

JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR SEPTEMBER 1, 2004

- A. OPENING BUSINESS
- B. ELECTION OF OFFICERS
- C. MLA04-28, GMA COMP PLAN UPDATE
- D. DISCUSSION ON 2005 PLANNING COMMISSION BUDGET
- E. ADJOURNMENT

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 6:30 p.m. by Chair Tom McNerney. Planning Commission members present were Phil Flynn, Edel Sokol, Eileen Rogers, Jenny Davis, Dennis Schultz, Bud Schindler, Jim Hagen, and Allen Panasuk.

DCD staff present were Josh Peters, Kyle Alm, and Cheryl Halvorson, secretary.

There were three members of the public present. Only one, Nancy Dorgan, signed the guest list.

The Chair invited committee reports.

Dennis Schultz, Agriculture Lands Committee, reported on the committee's research into the individual parcels, stating that there were about six that still required further research. He stated that the committee would have something ready for the entire Planning Commission by the next meeting. Mr. Schultz stated that the committee had developed criteria to follow in their process. He stated that they would provide that criteria to the full Planning Commission.

Tom McNerney stated that the next Planning Commission meeting (September 15) would primarily be a public workshop on the Comp Plan update. However, staff was suggesting that there may be time for the Planning Commission to review the committee's work and forward it to the staff for their review and staff report. He stated that after that, the Planning Commission would not have anything more to do until the staff report and SEPA analysis was done by staff. Then the Planning Commission was scheduled for a public hearing on the entire docket at the first meeting in October.

Edel Sokol, Comp Plan Review Committee, reported on the activities of that committee, stating that they found no need for further revisions to the Vision Statement, Plan Implementation and Monitoring, Introduction, Capital Facilities, and the Land Use and Rural elements. Copies of the latest revisions of the Vision Statement and the Introduction were handed out to the commissioners. Tom McNerney stated that the commission had reviewed most of the elements except for the Land Use and Rural element.

Edel Sokol stated that the committee had not reviewed three of the elements: Utilities, Natural Resources, and Essential Public Facilities. Jenny Davis asked if the line-in/line-out EPF element was something for the commissioners to consider. Ms. Sokol stated that she had drafted it, but staff would be working on the issue and the draft Ms. Davis had should be discarded.

Phil Flynn reported on the Airport Committee meeting where the PRQ and Port were represented. Tom McNerney reviewed the reasoning behind the proposed EPF draft, stating the idea would be to do the airport and the EPF element revision together. That proposal was rejected by staff as not an appropriate way to deal with the airport issue. Therefore, the proposal had been dropped.

The Chair invited staff updates.

Josh Peters handed out a letter and document from the Washington Association of Realtors regarding the 2004 Comp Plan update.

Josh Peters reviewed the schedule for the Comp Plan update. He stated that staff would sponsor an open forum/workshop for the public on September 7 to present the proposals on the Comp Plan update. He stated that staff was hoping to garner suggestions from the public about what issues should be included in the update. Mr. Peters stated that the September 15 Planning Commission meeting would be an informal workshop with the public about the update as well.

Josh Peters reported that staff was currently negotiating a contract with a consultant to help with the integrated GMA/SEPA document. He stated that the integrated document would contain an analysis of all of the Comp Plan amendments before the county, including the update, the two airport proposals, and the agriculture lands parcels. He suggested that the Airport Committee meet after September 22 when the integrated staff report and SEPA document came out. He stated that staff was still struggling with the agriculture lands piece. He suggested that it may have to be dropped off this year's docket if it was not possible to get it ready in time.

Josh Peters explained that MLA04-28 was in two parts. Part A was the staff review for GMA compliance. Part B was the Planning Commission 5-year review of the Comp Plan.

Josh Peters stated that the Planning Commission may decide to hold a second public hearing in October on the docket if it appeared to be necessary. Mr. Peters stated that the commission may also decide to hold an additional meeting in October in order to meet its deadline for a report and recommendation to the BOCC by November 3. Other possibilities were to hold additional committee meetings during the month of October while the commission was deliberating.

