1. 6:30 PM CALL TO ORDER
Chair Lane called the April 15, 2009 regular meeting of the Thurston County Planning Commission to order at 6:30 p.m. Commissioners provided self-introductions.

Attendance: Chair Chris Lane, Commissioners Scott Nelson, Liz Kohlenberg, Liz Myers, Kathleen O’Conner, William Jackson, and Christopher Earle.

Excused: Commissioners Karen Rogers and Tom Cole

Staff: Scott Clark, Jeremy Davis, Olivia Terwilleger, Jeff Fancher, Kathy McCormick, Tami Merryman and Recording Secretary Cami Petersen.

6:31 PM APPROVAL OF AGENDA
MOTION: Commissioner Nelson moved to approve the agenda. Commissioner Kohlenberg seconded.

2. 6:32 PM PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)

Ron Nelson, 3624 Waldrick Rd, Olympia
Mr. Nelson stated that he attended the Planning Commission meeting two weeks ago for the working lands committee presentation. Mr. Nelson explained that he would like to make his opinion known concerning a couple of things that were said. The first one is that Working Lands collect fifty cents for every dollar they collect in taxes. Working lands collect 50¢ for every dollar collected and somebody else is adjusting to that and he thinks this is a no-brainer. Right now the City of Tumwater is going around promoting that the property taxes are not covering the expense of fire and police departments so the City of Tumwater is having problems. The other thing that Mr. Nelson stated he really had a problem with is the statement that farmlands and timberlands don’t provide wildlife habitat. For those of you who hunt and fish I would ask you where do you hunt and fish? Mr. Nelson stated that the day before the public meeting he had two eagles on his property and he saw them both over the next three or four days, and those are eagles that wouldn’t land on that land if it were one house every five acres, so he just wanted to raise his objection to the fact that farms and forests don’t support wildlife habitat.

3. 6:34 PM APPROVAL OF MINUTES
MOTION: Commissioner Jackson moved to approve the April 1, 2009 minutes. Commissioner Earle seconded.

The following corrections were made to the April 1, 2009 minutes:
- On page two, correct the spelling of Commissioner Earle’s last name.

Motion carried as amended.
4. **6:34 Staff Updates**

*Staff: Scott Clark*

- Mr. Clark explained that the Board of County Commissioners (BOCC) are available to meet with the Planning Commission (Commission) on the evenings of May 5th or May 28th and asked the Commission to select one of those dates. The Commission agreed to hold the potluck with the BOCC on May 5, 2009 at Kennydell Lodge. The Commission passed around a food sign-up sheet.

- The public comment period for the annual docket ended on April 10, 2009. A briefing will be held with the BOCC on May 6, 2009 where the BOCC will adopt the docket and then staff can provide the Commission with a work plan for 2009.

- Mr. Clark stated that Cindy Wilson, Josh Brann and Molly Levitt have the Shorelines project caught up and will be able to meet the deadlines set for funding of this project.

- Mr. Clark explained that Commissioner O’Connor had asked staff to provide a method of tracking for all documents and staff is still looking at this.

- Ms. Petersen is working to update the Comprehensive Plan and the Commission will be provided a copy when this is finished.

- Mr. Clark asked Commissioner Kohlenberg the status of the Asphalt subcommittee and Ms. Kohlenberg stated that she will provide the Commission and staff a work plan by the end of May.

- Mr. Clark has discussed the Commission’s work plan for the next 36 months which will include the seven year Comp Plan update. The BOCC would like to do some strategic planning by coordinating with other districts to best accomplish this task. Mr. Clark has developed a plan which he will share with the BOCC and others in the next few weeks. Mr. Clark will share with the Commission a work plan for the seven year update at the next meeting.

5. **6:34PM Election of Officers**

Commissioner Kohlenberg stated that Chair Lane and Vice Chair Nelson have both volunteered to serve another term and that no other Commissioners have expressed interest in running for chair or vice chair.

Chair Lane asked the Commission for volunteers to serve as Chair of the Commission for 2009. No Commissioners volunteered. Commissioner Lane asked the Commission for volunteers to serve as Vice Chair of the Commission for 2009. No Commissioners volunteered.

