1. 6:30 P.M. CALL TO ORDER
Chair Lane called the June 1, 2011 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, Christine Spaulding, Jennifer Davis, Edward Fleisher, Kathleen O’Connor & Bill Jackson

Absent: Christopher Earle

Staff: Andrew Deffobis, Cynthia Wilson, Jeremy Davis, Scott Longanecker, Scott Clark, Olivia Story & Kevin Hughes – Development Review Manager

2. 6:30 P.M. APPROVAL OF AGENDA

MOTION: Commissioner Nelson moved to approve the agenda. Commissioner Kohlenberg seconded. Motion carried.

3. 6:31 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which public hearings have been held.)

To hear public testimony please use the following link:
http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html

1. Glen Morgan – 1001 Cooper Point Road SW #140-222 Olympia, WA 98502 – Has concerns with Page 17 of the Agritourism draft ordinance. Believes that this page has already been discussed and agreed to be stricken.
2. Ray Brunson – 3147 60th Loop SE Olympia, WA 98501 – Believes that Farm Stands should be exempt from structural code and put into a low regulatory priority.
4. Debra Jacqua – Property owner in Thurston County – Thanked the Planning Commission and the Commissioners for continuing to work on the Critical Areas Update.

4. 6:40 P.M. APPROVAL OF MINUTES

Commissioner Nelson moved to approve the May 4, 2011 minutes and accept the audio as the official record. Commissioner Spaulding seconded. Motion carried.

5. 6:41 P.M. WORK SESSION: A-7 Retail Ag. Products – Farm Stands
Staff: Scott Longanecker
Mr. Longanecker noted that an e-mail from Jennifer Davis was forwarded to him this afternoon so he was handing out some notes that he had tried to put together to satisfy the Planning Commissions questions. The first question dealt with the six month tent sided farm stand. It was discussed that the code does not say 180 days consecutively so that would allow farm stand owners to take their tent site down during off months allowing some wiggle room from the code. The building official may also allow an extension however some sort of structure would need to be applied for at that time.

The second question was in regards to sign size limitations and provisions. Every sign is reviewed by the planning department. It was discussed sending a recommendation to the Board of County Commissioners in hopes that it may be sent along as a request to the State Building Code Council asking for a provision and amendment for farm stand signs stating that a building official can make a sign size exempt or different than code.

These answers will be including within the findings and recommendations. A short discussion ensued in regards to sign size.

The next question was in regards to the size of the access. Kevin Hughes with the Thurston County Public Works Department explained that; the approach which is usually the gravel apron to the property is required by Chapter 7 of Thurston County Road Standards which is adopted by Chapter 15 of the Code. The twenty feet is needed so that a vehicle may be facing out to pull onto the road and also that another vehicle may pull into the access safely and not backing up traffic onto a county road. Once the vehicle is on the property then it becomes an International Fire Code which the inspection is done by the Fire Marshall. However for this particular issue these accesses will not be inspected unless a complaint is issued of a backup onto the county roadway or a safety issue because the temporary farm stand does not need a permit. This is just for the apron onto the access of the property not the entire access. It was also noted that if there is a need to improve the access, access points to an arterial or collector road, if it is determined to be that the apron per Thurston County Code is required to be paved. This again, would only be the area within the right-of-way not the entire access point.

6. 7:05 P.M. PUBLIC HEARING: Mineral Lands GMA Compliance

Staff: Olivia Story

Chair Lane gave an overview of the hearing process. The purpose of the hearing is to accept public comment on proposed amendments to subsection 20.30B.030(1)(d) of the Thurston County Code to address issues regarding the Department of Natural Resources (DNR) reclamation permit requirement. There is a sign-in sheet at the back of the room labeled Mineral Lands that the public can add their name to if they wish to testify and they have three minutes to do so.

Ms. Story gave a brief over view of the Mineral Lands GMA Compliance issue. This is the purpose of the hearing tonight. In October 2003, The Board (BOCC) passed Ordinance No. 13030. The interim ordinance prohibited the designation of mineral lands of long term commercial significance, and the permitting of new mineral extraction or asphalt plants. The Planning Commission held work sessions throughout 2009, as well as a public hearing on November 18, 2009. On February 17, 2010, the Planning Commission recommended approval of the draft ordinance. A SEPA checklist was
issued on November 8, 2008. By June 18, 2010, DNR responded to the SEPA checklist, making comments regarding the mineral lands designation criteria, specifically, the inconsistency for reclamation permit requirement. Staff’s intention was to consider the recommendation and make the necessary changes. Unfortunately, the changes were inadvertently left out. The final draft ordinance was approved by the Board on September 7, 2010 without the necessary changes. Subsection 20.30B.030(1)(d) requires a mineral lands designation application to provide a Department of Natural Resources (DNR) Surface Mining Reclamation Permit prior to designation. However DNR, will not issue a Surface Mining Reclamation Permit without county approval. The proposed changes will correct this requirement, and not require a DNR permit prior to designation. A DNR permit will still be required once the applicant request a special use permit.

