1. **7:04 PM CALL TO ORDER**

Chair Roper called the February 21, 2007 regular meeting of the Thurston County Planning Commission to order at 7:04 p.m. Commissioners present provided self-introductions.

**Attendance:** Chair Joyce Roper, Commissioners Tom Cole, Chris Lane, Scott Nelson, Craig Ottavelli, and Rhenda Strub.

**Excused:** Commissioners Liz Kohlenberg and Liz Lyman.

**Staff:** Michael Welter, Jeff Fancher, Celinda Adair, Cinde Donoghue, and Recording Secretary Cheri Lindgren

**7:04 PM APPROVAL OF AGENDA**

**MOTION:** Commissioner Cole moved to approve the agenda as presented. Commissioner Ottavelli seconded.

**DISCUSSION:** Chair Roper added a discussion about the recent death of Commissioner Bob Musser.

_Commissioner Strub arrived at 7:05 p.m._

**Motion carried as amended.**

**7:05 PM HONORING FELLOW PLANNING COMMISSIONER BOB MUSSER**

Chair Roper commented that the funeral service was nice and very well attended. Commissioner Strub conveyed that the Musser family was quite overwhelmed by the outpouring of support. Chair Roper recommended the Commission send a letter of appreciation and thanks to the family for the time Mr. Musser spent with the Planning Commission on behalf of the residents of Thurston County. Commissioners agreed with the suggestion. Commissioner Strub said Mr. Musser was a great guy and always a gentleman. Chair Roper added that he always had interesting stories and asked good questions.

2. **7:08 PM PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)**

**DISCUSSION:** Mr. Fancher reported Futurewise has filed an appeal of Yelm’s Comprehensive Plan and specifically the population forecast update. The deadline for filing other appeals is Monday, February 26, 2007. The appeal is general in nature and
states the County should have reviewed the sizing of the urban growth area (UGA). Chair Roper said the Commission requested adding language in the comprehensive plan amendments noting things could change based on what happens with UGA resizing.

3. **7:10 PM APPROVAL OF MINUTES**
   
   **MOTION:** Commissioner Cole moved to approve the February 7, 2007 minutes and accept the audio as the official recording. Commissioner Lane seconded.

   **DISCUSSION:** The following changes were requested to the February 7, 2007 minutes:

   - In the future, define the term “Board of County Commissioners” (either BoCC or Board was suggested) one time and use it consistently throughout the minutes.
   - Replace the second sentence within the twelfth paragraph at the bottom of page 5 with, “Commissioners Ottavelli and Strub indicated that they would file a minority report for Option 1. Chair Roper asked if anyone was willing to join her in a minority report for Option 2. No other Commissioner indicated support for Option 2, so Option 2 will not proceed to the BoCC.
   - Add the following text at the end of the last paragraph on page 2, “Chair Roper suggested that the review of special use regulations should remain as a high priority item.”
   - Strike the second sentence within the “DISCUSSION” paragraph on page 3.
   - Within the seventh paragraph on page 6, revise the second sentence to read in part, “… before taking up the cluster issue and suggested that the review of special uses could occur while staff is working on the UGA resizing, as a special uses review could be accomplished with other staff.”

   **Motion carried as amended.**

4. **7:19 PM W: RURAL REZONING COMPREHENSIVE PLAN AND DEVELOPMENT CODE AMENDMENTS**

   *(Staff: Celinda Adair, Jeff Fancher)*

   **ITEM:** Review and discussion of maps, comprehensive plan and development code amendments associated with rezoning under the majority rural rezone proposal.

   **DISCUSSION:** Ms. Adair reviewed a revised map for the majority proposal. She noted there is very little 1/20 zoning now that the 1/20 zone includes areas of overlap between at risk geographic areas and aquifer sensitive or groundwater quality areas.

   Discussion ensued about whether the majority proposal is still defensible for providing a variety of rural densities. Mr. Fancher stated the County presents a good argument based on its innovative techniques. The majority proposal does provide for additional varieties. Other discussion points included the County’s open space programs (recognized as an innovative technique) and the status of a review of the open space program fees. Ms. Adair pointed out that borders to natural resource parcels were added increasing the 1/10
zoning to 28%. The total of rural lands proposed for rezone is now at 28.5%.