*Commissioner Kohlenberg moved to re-elect Commissioner Lane for Chair of the Planning Commission for 2009. Commissioner O’Connor seconded. Motion carried.*

*Commissioner Kohlenberg moved to re-elect Commissioner Nelson for Vice Chair of the Planning Commission for 2009. Commissioner O’Connor seconded. Motion carried.*
6. **6:45 PM CALENDAR**

May 6, 2009 – all members present available

May 20, 2009 – all members present available

7. **6:46 PM MINERAL LANDS UPDATE**

*Staff: Olivia Terwilleger*

Ms. Terwilleger provided the Commission with an update on the Asphalt Advisory Task Force (AATF) which had gathered on March 16, 2009 for one final meeting. Ms. Terwilleger will be working on a final draft of the AATF recommendations. Ms. Terwilleger provided the Commission with a Power Point presentation which highlighted the following:

- The background of how the concern for the location of gravel mines in the County arose and the moratorium that was put in place by the BOCC in order to address the concerns that were raised. This included the creation of the AATF.

- The focus of the AATF discussions and the recommendations that came out of the discussions. The recommendations were divided into four groups – comprehensive plan policy guidelines, Special Use siting criteria for zones, siting criteria for zones and operational criteria conditions for asphalt plants. A color coded presentation outlined how the AATF members voted for each criteria.

Commissioner Kohlenberg asked if staff could provide any of the literature that the AATF looked at in order to base their recommendations on these items. Ms. Terwilleger will provide this information to the Commission. A discussion ensued. Commissioner O’Connor raised a concern that the work of the AATF was inaccurately tracked and that specific information is being lost and is not captured in this presentation. Ms. Terwilleger explained that the information contained in this presentation was taken directly from the minutes of the AATF meetings. Mr. Clark explained that staff will continue to move forward with the work of the AATF and will provide the Commission with a staff report and the final recommendation of the AATF.

- Other comments and consideration were outlined. The AATF votes did not represent a majority or minority opinion of the group, and several ideas were expressed but did not receive enough support for further discussion from the group. Those ideas included: community vision, balancing conflicts, specific concerns for asphalt plant locations, geologic criteria, water, wildlife habitat, public open space, developed community locations, infrastructure, and RAP permitting requirements.

- Conclusion – both the recommendation and the additional criteria opinions are the result of lengthy discussions with consultations with experts and technical data. The AATF hope that the outcome of their work will result in better planning for the permitting of asphalt plants which will provide a balanced approach for the protection of rural character and the environment.

The Commission again asked staff if they can provide the information that the AATF relied on in their discussions and staff agreed to make that information available to the Commission. Mr. Clark again explained that staff will provide the Commission with a staff
8. **PUBLIC HEARING: 2009 YELM POPULATION UPDATE TO THE YELM/THURSTON COUNTY JOINT PLAN**

*Staff: Jeremy Davis, Kathy McCormick, Tami Merriman*

Chair Lane stated that the public hearing topic this evening is on the Comprehensive Plan amendment to update the population forecast in the City of Yelm Comprehensive Plan and Joint Plan with Thurston County. The purpose of this hearing is to take testimony regarding the proposed amendment to update the population forecast in the City of Yelm Comprehensive Plan and Joint Plan with Thurston County. Chair Lane asked if all members of the public in attendance have signed in on the sign in sheet and they indicated that they have. Chair Lane asked Mr. Davis to provide background information on this public hearing.

Mr. Davis provided an overview of the Yelm population forecast update for the Yelm and Thurston County Joint Plan and stated that the proposed update will make the Joint Plan consistent with the Thurston County Comp Plan. Mr. Davis noted that a work session with the Commission has been held and that the City of Yelm staff and its Planning Commission are in agreement with this proposal. Mr. Davis stated that he has received comments from the State of Washington Department of Community, Trade and Economic Development and Futurewise. Mr. Davis summarized both comments before the Commission. Mr. Davis also provided the Commission with a responsive letter to the proposal from Brent F. Dille, attorney representing the City of Yelm, for the Commission to consider.

Chair Lane opened the public hearing at 7:26 p.m.

Robert Beattey, 814 Second Avenue, Seattle, WA

Mr. Beattey thanked the Commission and congratulated the newly appointed Commission chair and vice chair to their offices. Mr. Beattey stated that he is the legal director for Futurewise, which is a state wide non-profit advocacy group primarily concerned with the application of the Growth Management Act throughout the state. He is here primarily this evening to make himself available for questions concerning the April 14, 2009 comment letter submitted to the Commission on this proposal which was drafted by their planning director who tends to be pretty thorough so Mr. Beattey stated that he may not be able to expand on what he has printed. Mr. Beattey stated that the summation of their concerns by staff was correct. Mr. Beattey stated that he would like to address one particular issue raised by the City of Yelm’s response letter which was the question raised on the second page which was “This action by the County was subject to a compliance hearing before the Western Washington Growth Management Hearings Board, and the population projections, urban growth area sizes, and market factors were found to be compliant with the Growth Management Act...” and he would agree with that as a factual proposition but I would also draw the Commission’s attention to the fact that this actual, the Yelm Plan in particular, is subject to a separate challenge. So the matter has not been resolved completely by the fact the County’s Comp Plan is not in compliance. Mr. Beattey stated that he would note largely
unopposed and was unopposed when the Growth Board considered that, so he just didn’t want the Commission to conclude from that factually accurate statement that this was a closed matter as far as the Growth Board was concerned – that is still in question.