Chair Lane opened the public hearing on Mineral Lands GMA Compliance.

Members of the audience that chose to speak:

1. James Essig – Granite Construction Company – When you read the Notice of Application it notes at the bottom that a DNR permit will still be required once the applicant requests a special use permit. Does not believe that the language change will fix the problem because DNR will not issue a reclamation permit until the county issues a Special Use Permit. Asks that the Planning Commission please again review the letter that was written to Mike Kain of the Resource Stewardship Department on June 18, 2011 where these issues are specifically called out and addressed before making a decision.

2. Harold Hillesland – 15606 Bald Hill Road SE Yelm, WA 98597 – Agrees that a change should be made to subsection 20.30B.030(1)(d) but thinks that the language proposed is inadequate. He suggests that this section be modified to read what we want it to do that the minimum permit will be issued through the county, sent to DNR and when DNR issues the reclamation permit then the final permit will be issued. Also believes that DNR should be continually updated of the mining. A Thurston County Hearing Examiner Decision was referenced also under project number 2007105168. The audio is also available under the Thurston County Hearing Examiner’s website. Two hard copies were also distributed of the decision to the Commission.

3. Howard Glastetter - 11110 Cougar Road – Believes that the reclamation permit should only be required after a special use permit is required with a mining intent. After a reclamation permit is issued it should be adhered to and enforced. If the mining is exhausted and the industry stays the 50% clause in most cases should also be adhered to.

Chair Lane closed the public hearing on Mineral Lands GMA Compliance.

After the hearing a brief discussion ensued to answer specific questions that were raised by the public. Within the Public Hearing Notice it states that a DNR permit will still be required once the applicant requests a special use permit but it is required at the special use permit stage not the designation stage.

Chair Lane asked James Essig to please restate his question so that the Commission can
possibly make an appropriate decision this evening. James Essig said: What I am trying
to get across is that DNR requires that you have a municipality or the county sign what is
called an SM6 Form, which is basically approving the subsequent use of a mine, what
would happen upon reclamation. That decision and all of the other set-backs in terms of
screening and wetland set-backs and all of that is done through the special use permit
process. The county decides the subsequent use of the land post mining. So, the
applicant really cannot design a reclamation plan then get it applied through DNR until
they have some guidance through the county as to what the reclamation plan is suppose
to meet in the end. So to have this language in there and one before the other is virtually
impossible.

Ms. Wilson then responded that she thinks what she is understanding the issue to be is
that if we take it out of the designation we are ok but your concerned when we get to the
special use permit the same issue will come up again. The idea is that we work in
conjunction with DNR so that if they say we need the special use permit early and we say
we need the reclamation permit early that we are not at conflict. Somewhere along the
line we will need the reclamation plan probably before we go to hearing but not when
they make application. James Essig: commonly in some counties it’s a precondition like
you have a set of conditions from a special use permit i.e. a few pre conditions access,
whatever one of those would be this special use permit is not approved and you cannot
move forward with operations until you provide to the county a DNR approved
reclamation. Mr. Davis: I think for Thurston County what we issue is a letter permitting
someone to move forward with mining. This is post special use approval after they fill
out all of the conditions of approval then the Resource Stewardship Director would write
a letter to the operator after they requested they could commence mining.

This clarified the text within the notice of public hearing that allowances need to be made
to accommodate each permit situation.

**Commissioner Davis moved to forward option one to strike 20.30B.030(1)(d) as
proposed to the Board for their consideration. Commissioner Kohlenberg seconded. **
**Motion carried.**

7:25 P.M. **Motion & Findings for A-10 Flexibility of Rural Road Standards for
Rural Home Businesses**
Staff: Scott Longanecker

Mr. Longanecker started by reading the findings that the Planning Commission asked
him to prepare for the draft policy changes. The proposed amendment is consistent with
the Growth Management Act 36.70A RCW. The proposed amendment is consistent with
the Thurston County County-Wide Planning Policies, the Comprehensive Plan and other
sections of the Thurston County Code. The Thurston County Planning Commission
(TCPC) held a briefing on February 2, 2011 and April 6, 2011 regarding the proposed
amendments. The TCPC held a duly advertised public hearing on May 18, 2011 to take
public testimony as required by TC Code Chapter 2.05 Growth Management Public
Participation. This amendment recognizes that each home based business is different in
terms of impacts to roads and traffic patterns and that major road improvements can be
cost prohibitive for small businesses. The proposed change will allow traffic related
impacts to be mitigated based upon the specific type of home business proposed, while
minimizing potential traffic safety and land use conflicts. The proposed change will
benefit public health, safety, and general welfare of Thurston County residents by
addressing site specific impacts while reducing regulatory barriers for small, family
owned businesses.

Commissioner O'Connor moved forward with the findings. Commissioner
Kohlenberg seconded. Motion carried.