Jenny Davis asked whether the Airport Committee should meet before the staff report came out on September 22. Phil Flynn stated that he did not think it would be appropriate until after the staff report was available. The Airport Committee members discussed a meeting date. They agreed on September 29 at 6:30 p.m. at the DCD conference room.

Josh Peters reported that there would be a Growth Management Steering Committee meeting on September 21 at the Courthouse. One topic would be industrial land banks. Another topic would be the County-wide Planning Policy. A third topic would be whether there should be an addition to the GMSC for representation from the Irondale-Hadlock UGA and/or from the Port Ludlow Master Planned Resort.

The Chair invited public comments.

Nancy Dorgan thought the public comment period for what would be coming out on September 22 would be very short. She stated that the outreach for the 2004 update was supposed to be very broad. She thought that fourteen days for public comments was much too short. Ms. Dorgan asked whether a new Utilities chapter would be coming out. She stated that this was the year to revise that chapter, in conjunction with the 2004 update. Water issues were of prime importance. She stated the hope that it would be coming from staff.

Kyle Alm responded that Ms. Dorgan's comments had already been thought of by the Comp Plan Review Committee. He stated that much of the Utilities element

was very technical. Josh Peters stated that it was something DCD staff would be coordinating with other county staff.

B. ELECTION OF OFFICERS

Eileen Rogers moved that Tom McNerney be nominated for the position of Chair. Edel Sokol seconded the motion.

Tom McNerney explained that the commission's votes for the officer positions could not be by secret ballot. They must be by voice vote or a show of hands.

Dennis Schultz called for the question. The vote on going to the question was unanimous.

Tom McNerney was unanimously elected to the position of Planning Commission Chair.

Eileen Rogers was nominated for the position of Vice Chair. She respectfully declined the nomination.

Eileen Rogers moved that Allen Panasuk be nominated for the position of Vice Chair. Jenny Davis seconded the motion.

Edel Sokol called for the question. There being no further discussion, Allen Panasuk was unanimously elected to the position of Planning Commission Vice Chair.

C. MLA04-28, GMA COMP PLAN UPDATE

Tom McNerney stated that the Planning Commission had reviewed most of the elements already, with the exception of the Land Use and Rural Element. Allen Panasuk asked if the Comp Plan Review Committee members could briefly describe the amendments they proposed. Edel Sokol responded that the committee suggested amendments similar to those for the other chapters. They recommended deleting excess verbiage, outdated information, material that was now in the UDC, or redundancies.

Tom McNerney invited questions, comments or concerns from the commissioners on the Land Use and Rural Element.

Jim Hagen stated that the committee went over each chapter several times. He pointed out a grammatical error in the Introduction on Page 3-1. He also suggested that the last bullet on Page 3-1 should be deleted.

Allen Panasuk had no comments or questions.

Jenny Davis asked about whether the population narrative proposed for deletion would be addressed elsewhere (Page 3-2 and 3-3). Dennis Schultz pointed out that the updated population figures were depicted on Table 3-1.

Dennis Schultz suggested that the last sentence in the second paragraph on Page 3-5 under "Rural Residential Lands: Allocation of Growth" should be deleted because what it referred to was proposed for deletion. Jim Hagen suggested that the entire paragraph should be deleted because it was a lead-in to the next section which was deleted. Mr. Hagen stated that the studies were done in 1995 and assumptions were used even then. The commissioners

agreed with his suggestion to delete the entire paragraph as well as the heading "Inventory and Analysis of Rural Development Patterns".

Dennis Schultz referred to Page 3-30 and questioned how appropriate the narrative was given that Port Ludlow was designated a Master Planned Resort rather than "suited to be designated". The commissioners discussed how much of the narrative was outdated and should be deleted. They agreed to keep the first sentence in the second paragraph and delete the rest of the paragraph. Also, they agreed to delete the entire third paragraph.

Staff and the commissioners discussed the agricultural land designations and corresponding densities. Josh Peters explained that both the AL and AP lands were 1:20 densities, even though the AP parcels may be much smaller.