So, Mr. Beattey stated that he would like to provide just a little additional context – it does not appear to him that (and he hasn’t had a lot of time to review the City’s response), it does not appear to him that the City denies that its Capitol Facilities Plan is currently not able to accommodate the adjusted population projection that they are seeking, and he thinks that if you have a look at the last page (page 3 of 3 of their summation) the City of Yelm is fully aware that the Capitol Facilities Plan must be updated – the City is currently reviewing the Transportation Plan and its Water and Sewer System Plans. Unfortunately the Growth Management Act requires that Capitol Facility Plans be adopted competently with urban growth numbers and so they can’t put off the Capitol Facility Plans to a later date, so if we are going to adjust the population projection for the urban growth area then they have to have the Capitol Facility planning done according to the Growth Management Act.

So, those are only the specific things Mr. Beattey would add to their comment letter, but he asked to give one piece of context and that is this - Thurston County’s Comp Plan has adopted a population projection just a little high of the mid-point recommended by OFM. So OFM projection for 2028 the low is 297 thousand and change – the median is 350 thousand and change and the high is 415 thousand and change. The County’s Comp Plan currently says 363 thousand, so it is just a little above the mid-water mark. Of that, the Yelm UGA represents 22,400. So, if you separate it out, that portion of the County’s population projection that has been adopted, you end up with 340,000. So take out Yelm for the time being. The population projection then adopted by the County is 340,600. If you add back in what the current capacity of the City of Yelm – excluding any UGA, so just within the city limits, they have a current additional capacity of 19,045. If you add that back in, you get almost exactly what the current Comp Plan projection is – it is a little lower but still above the median figure recommended. So, basically he tells the Commission that to demonstrate the fact that you could take the whole UGA territory – extra, outside the city limits away – do away with it because they do not have water for it and it is unlikely that they will get water rights to service it - you could get rid of the UGA outside of the city limits and still get to a population allocation that means the County has already adopted allocations

So with that Mr. Beattey stated that he will stop and address any issues or questions of the Commission.

There were no questions for Mr. Beattey.

Chair Lane closed the public hearing at 7:33 p.m.

A Worksession with the Commission on the proposal before them was provided by Mr. Davis, Ms. McCormick, Ms. Merriman and Mr. Fancher. The Commission asked if the Capitol Facilities Plan (CFP) needed to be updated at this time. Mr. Fancher explained that the CFP does get updated every year unlike other plans. Ms. McCormick explained that the City of Yelm has updated its CFP this year and will also be updating its Transportation Chapter of its Comp Plan. Staff explained the update cycle for different plans.

A discussion ensued concerning the comments received on the proposal. Mr. Clark explained that the County’s Comp Plan population numbers are now in compliance as of a
year ago. The County now has been told that Yelm’s Plan is not in compliance because it differs from the County’s updated Comp Plan numbers and that is the issue before the Commission at this time.

The Commission asked for an explanation of the second action which currently being challenged by Futurewise in which Mr. Beattey reference during public testimony. Mr. Fancher explained that action, which is not a part of the proposal before the Commission this evening.

Commissioner Kohlenberg asked who the consultants were that Futurewise referenced in their comment letter. Ms. McCormack explained that when work on the population study began a county-wide committee was established to review the numbers in the model. The BOCC hired a consultant team to review the model and information in order to check the information early in the process before Regional Planning finalized the population forecasts.

With no further discussion, Chair Lane asked the Commission if any motions would be made on the Yelm Population update to the Yelm/Thurston County Joint Plan.

**MOTION:** Commissioner Kohlenberg moved to adopt the staff recommendation Option 1 and the findings of facts. Commissioner Nelson seconded. Motion carried.

Commissioner Kohlenberg asked Mr. Fancher if he recalls a presentation that he had given to the Commission at a previous meeting concerning what the Commission could do when looking at Critical Areas when there is not enough information or science available. Commissioner Kohlenberg asked Mr. Fancher if he could present that discussion again at a future meeting for the benefit of the new Commission members. Mr. Fancher asked Ms. Kohlenberg to email additional information to him and he will take a look at what that discussion included.

11. **7:53 PM ADJOURN**

With there being no further business, Chair Lane adjourned the meeting at 8:19 p.m.

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Chris Lane, Chair

Prepared by Cami Petersen, Recording Secretary