



THURSTON COUNTY PLANNING COMMISSION

Minutes July 6, 2011

1 **1. 6:30 P.M. CALL TO ORDER**

2 Chair Lane called the July 6, 2011 meeting of the Thurston County Planning Commission
3 to order at 6:30 p.m. Commissioners provided self-introductions.
4

5 **Attendance:** Chair Chris Lane, Commissioners, Scott Nelson, Liz Kohlenberg, Christine
6 Spaulding, Jennifer Davis, Edward Fleisher, Kathleen O'Connor & Bill Jackson
7

8 **Absent:** Christopher Earle
9

10 **Staff:** Jeremy Davis, Scott Longanecker & Olivia Story
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12 **2. 6:30 P.M. APPROVAL OF AGENDA**

13
14 **MOTION: Commissioner O'Connor moved to approve the agenda. Commissioner**
15 **Nelson seconded. Motion carried.**
16

17 **3. 6:31 P.M. APPROVAL OF MINUTES**

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19 **Commissioner O'Connor moved to approve the June 1, 2011 minutes and accept the**
20 **audio as the official record. Commissioner Nelson seconded. Motion carried.**
21

22 **Commissioner O'Connor moved to approve the June 15, 2011 minutes and accept**
23 **the audio as the official record. Commissioner Jackson seconded. Motion carried.**
24

25 **4. 6:32 P.M. STAFF UPDATES**

26
27 Mr. Clark provided the following staff updates:
28

- 29 • The interim Prairie/ Oak Renewal Ordinance Hearing is on July 7, 2011 starting at
30 5:30 p.m.
- 31 • The CAO and GMA Hearings Board Issues will be on the Planning Commission
32 agenda every meeting until completed. Mineral Lands has a compliance deadline
33 of November.
34

35 **5. 6:33 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which**
36 **public hearings have been held.)**
37

38 To hear public testimony please use the following link:
39 [http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.h](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)
40 [tml](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)
41

- 42 1. *Jami Balint (Segale Properties) – P.O. Box 88028 Tukwila, WA 98138 – Worked on*
43 *the Growth Management Hearings Board case. She looks forward to working further*

1 with staff so that we can move forward to ensure Thurston County has mineral lands
2 designation criteria that is compliant with the Growth Management Act. Encourages
3 staff and the Planning Commission in taking the CAO out of the mineral lands
4 designation criteria.

- 5 2. Tom Cook – Property Owner in Thurston County – Would like to encourage staff to
6 include environmental criteria in the designation of mineral lands because it is one of
7 the requirements in the community development guidelines statute.
8 3. Jim Zahn – 3323 Yelm Highway SE – Has concern about the set-backs of critical
9 area/wetlands.
10 4. Name was inaudible – works for Miles Sand and Gravel – Volunteered to help rewrite
11 the Comprehensive Plan along the lines of Mineral Lands. Encouraged staff to leave
12 the CAO out of the Mineral Lands.

13
14 **6. 6:41 P.M. WORK SESSION: Mineral Lands – GMHB Compliance**

15 *Staff: Olivia Story*

16
17 Ms. Story explained that on September 7, 2010, the BOCC adopted Resolution No.
18 14401 and Ordinance No. 14402, amending mineral lands designation criteria. Soon
19 after, a challenge was issued by several interested parties. They raised 23 issues with the
20 adoption of the mineral lands designation criteria. The Western Washington Growth
21 Management Hearings Board (WWGMHB) held a hearing April 13, 2011, and made
22 their final decision May 23, 2011. The County won all but seven of the issues that were
23 raised. These seven issues must be in compliance by November 21, 2011.

24
25 The Growth Management Hearings Board Final Decision and Order is available for
26 viewing on line at:

27
28 [http://www.co.thurston.wa.us/planning/planning_commission/agenda/2011-07-06/pc-](http://www.co.thurston.wa.us/planning/planning_commission/agenda/2011-07-06/pc-agenda-20110706-fdo-20110523.pdf)
29 [agenda-20110706-fdo-20110523.pdf](http://www.co.thurston.wa.us/planning/planning_commission/agenda/2011-07-06/pc-agenda-20110706-fdo-20110523.pdf)

30
31 The first reason that they brought up was the question regarding allowing the code
32 designation of the mineral lands and forest lands. The reason is that this option was not
33 given prior to the Boards (BOCC) public hearing. As a Planning Commission they didn't
34 give staff recommendations and it was not part of the draft. The second is that the
35 minimum guidelines from the WAC must be considered to use this. So what Planning
36 Commission and staff need to do now is hold a public hearing regarding the code
37 designation of the issue both at the Planning Commission and the BOCC level and then
38 also consider those minimum guidelines against our criteria. The other reasons were then
39 discussed. All of the reasons that were brought up will be discussed through the Planning
40 Commission for recommendations to the BOCC. The minimum guidelines will first be
41 looked at and compared to our criteria that have been brought up so far to see if there are
42 any inconsistencies. If there are inconsistencies and they are deviated from then the
43 Planning Commission and staff will have to give detailed reasons why they are deviated
44 from. Further, after this process a public hearing will be held on these issues with the
45 Planning Commission then a recommendation to the BOCC.