Dennis Schultz pointed out a couple of typos on Page 3-36. Bud Schindler asked if he should note the typos and grammatical errors he had found or if he should merely provide them to staff. It was agreed that he should provide them to staff.

The other commissioners had no comments or questions. The remainder of the issues were raised by Bud Schindler, except where noted below. Some issues raised by Mr. Schindler were not accepted by the commissioners and are not addressed in these minutes. Suggestions listed below were accepted by the commissioners.

On Page 3-4, the Table 3-1 title "20-Year Population Projections and Distribution", the "1" footnote reference should be changed to an asterisk (*) to correspond to the delineated note under the table and the Footnote 1 at the bottom of the page should be deleted.

On Page 3-8, a portion of the paragraph at the top of the page should be kept. Bud Schindler suggested retaining the first three sentences as a link between the two tables. Edel Sokol stated that Table 3-3 should be updated. It was also noted that Table 3-2 should be updated. Josh Peters stated that he did not know if staff would have time to update the two tables. It was agreed that if Table 3-3 was eliminated, then everything referring to it should be deleted as well.

At the bottom of Page 3-8, it was agreed that "Planning Assumptions and Goals" should be changed to "Planning Criteria".

On Page 3-10 under "The criteria used to designate rural commercial areas are:", it was agreed that the first bullet should be changed to state "pre-July 1, 1990." The third bullet should be changed to state "The area should provide basic necessities ..." It was noted that the page number reference in the sentence above, which began "A discussion of Jefferson County's criteria for designation and classification ..." would change.

On Page 3-11, it was agreed that the second paragraph under the bullets should be partially retained and revised to state "The following table describes the level of service characteristics for specific designations and existing areas having those designations."

There was a typo on Page 3-12 under the table which referred to the Port Ludlow Master Planned Resort (not "Planning Resort").

On Page 3-13, the third paragraph under "The South County", it was agreed that the first sentence should be changed to state "... move 30-40 miles to facilities in Port Townsend or other areas." Also, the next sentence should be revised to state "... the distance between the South County and other areas, and the concern that higher traffic ..."

On Page 3-14, in the first bullet under "2. Criteria from RCW 36.70A.070(3)(d), the 1997 GMA amendments:", it should state "pre-July 1, 1990 built environment".

On Page 3-23 in the paragraph under "Rural Village Centers", the sentence beginning "In addition to residential ..." should be revised to state "...public facilities, and social services are necessary to meet ..."

On Page 3-28, the sentence at the bottom of the page should be retained instead of deleted but it should be updated. Tom McNerney noted that Table 3-7 should be updated as well.

Jim Hagen referred back to Page 3-24, stating that there was a conflict between the second and third paragraphs. It was agreed to delete "in Quilcene" in the third sentence of the second paragraph. Also, staff was directed to check the information in the three paragraphs to be retained concerning water supply and to correct it as necessary. Josh Peters stated that staff would contact the PUD about the issue, but the resulting revisions may not be done before the elements became available to the public.

The commissioners suggested that Table 3-7 on Page 3-29 and the narrative under it should be updated. Josh Peters stated that staff could not guarantee that it would be updated.

On Page 3-31 in the third paragraph under "Designation of Rural Residential Densities", it was agreed that the beginning of the second sentence ("During the next year") should be deleted so that the sentence would state "The application of ESB 6094 criteria in 1997 GMA amendments will be considered ..."

On Page 3-35 in the third paragraph under "Review of Surface Water Conditions & Existing Polluted Discharges", the first part of the sentence ("Before highlighting ...") should be deleted so that the sentence reads "Jefferson County has a stormwater management program in place ..."

On Page 3-59 under LNP 3.2, the commissioners discussed using the word "needs" versus "population projections". The commissioners agreed to leave the issue and come back to it later. A review of the GMA was required to determine how it addressed "needs". In the meantime, it was agreed to revise LNP 3.2 to state in the second sentence "... based upon the County's rural population projections and/or needs while maintaining ..."

