizes as possible.**
- **For the area south of Skookumchuck Road, the Commission directed staff to evaluate the proposed 1:20 zoning and determine if a minimum of 60% of the area is appropriate for the proposed zoning. If the 60% threshold fails, then 1:10 zoning or removal from the rezone may be more appropriate unless there is a compelling environmental reason; i.e., steep slopes and the like.**

The next sub-area discussed was the *Chehalis River East sub-area*. Ms. Smith reported the median parcel size 4.65 acres. Predominant land uses include single family residential, timber, agriculture, easement ownership, and vacant/undeveloped land. The area is generally habitat of high value, contains prairies, and Category I and II aquifer recharge areas. Specific problem
areas/hazards include steep slopes and landslide hazard areas, 100-year floodplains and recent flooding areas, and limited groundwater areas. Ms. Hayes reviewed staff recommendations for proposed zoning. Comments offered by the Commission are as follows:

- **Add a “red X”** between the two “red Xs” under the word “East” on the proposed zoning map.
- **There was discussion of an area south of the word “Chehalis” in the vicinity of Scatter Creek. The Commission suggested pulling the smaller lots out and then applying the 60% threshold in order to determine whether the proposed 1:20 zoning is appropriate.**
- **Staff will double check the lot sizes for the proposed 1:10 zoning south of Old Highway 99 and make a change if appropriate.**

The Commission reviewed the Chehalis River West sub-area. Ms. Smith reported the median parcel size is less than two acres. Predominant land uses include timber, single and multi-family residential, agriculture, and vacant/undeveloped land. The sub-area is covered with scattered wetlands, Category I and II aquifer recharge areas, and habitat of high value. She reviewed staff’s recommended zoning for the sub-area.

**The Commission directed staff to pull the areas west and south of 216th Avenue between I-5 and Billie Mills Road out of the study area if it is a LAMIRD, otherwise, remove the small developed parcels from the study area.**

Staff and Commissioners discussed the Rochester sub-area vicinity, status of LAMIRDS, that zoning could range from 1:5 or 1:20 if lands fall out of the sub-area, and existing environmental constraints.

**Staff said the road labeled “OLD HWY 99” should be changed to “OLD HWY 9.”** Staff and Commissioners discussed the James Road SW vicinity.

Staff and Commissioners reviewed the Black River West sub-area. Ms. Smith reported the sub-area follows the entire length of Black River. The median parcel size is less than five acres. The area is generally of high habitat value, with several salmon-bearing streams including the Black River itself, unique prairies, wetlands, Category II aquifer recharge zones, and natural shoreline areas. Problem areas include the floodplain along the river, and sparsely distributed areas of elevated nitrate levels. Predominant land uses include government and non-profit easement ownership, forestry, single and multi-family residential, and agriculture.

Staff and Commissioners discussed the area west of Littlerock Road located towards the southern end of the sub-area. **It was determined the area just north and east of the word “River” between the two “red Xs” should note 1:20 zoning.** Staff reviewed proposed zoning for the remainder of the sub-area. **The areas around resource lands, specifically the gravel mining area, should reflect 1:20 zoning for the entire area north of 110th Avenue and east of Delphi Road. The Commission asked staff to evaluate the “long, skinny lots” located between 110th, 115th, and 118th and whether removing the parcels from the study area is appropriate.**
Staff and Commissioners reviewed the Black River East sub-area. Ms. Smith reviewed the sub-area boundaries. Environmentally sensitive areas include the Salmon Creek basin, high groundwater, recent flooding, wetlands, and habitat of high value. Land uses within the study area include long-term forestry, single family residential, agriculture and vacant/undeveloped lands. Ms. Hayes pointed out the existing mining areas. Staff reviewed proposed zoning recommendations for the sub-area. Commissioners discussed the vicinity north of 93rd Avenue and west of Littlerock Road. Commissioner comments are summarized as follows:

- There are small lots located in an area north of 93rd Avenue and west of Littlerock Road. A portion of the area should probably reflect 1:20 zoning. **The Commission asked staff to examine further the area with the smaller lots.**
- **The Commission determined a 1:20 zone is appropriate for the “yellow” rectangle located below the “Black River East” title, as well as for the “yellow” rectangle located in the southern portion of the sub-area.**
- Staff and Commissioners discussed a large area in “blue” located west of I-5 and in the 113th Avenue vicinity that is not part of the study area. Ms. Hayes said the BoCC has determined the study areas. The Planning Commission could recommend to the BoCC that it add a particular area. However, staff is not authorized to change the study area boundaries.
- **Staff will double check to make sure the entire Salmon Creek drainage basin is included in the sub-area boundary.**

In preparation for the next briefing, staff distributed *Rural Rezone Study Area Sub-Area Profile Sheets*, current land use characterization maps, and zoning district boundaries and densities – preliminary recommendations - for the remaining five sub-areas:

- Budd/Deschutes South
- Budd/Deschutes North – Henderson
- Totten-Eld
- Nisqually River North
- Nisqually River South

7. **Staff Updates**

Ms. Hayes reported the BoCC has requested the Commission review the reasonable use exception section of the critical areas ordinance (CAO) for the April 26, 2006 meeting. Commissioners should review pages 4-8 through 4-11 of the draft ordinance.