46
47 Work Sessions with the Planning Commission will be held on July 20, 2011, August 3,
48 2011 and August 17, 2011. The proposed public hearing date is for September 7, 2011.

1 The Planning Commission will have to vote at the next meeting if they would like to have
2 the public hearing on September 7, 2011 or not. The Planning Commission members
3 requested that the table that Ms. Story created to break down the decision and order
4 reasons be sent to them by e-mail. The table will be an attachment for the July 20, 2011
5 Planning Commission packet.
6

7 **7:05 P.M. WORK SESSION: CAO: Administrative Procedure, Critical Area**
8 **Review Permit, Lacey UGA Density Calculations; Seismic, Volcanic & Mine**
9 **Hazards: Distribute Geo Hazards**
10 *Staff: Jeremy Davis & Scott Clark*
11

12 Mr. Davis explained that the draft Chapters Critical Area Review Permit and
13 Administrative Procedures were sent out to the Planning Commission. The proposed
14 Chapter 24.40 Critical Area Review Permit is intended to be the companion permit to
15 other development permits required by the zoning ordinance, building codes, and other
16 codes as well as a stand-alone permit for review of critical areas where there is no
17 underlying development permit. The proposed Chapter 24.05 Administrative Procedures
18 is basically how staff will review developments in critical areas and there buffers then
19 what permits will be used for that process. The intent of the chapter is to minimize
20 delays associated with multiple development reviews. The chapter describes the
21 application types and processes, outlines county review procedure, has information on
22 appeals and code interpretations, critical area determinations and application submittal
23 requirements in return it accomplishes the requirements of RCW 36.70B. To meet the
24 requirements of 36.70B RCW, the administrative chapter needs to at a minimum clearly
25 define application types, review and appeal processes, deadlines, public notification,
26 applicant notification, and provide for consolidated review. The revised comparison
27 table for current and proposed CAO Chapter 24.05 Administrative Procedures was also
28 discussed. A further discussion ensued in regards to types of permits including Critical
29 Area Review Permit referred to as CARP.
30

31 Proposed 24.16, 24.17 and 24.18 Seismic, Volcanic & Mine Hazards were then
32 discussed. Currently they are addressed under one short section and now the draft has
33 them separated out. The purpose is to protect public health and safety. Establishment of
34 requirements addresses seismic hazards and others within Thurston County. Maps for all
35 three of these hazard areas were introduced.
36

37 The Lacey UGA Density Calculations were then discussed. Mr. Davis provided an
38 electronic document for viewing during the discussion. This does add the ability to use
39 alternative development standards for critical areas which reduced the density or there is
40 a significant amount of critical areas. Examples were given of this as well. What this
41 basically means is that you cannot develop on a wetland buffer but you can transfer the
42 density you would get on that wetland buffer to the area outside so that you can actually
43 get your full number of dwelling units. Commissioner Kohlenberg brought up a concern
44 that she has of hazards and the environmental effects of the clustering around a critical
45 area. She also stated that the Planning Commission when first started looking at critical
46 areas the first time spent a long time looking at Lacey and Tumwater's Urban Growth
47 and critical areas protection. As the Planning Commission then started working on this
48 issue they were not impressed with what they had but also found that there may be a

1 potential conflict with other jurisdiction that has emerged over time. A discussion
2 ensued. The alternative development standards were then discussed. The intent is to
3 allow urban densities while protecting critical areas, so you are clustering away from the
4 critical area, you are allowing smaller lot sizes away from the critical areas at the same
5 time so you can still get the same number of units. This is already within the city's code.
6 This would not apply in the LD 0-4 zoning district which you will see a lot in more of the
7 environmentally sensitive areas.

8
9 Mr. Clark suggested that staff work on an analysis table of pros and cons to bring back to
10 the next Planning Commission meeting to see if they should move forward or not with
11 the density calculations and not having just wetlands included but all critical areas.

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13 **8. 7:40 P.M. CALENDAR**

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15 July 20, 2011 – Commissioner Davis will not be in attendance.

16 August 3, 2011 – Commissioner Kohlenberg will not be in attendance.

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18 **9. 7:42 PM ADJOURN**

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

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25 _____
Chris Lane, Chair

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27 Prepared by Carrie Toebbe, Recording Secretary