7:26 PM Commissioner Nelson expressed concerns about the amount of additional rural lands picked up. Ms. Adair said staff talked about an additional 8-11% at the last meeting. Commissioner Nelson stated he might have not voted for the majority proposal if he’d known that it represents approximately 30% of rural lands for rezoning. Ms. Adair said the Board of County Commissioners (BoCC) has the ability to make changes. A tentative BoCC briefing to present the Commission’s proposals is scheduled for March 20, 2007. There is time for the Commission to make one more change. It requires a majority vote of the membership. Mr. Fancher added that notice to the other members that are not present is necessary prior to initiating a different action.

Discussion followed about the process required for the Commission to reconsider the proposals. Commissioners agreed to move on to other agenda items.

7:35 PM Ms. Adair and Commissioners reviewed the proposed comprehensive plan amendments for the majority proposal. The discussion began with the 1/20 zone and the “Definition and Characteristics” section on page 15. Chair Roper suggested striking the text, “resource oriented (agriculture, forestry, mineral extraction)” from the second sentence so it reads, “Primary land uses in the one unit per twenty acre areas are open space, and residential.” Discussion ensued about the additional uses language and removing “agriculture, forestry, mineral extraction.”

MOTION: Commissioner Strub moved to strike, “resource oriented (agriculture, forestry, mineral extraction)” from the second sentence. Chair Roper seconded. Motion failed with a 3-3 vote.

Commissioners discussed the last bullet point under “Purposes” on page 17 for the 1/10 zone and an Agriculture Committee recommendation about protecting resource uses from nuisance complaints. Ms. Adair said the Commission agreed to use “potential conflicts” in place of “nuisance complaints.”

MOTION: Commissioner Nelson moved to strike, “minimizes potential conflicts arising from land use incompatibility, and replace it with, “protect resource uses from nuisance complaints while allowing non-resource uses which are compatible with resource uses.” Motion died for lack of a second.

7:52 PM Commissioners reviewed draft Zoning Code amendments for the majority proposal. Conversation about item #4 under the “Purposes” section on page 9 followed. There was general consensus among members to replace the word “agricultural” with “resource.”

Members reviewed the Special Uses table beginning on page 27. In response to a comment from Chair Roper, Ms. Adair clarified a “blank” indicates the use is prohibited and an “X” delineates a special use. Commissioner Nelson said a “blank” means the use is prohibited or is an allowed accessory use. Discussion followed about how to clarify
the table. Ms. Adair said the Commission is scheduled to review the Special Uses table at a future date and comprehensive changes could be made at that time. Staff can include some limited changes now. The Commission discussed several of the uses and agreed to incorporate the following changes to the Special Uses table:

- Add an “X” in the R 1/10 column for use #13, “Golf facilities”
- Add an “X” in the R 1/10 column for use #9.3, “Composting facilities”
- Remove the “A” in the R 1/20 column for use #14.5, “Greenhouses – wholesale”
- Confirmation to remove the “X” as shown in the table in the R 1/20 column for use #14, “Greenhouses – retail”
- Add an “X” in the R 1/10 column for use #32.5, “Recycling processing centers”
- Add an “X” in the R 1/10 column for use #33, “RV/boat storage – com.”
- Add an “X” in the R 1/10 column for use #39.5, “Secure community transition facilities”
- Add an “X” in the R 1/10 column for use #41, “Solid waste disposal facilities”

Ms. Adair pointed out definitions for “aquifer sensitive areas” and “at risk geographic areas” were added on page 56 because the terms are used repeatedly throughout the comprehensive plan and development code.

5. **8:15 PM W: CRITICAL AREAS**
   *(Staff: Michael Welter, Cinde Donoghue, Celinda Adair, and Jeff Fancher)*

**ITEM:** Discussion of approaches to integrating Critical Area Ordinance with Shoreline Master Program development.

**DISCUSSION:** Mr. Welter reported staff is evaluating whether there are elements of the Critical Areas Ordinance (CAO) that would assist with the update of the Shoreline Master Plan (SMP). The SMP must be completed by 2011. The County has an opportunity to apply for grant funding to help supplement needed resources to complete the SMP work. Staff’s intent is to determine whether it’s feasible to integrate the Commission’s work with critical areas with what’s required for SMP. Staff will approach the BoCC on March 13, 2007 at 1:00 p.m., to ask for the authority to seek grant funding. Integrating the CAO with the SMP inventory and analysis allows the County to take advantage of state funding for the required analyses and where information overlaps and is relevant for the CAO. Mr. Welter noted the department is short staffed by four positions to execute the work program.

