1. **6:30 PM CALL TO ORDER**  
Chair Lane called the December 2, 2009 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, Kathleen O’Connor, William Jackson, Tom Cole, Christopher Earle and Edward Fleitcher

**Absent:** Commissioner Karen Rogers

**Staff:** Olivia Terwilleger, Jeff Fancher, Scott Clark, Jeremy Davis, David Ginther, City of Tumwater

2. **6:31 PM PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)**

*Sue Danver, Foothills Lane, Olympia*

Hello, I’m Sue Danver, and I am speaking as a citizen that has participated in many development hearings before the Hearing Examiner. This may be a review, but I want to make a distinction between environmental concerns in ordinances and codes versus addressing them in SEPA. These things in general are housing developments and everything. Citizens now have to constantly look up new developments. You used to be able to go to a region and sign up and the relevant pre-submission conference would come to you and you go, oh, ok, I’m concerned with this. As far as I’m concerned, from my knowledge now it’s all computerized and on the net, so you have to go in and check each region, on a weekly basis, which is time-consuming, when you might only be interested on one every five months. So that is a burden on the citizen.

Developers have months, if not years, to prepare their argument for a development. Usually citizens are workers and also busy. We only have a few weeks, or months, to come back with a reply. In a hearing the citizen has the burden of proof. From my experience, hearing examiners will only listen to you if you have an attorney, or a scientist, and/or both, which cost hundreds, if not thousands of dollars, and lots of preparation. You have to find a scientist that is not already doing a development and says “I can’t, I’ve talked with this person before.” It’s hard to find a scientist that has not worked with a developer. So then there is that difficulty. Then the citizen has to find the (inaudible), and that is almost impossible for the average citizen. But even if you are with a non-profit, you have to go through the Board. You have to say “I have this scientist.” You have to justify this scientist, you have to justify this attorney, you have to justify this argument.
It is hard to get this all organized by the time you have the hearing. Then you have to burden
of proof. Then if you win, it is almost automatically appealed. An appeal now I think is
$500. And then you have certain amount of time, and your going to Superior Court if it’s a
SEPA. And I’m not sure what that means, that’s appeals court when you have to have the
transcript.

If you lose before the Hearing Examiner, which is common because usually the developer
has an advantage, you have to appeal. And then still you need the attorney and the scientist.
Therefore, saying that lets address environmental issues at the hearing level is much more
difficult for the citizen, and when it’s an obvious environmental concern of this County, of
the Planning Commission, something that really needs to be addressed.

What I would recommend that you put it in the ordinance or the code, because it’s almost
impossible as a citizen to win. Thank you.

3.  6:35 PM  APPROVAL OF MINUTES

The Planning Commission agreed to table the approval of the November 18, 2009 minutes
until the next meeting.

4.  6:36 PM  MINERAL LANDS
    Staff: Olivia Terwilleger, Jeff Fancher

Ms. Terwilleger explained that the public hearing on mineral lands was held at the November
18, 2009 meeting and several public comment letters were received at that time, in which the
Planning Commission (Commission) requested additional time to review before making a
recommendation. Ms. Terwilleger provided the Commission a handout summarizing the
comment letters and providing a staff response. Ms. Terwilleger explained that the
Commission will go through the draft ordinance again to discuss and make any changes the
Commission feels necessary after the public hearing comments.

The Commission had been emailed suggested changes to the draft ordinance from
Commissioner Kohlenberg earlier this week and a copy of those suggested changes were
available for the Commission to review. The Commission reviewed the draft ordinance on
an overhead projector, including a few minor clerical corrections made by Ms. Terwilleger,
as well as Commissioner Kohlenberg’s comments. The Commission made changes to the
draft ordinance.

Mr. Clark stated that the Commission has worked through the Comprehensive Plan portion of
this which will ultimately make changes to the code. Staff will now go back and make the
necessary changes to the code and return to the Commission at a later date.

5.  8:20 PM  TUMWATER UGA
    Staff: Jeremy Davis, David Ginther

Mr. Davis stated that the following changes to the staff report, Attachment A,
Summary/Index need to be made:

- First change will be at page 3-17 instead of 3-16
• Cross out the words “Staff Comments in Italics.” There are sections of the Joint Plan that uses italics.

Mr. Davis provided an overview of the staff report for 3-E City of Tumwater UGA Resizing and Land Use Analysis. Mr. Davis explained that this information was provided to the Tumwater Planning Commission last week and is being provided to the Commission this evening. A joint plan public hearing will be held with the Commission and the Tumwater Commission early in 2010. Mr. Davis provided a Power Point presentation highlighting the contents of the staff report. The Commission asked questions of staff.

Mr. Davis stated that a joint public hearing with the Commission and the Tumwater Planning Commission will be held on January 13, 2010. In February a general recommendation to the Board of County Commissioners (BOCC) will be made from the Commission, and a recommendation from the Tumwater Planning Commission to the Tumwater City Council will also be made. A recommendation from the Tumwater City Council will be taken to the BOCC in March and the BOCC will then make a decision.

Mr. Davis provided the Commission with two color alternative maps for this proposal. Mr. Davis explained the alternatives to the Commission and the Commission discussed the alternatives.

6. **6:49 PM STAFF UPDATES**

*Staff: Scott Clark*

Mr. Clark provided the following staff updates:

- The amendment timelines has not yet been completed, but Mr. Clark will provide this to the Commission at a future meeting.
- The Planning website is being updated and will be available soon. The site will be more interactive and will contain more information than is currently available.
- The Comprehensive Plan seven year update may begin in April 2010 if funding is available.

7. **6:55 PM CALENDAR**

December 16, 2009 – Commissioner Kohlenberg and Cole cannot attend.

8. **9:13 PM ADJOURN**

With there being no further business, Chair Lane adjourned the meeting at 9:13 p.m.

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Chris Lane, Chair

Prepared by Cami Petersen, Recording Secretary