The commissioners briefly discussed LNG 4.0 on Page 3-60. At issue was whether the Rural Village Centers had been established or whether they could still be adjusted. The commissioners agreed to leave the goal as written.

On Page 3-70 under LNP 7.1.7, the commissioners agreed to change the sentence to state "... existing small-scale recreational and/or tourist areas ..."

It was pointed out that LNP 8.5.2(b) (Pages 3-72 and 3-73) should be updated since the Special Study was completed.

Bud Schindler commented that he thought there was a lot of material throughout the chapter that was still actually UDC material. He stated that he would review the UDC to see if there was additional Comp Plan narrative that could be deleted because it was addressed in the UDC. Tom McNerney stated that the Planning Commission would have time to make additional revisions after the public hearing.

Dennis Schultz referred to Item #3 on Page 3-91 which referred to a development agreement between the county and Olympic Resource Management for the Port Ludlow MPR. The issue was whether it should be updated. It was pointed out that the county adopted a development agreement with ORM before Port Ludlow Associates bought the resort.

Allen Panasuk moved that the Planning Commission approve the revisions that had been discussed relating to the Land Use and Rural Element for inclusion in the 2004 update. Eileen Rogers seconded the motion which carried unanimously.

Tom McNerney stated that the Housing, Economic Development, Open Space, Parks and Recreation, and Historic Preservation and Environment elements had been reviewed by the Planning Commission previously. He asked if there were any further concerns.

Jenny Davis referred to Page 8-30 of the Environment Element, Goal ENG 14.0. She noted that the committee had decided to revise the goal rather than delete it. The agreed upon language was "Promote the protection of wetlands in all their functions."

The Chair entertained a motion to accept the Comp Plan elements that had been reviewed.

Eileen Rogers moved that the Planning Commission accept the Housing, Open Space, Environment, and Economic Development elements as revised and forward them to staff for their review. Allen Panasuk seconded the motion which carried unanimously.

Tom McNerney stated that the Comp Plan Vision Statement had been reviewed by the Planning Commission and entertained a motion to forward it to staff as well.

Allen Panasuk moved that the Planning Commission accept the Vision Statement and forward it to staff for their review. Eileen Rogers seconded the motion which carried unanimously.

Since the Planning Commission had just received the latest version of the Introduction at this meeting, Tom McNerney suggested that staff review the revisions for the element. Kyle Alm stated that the Comp Plan Review Committee had used the same criteria as it had for the other elements. He stated that the old Chapter 2, Plan Implementation and Monitoring, had been added to the end of the Introduction section.

Jenny Davis asked if the Planning Commission would have another opportunity to review the section. Tom McNerney and Josh Peters explained how the process would work. The draft revisions would go to staff for their review and it would be made available to the public for their review, along with the other elements. Another version would not come out until after the formal public comment period. However, the Planning Commission could continue to

review the elements, although no actual revisions could be done until after the staff report and SEPA review had been done and the public hearing had been held. The Planning Commission would hold any further revisions in abeyance until after the public comment period.

Eileen Rogers moved that the Planning Commission approve the Introduction chapter and forward it to staff for the environmental review and staff report. Jenny Davis seconded the motion which carried unanimously.

The commissioners moved on to the Capital Facilities Element. Josh Peters stated that the element was authored by Allen Sartin, Central Services, with input from Public Works. He stated that DCD staff had yet to review it. Mr. Peters stated that staff had originally intended to provide the element to the Planning Commission with the staff report and SEPA review on September 22. He suggested that the commission could hold onto their concerns and deal with them later in the process if they related to policy issues. If the commissioners had non-policy comments, such as editorial comments, staff would be glad to consider those comments with the staff report and SEPA review. Tom McNerney stated that the Capital Facilities Element was not something the Planning Commission needed to include in its package of elements. He suggested that if the commissioners found anything of concern between this meeting and the public workshop, they could make a note of it to discuss it further. Mr. Peters stated that the element would be the subject of the September 7 public workshop and could be revised as a result of the public input received. He stated that the final revision would be part of the September 22 staff report and SEPA review. Then the Planning Commission could begin its formal review of the element.