8. 7:35 P.M. WORK SESSION: Development Code A-9 Agritourism,
Wineries/Breweries
Staff: Scott Longanecker

Mr. Longanecker gave an overview of Development Code A-9 which is to create an
Agritourism overlay district and permit wineries and breweries in specified areas of rural
Thurston County (Title 20). A power point presentation was then given. A question was
posed by the Commission of who initially drew the boundary line districts for this, and if
this is a draft or further discussion with the Agritourism Work Group is going to
continue. It was also requested that a representative from the Agritourism Work Group
attend one of the Planning Commission meetings to talk about what the work group
discussions have been. A discussion ensued including the following information. At the
next Planning Commission meeting Mr. Longanecker will provide the Commission with
the existing conditions as attachments to the staff report and also again what the new
proposal to the overlay district will be different. Commissioner Davis then suggested it
would be helpful to see how bed and breakfasts and county inns are currently permitted
and in which zoning districts. The Commission would also like to know the sizes,
especially within a rural area.

Local farms provide numerous benefits to the citizens of Thurston County. The
continued viability of the local agricultural industry is important to the local economy,
environmental sustainability, food security and maintaining the areas rural heritage.
Thurston County is considering several regulatory changes to help make local farms more
economically viable. These changes include preserving farm land by reducing regulatory
barriers, creating economic incentives through a purchase of development rights (PDR)
program and creating specific exemptions for small scale farm stands that sell local and
regional produce. The staff report that was given to the Planning Commission relates to a
2010 Development Code Docket item to allow small scale wineries and breweries in
some rural zoning districts (Docket item no.A-9). The focus of the amendment has
expanded to include allowing a broader range of land uses that are related to agriculture
and more specifically to what is commonly referred to as agritourism. Agritourism, short
for “agricultural tourism” can include farm stands or farm stores, U-pick produce,
overnight farm stays, tours, on-farm classes, fairs, harvest festivals, pumpkin patches,
Christmas tree farms, winery weddings, orchard dinners, youth camps, barn dances,
hunting, fishing, guest ranches and more.

A discussion ensued. Questions were then asked of Mr. Longanecker to research and
bring back to the table. One is that we talk about minimum lot sizes for especially for
country inns but within the RCW for the GMA that was included in the staff report it
talks about long term agriculture or a maximum area of impact and how it should be limited. Please clarify were the minimum zoning districts came from and if they are different from the underlying zoning district. Also, should long term agriculture be treated different than other zones? A table of comparisons will also be provided by staff at the next work session. Further discussion on maximum size will also be discussed. A handout was also given to the Commission at the end of the meeting. The article was titled Small Craft Breweries Hopping in Poulsbo by Tristan Baurick published June 1, 2011. The article is about how four breweries have just opened in the past four months and how well they are doing.

9. 7:42 P.M.  WORK SESSION: Critical Areas Ordinance – Reasonable Use & Lacey UGA Density Calculation
   Staff: Jeremy Davis, Andrew Deffobis & Cynthia Wilson

   It was discussed at the beginning of the work session that on the planning commission’s agenda and notification of agenda and packet e-mail to highlight what they need to bring to the next meeting in regards to the CAO discussion that is going to take place at the next meeting. It was decided that the Reasonable Use & Lacey UGA Density Calculations would be discussed at the next meeting when the commission has all of the handouts they may need to aid in the work session.

10. 7:45 P.M. Distribute New Critical Areas Ordinance Draft Chapters: Volcanic, Seismic and Mine Hazards
    Staff: Jeremy Davis, Andrew Deffobis & Cynthia Wilson

   The above draft chapters were given to the planning commission. A status update was then provided by Mr. Davis. The Olympia Master Builders and others asked for a matrix of the new code sections vs. the old ones. Staff has been working on the request and current has drafts that are halfway done and are going through to make sure all of the information is correct. As soon as the matrix is complete they will be posted on the webpage and sending them to the planning commission. A short summary is also being worked on to show what those changes will be in general section by section. It was noted that the above new three draft chapters have been pulled out of the Geologic Hazards Chapter but as staff did further research believed that they needed to be their own chapter based on the specific standards that were missing. Mr. Davis has done extensive research with other counties associated chapters to help aid in the writing of these three chapters. Mine hazards are very minor in Thurston County. The mines were mapped in the draft chapters. Some definitions did have some changes made to them and are in italics at the end of each chapter.

11. 8:23 P.M.  STAFF UPDATES

   • A decision was received for the mineral lands appeal. Staff will be going over the results with the Board of County Commissioners and then bringing it back to the Planning Commission.
• Last week the Board of County Commissioners scheduled a public hearing of the renewal of the prairie ordinance that will be on July 7, 2011 and a location will be determined very soon.

12. 8:23 P.M. CALENDAR

June 15, 2011 – All Commissioners will be in attendance.

13. 8:23 PM ADJOURN

With there being no further business, Chair Lane adjourned the meeting at 8:23 p.m.

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Chris Lane, Chair

Prepared by Carrie Toebbe, Recording Secretary