Commissioners discussed the recent science forum. Commissioner Lyman conveyed some of the scientists commented that the County’s proposed CAO maintains the status quo and that the County should develop incentives for restoring critical areas. The County’s legal counsel has recommended not advancing restoration. Commissioner Nelson said scientists provided good examples of providing incentives; however, Commissioner Lyman said the scientists were not familiar with current incentive programs the County has in place.
8. **Calendar (Tentative) and Attendance**

- April 26: W: Critical Areas – Flooding and Geologic Hazard Areas; Review the reasonable use exception section of the critical areas ordinance as directed by the BoCC *(Chair Roper unable to attend)*
- May 3: B: Rural Rezoning

9. **Adjournment**

There being no further business, Vice-chair Kohlenberg adjourned the meeting at 9:20 p.m.

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Joyce Roper, Chair
Liz Kohlenberg, Vice Chair

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services

*Corrected June 8, 2006, Cami Petersen*
<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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<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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<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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<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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<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.

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.

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.

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.

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.

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

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

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

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

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

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

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

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.

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

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

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

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

2/22/06 Provide comparative data for habitat about the impacts of mining similar to data on impacts to wetlands caused by mining
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<th>Date</th>
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<th>Assignee</th>
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<tbody>
<tr>
<td>2/22/06</td>
<td>Ascertain pros and cons for removing beaver ponds versus prohibiting the removal of beaver ponds.</td>
<td>Commission</td>
<td>Staff</td>
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<tr>
<td>2/22/06</td>
<td>Discuss clarification of terms related to estuary and estuarine wetlands</td>
<td>Chair Roper/Commissioner Lyman</td>
<td>Staff to add to 3/1/06 agenda</td>
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<td>3/1/06</td>
<td>Commissioners requested a review of frequently asked questions (FAQs) prior to posting online</td>
<td>Commission</td>
<td>Staff</td>
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<td>3/1/06</td>
<td>Present a list of target interest groups for the Commission’s review for the volunteer rezoning strategy</td>
<td>Commission</td>
<td>Staff</td>
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<tr>
<td>3/1/06</td>
<td>Air information on TCTV Channel 3 regarding the Volunteer Rezoning Program</td>
<td>Commission</td>
<td>Staff</td>
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<td>3/29/06</td>
<td>Staff to provide notice to other river councils and other organizations regarding the <em>Volunteer Program</em>.</td>
<td>Commission</td>
<td>Staff</td>
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<td>3/29/06</td>
<td>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?</td>
<td>Staff</td>
<td>Commission</td>
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<td>3/29/06</td>
<td>Invite representative from Assessor’s Office to the Volunteer Meeting</td>
<td>Commissioner Lyman</td>
<td>Staff</td>
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<tr>
<td>4/5/06</td>
<td>Staff to e-mail the <em>Residential Subdivision Moratorium – Rural County</em> map to Commissioners.</td>
<td>Chair Roper</td>
<td>Staff</td>
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<tr>
<td>4/5/06</td>
<td>Staff to provide information regarding water availability and areas where there are current drinking water issues.</td>
<td>Chair Roper</td>
<td>Staff</td>
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<td>4/5/06</td>
<td>Staff will develop a list of resource materials.</td>
<td>Commissioner Kohlenberg</td>
<td>Ms. Hayes</td>
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<td>4/5/06</td>
<td>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.</td>
<td>Chair Roper</td>
<td>Staff</td>
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<td>Action</td>
<td>Responsible Party</td>
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<td>4/5/06</td>
<td>Staff will contact the City of Lacey and follow up whether the City has water capacity to serve future residential development.</td>
<td>Ms. Pritchett</td>
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<td>4/5/06</td>
<td>Staff to include the area map for the entire County with future LAMIRDs discussion materials.</td>
<td>Chair Roper</td>
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<td>4/19/06</td>
<td>Commissioners should review pages 4-8 through 4-11 of the draft CAO ordinance.</td>
<td>Staff</td>
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