The Chair invited public comment.

Nancy Dorgan stated that she had heard the Planning Commission make some editorial revisions. However, she saw a lot of material proposed for revision in the Land Use and Rural Element that was of a substantive nature. She stated that she had heard no discussion on the substance of the policy revisions. She stated that she was curious about why those substantive revisions were made. She acknowledged that the commission would vote on them later, but she thought it was important for the public to know why the Planning Commission was proposing the changes.

Tom McNerney responded that he thought the Planning Commission had discussed the issues and that the committee had spent many hours on it. He stated that there was still about two months worth of review time on the elements, stating that there would be a public workshop and a public hearing followed by Planning Commission deliberations.

Josh Peters stated that he thought there would be questions from the public about the reasoning behind some of the policy changes. He suggested that the commissioners, and especially the committee members, think about how they would respond to such questions. Tom McNerney stated that the committee members should be ready to explain their reasoning. Nancy Dorgan stated that the entire Planning Commission should be ready to explain them.

D. DISCUSSION ON 2005 PLANNING COMMISSION BUDGET

Josh Peters stated that, when it was thought there would be a ballot item that would result in decreased revenue for local governments, the county departments were directed to develop two different budgets. One would be a

normal budget with a two percent (2%) increase in the general fund and the other would be a fifteen percent (15%) decrease in the general fund. That ballot measure did not qualify for the ballot in November. However, the County Administrator still asked the departments to plan for a 15% decrease for budgeting from the general fund. He explained that most of the DCD budget was funded through fees. However, Long Range Planning and the Planning Commission were funded from the general fund. He described some of the ideas that had been considered for reducing the budget for the Planning Commission. One was to have the Planning Commission meet at a county facility where there would be no rental fees. Another was to eliminate the travel budget, which included the mileage reimbursement for the commissioners. While staff recognized it may be a hardship for some commissioners, he noted that, traditionally, the travel budget had not been utilized except by a small percentage of the commissioners. Mr. Peters explained that staff's interpretation of the Planning Enabling Act was that travel expenses were not required; the Act indicated that it was "authorized". Mr. Peters reviewed the funding reductions proposed with the 15% decrease. He emphasized that both budget proposals were preliminary.

Eileen Rogers stated that, given the Planning Commission members were volunteers and provided many hours of work for the county, she thought the county should try to facilitate a meeting place that was easier rather than harder for the commissioners to attend meetings. She thought that meeting in Port Townsend would not be easier. Tom McNerney commented that it would make it doubly difficult for commissioners from farther away to meet in Port Townsend if the mileage reimbursement was also cut.

Staff and the commissioners discussed how the budget worked and where any surplus went.

Allen Panasuk referred to a comment by Al Scalf that the department had gotten \$15,000 for a consultant to review the permitting process. He wondered where that money came from. He questioned why the county was spending money on a consultant when the county had budget issues. Tom McNerney stated that the BOCC had asked staff what was needed in order to meet the timeframe for the Comp Plan amendments. Josh Peters stated that staff told the BOCC that they needed a consultant to help with the staff report and SEPA review. Mr. Peters discussed the reasons for hiring consultants. Mr. Panasuk stated that he was not against hiring a consultant if there was a good reason.

E. ADJOURNMENT

The commissioners discussed the format for the September 15 Planning Commission meeting. The original thought was to hold a facilitated workshop with questions and answers between the public and the commissioners about the Comp Plan elements. There was a concern that the facilitator not be a county employee/consultant because of the possible perception that prior decisions had been made and the facilitator was to lead the discussion to those decisions. Eileen Rogers thought the process needed to be totally transparent and that we needed a neutral facilitator. Tom McNerney stated that the criteria for the facilitator selection that had been discussed with the BOCC was: (1) the person had to be a capable facilitator, (2) the person had to be neutral, and (3) they had to have some background knowledge of planning. Some other commissioners shared Ms. Rogers' concern about having a facilitator who was not on the county payroll.