Concerns expressed by Commissioners about integrating the two processes are summarized below:

- Complete the CAO first. The CAO is bound by best available science (BAS), which is not the case for the SMP. Mr. Fancher noted the County is required to be as protective of its shoreline areas as its critical areas. Discussion ensued about “degradation” as it relates to required buffers. The options suggested by staff pushes
the CAO out further. Ms. Donoghue outlined the various components associated with the SMP analyses, which does not include a determination about degradation.

- The Commission inquired about staff’s recommendation and the Commission’s ability to influence the outcome. Mr. Welter said the Commission is in a position to influence staff. Staff recommends pursuing Approach 3, which is to fully integrate the CAO and SMP inventory and analysis processes. The goal is not to halt the Commission’s work on critical areas, but to slow it. An ultimate goal is not to overwhelm County citizens twice by the CAO and SMP. If the Commission recommends another approach, staff still plans to seek authority from the BoCC to apply for grant funding. The Commission has the ability to write a letter to the BoCC to convey its position.

- The Commission asked why the processes should be coupled. There isn’t a reason why the processes couldn’t happen concurrently or separately. Ms. Donoghue said a comment during the CAO hearings was that the County was not using BAS because it did not complete a watershed analysis. The SMP requires a watershed/landscape scale analysis to identify the functions of all aquatic lands and affected critical areas. Discussion ensued about implications associated with the County being out of compliance with its CAO.

- The public has now had an opportunity to digest the draft CAO and submit comments. An entirely new concept will anger and upset the community.

- If the County is successful in securing grant funding for the SMP how will that affect staff, the Commission’s process and ability to engage with the public, and the Commission’s ability to produce a CAO product?

- Can staff pursue the funding and conduct preliminary work on the SMP while the Commission moves ahead with the CAO? The two processes could be pulled together at a later date.

- Approaches 2 and 3 both delay completion of the CAO.

- Jeff Fancher replies the County will continue to be out of compliance with the Growth Management Act (GMA) until the 2004 CAO amendments and updates are complete.

Ms. Donoghue reported the County is identified to have both its SMP and CAO in sync by 2011. If the County receives funding for the analyses, state agencies will encourage the County to incorporate the analyses into the CAO.

Discussion ensued about whether the County can adopt its CAO without incorporating the analyses, current staffing limitations, other types of resources (consultants, additional staff) to pick up on the workload so the Commission can proceed with its part, and what happens if the Commission and staff don’t agree on work priorities. In response to the latter, Mr. Welter said the Commission could send a letter to the BoCC. The Commission has another meeting scheduled prior to the March 13, 2007 BoCC briefing to discuss the issue further. All members should have an opportunity to talk about the approaches presented by staff.

Discussion ensued about the level of funding available ($500,000) and whether the
funding sets out a schedule of deliverables. Chair Roper asked staff to provide the Commission with a scope of work that also estimates the amount of staff time attached to each of the deliverables. Discussion followed about the proposed timeline for Approach 1.

Chair Roper conveyed a request to staff from Commissioner Lyman for additional information about integrating the two processes.

Ms. Donoghue offered to send Commissioners copies of her “talking points” in addition to other information requests. She described SMP requirements and identified areas of overlap between the two processes. It was pointed out that the reasonable use clause for critical areas is not adequate in the shoreline jurisdiction.

6. **9:14 PM CALENDAR (TENTATIVE) AND ATTENDANCE**
   - March 7, 2007: W: Critical Areas
   - March 21, 2007: W: Critical Areas

7. **9:14 PM STAFF UPDATES**
   Mr. Welter reported that the death of Commissioner Musser as well as other members of planning staff’s families has taken a toll on the department.

8. **9:15 PM ADJOURNMENT**
   There being no further business, Chair Roper adjourned the meeting at 9:15 p.m.

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Joyce Roper, Chair

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services