Some commissioners had a concern about the workshop format. There was a concern that it would be pretty contentious and that there would be a lot of politics involved. Staff pointed out that the purpose was to explain what the Planning Commission was proposing. Some commissioners did not want to get into a dialog with members of the public because of the possibility for it becoming contentious. However, it was agreed that the commissioners should be prepared to provide their reasoning and rationale for making the amendment proposals. The thought was expressed that it would take a strong facilitator to control the workshop.

Allen Panasuk stated his opposition to the September 15 workshop format. He stated that the commission's role was to take public testimony and make recommendations to the BOCC. He thought the workshop, interacting with the public in the format suggested, was a mistake. Some other commissioners agreed with his point. Tom McNerney disagreed, stating that the purpose was to provide an informal setting for the public to hear about the proposed amendments. He stated that, if we were trying to build support for the suggested amendments, we must work at getting the community's support. He stated that, in a regular meeting, which was more formal, the commission merely took comments; the commission would not take questions and then answer them. The idea of a workshop was to allow a more informal setting where questions and answers could occur.

Jim Hagen suggested that the Planning Commission provide a sheet listing the criteria and rationale the commission had used in recommending the amendments.

Some commissioners preferred holding a regular meeting rather than a facilitated workshop. Tom McNerney stated that if the commissioners wanted to change the format for the meeting, the commission should make that decision now. The commissioners discussed what kind of format the September 15 meeting should take.

Allen Panasuk moved that the Planning Commission nix the idea of a facilitated workshop on September 15 and merely hold a regular meeting conducted in the usual fashion instead, including taking public testimony. Edel Sokol seconded the motion.

Jenny Davis offered a friendly amendment to the motion that, if there was a point in the meeting where a question was asked that the commission wanted to answer, the commission could go through the Chair and do so. Allen Panasuk stated that the commission would follow its usual rules under Roberts Rules of Order, so the friendly amendment was not necessary.

Tom McNerney stated that the commission would be presenting a packet of Comp Plan amendments that the public had not seen before. He stated that the public would want to know what was in the packet, why it was in there, and why the commission suggested it. He thought that, if the Planning Commission did not provide them with the answers, it would create animosity, not that there might not already be animosity there. Jim Hagen stated that, as was usual for the Planning Commission, the commissioners could take notes about questions from the audience and answer them later during the meeting. Bud Schindler reiterated that the commission should provide the criteria and rationale, along with the history, for the changes that were proposed. Allen Panasuk stated that the history was in the record.

Allen Panasuk called for the question. The vote on stopping debate and going to the motion failed with only five in favor (2/3 [6] required). Therefore, debate continued.

Josh Peters suggested that, if the commissioners were not comfortable with the workshop idea, the Planning Commission forget the whole idea of trying to get comments on the amendments. Instead, the commission could focus on working on a report for the criteria and rationale. He suggested that the commissioners again review the Planning Commission 5-Year Assessment, which laid out a set of criteria, at UDC 9.5.4. Some commissioners still wanted to accept public testimony. Mr. Peters pointed out that public testimony came at a public hearing, not at a regular meeting. The public hearing would occur on October 6. Public comments were taken at a regular meeting, which was a less formal setting than a public hearing.

Jim Hagen thought it would be easy enough to advertise the September 15 meeting as an opportunity to accept public comments on the proposals. It would be an opportunity for the public to make their concerns known and get them into the public record. He thought that was a valuable exercise. Bud Schindler stated that he would want to see the commission provide a broad overview of the whole revision process, including the criteria and rationale used.

Tom McNerney called for the question. The vote on going to the question carried unanimously.

The vote on the motion carried unanimously.

It was agreed that the Comp Plan Review Committee would meet to write down the criteria it used in developing the amendments.

The meeting was adjourned at 10:15 p.m.

F. APPROVAL OF MINUTES

These minutes were approved this _____ day of October, 2004.

Thomas McNerney, Chair

Cheryl Halvorson, Secretary