

JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR AUGUST 3, 2005

- A. OPENING BUSINESS
- B. DISCUSSION ON WATERSHED & GROWTH MANAGEMENT PLANNING (incl WRIA 17)
- C. DISCUSSION ON COUNTY-WIDE PLANNING POLICY
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- E. PRESENTATION OF STAFF REPORT ON 2005 COMPREHENSIVE PLAN AMENDMENTS
- F. ADJOURNMENT

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 6:30 p.m. by Chair Jim Hagen. Planning Commission members present were Allen Panasuk, Bud Schindler, Mike Whittaker, Phil Flynn, Dennis Schultz, and Bill Miller. Peter Downey arrived at 6:32 p.m. Edel Sokol was excused.

DCD staff present were Josh Peters, Kyle Alm, and Cheryl Halvorson, secretary. Craig Schrader, Environmental Health Natural Resources, was also present.

There were two members of the public present: Vince Zodiaco and Paul Heinzinger.

The minutes for July 20, 2005, were approved as submitted.

The Chair invited staff updates.

Josh Peters reported that the county had received the Order Granting Reconsideration from the Hearings Board on the UGA appeal. He stated that staff had only met internally and had not yet met with other county staff on the issue. Therefore, he did not yet know what the county response would be. He offered the opinion that his first take on the order was that it did not change things too much for the county.

Jim Hagen asked what steps and timetable would need to be taken in order to come into compliance. Josh Peters responded with a description of the three ways the county could respond: (1) the county could ask for further reconsideration; (2) the county could appeal the Hearings Board order to Superior Court; or (3) the county could let the order stand and try to follow it. He stated that the county had already taken action to suspend the urban standards for the interim, so he thought the county was already trying to follow the order. There may be something else to do. With regard to sewer planning, he understood that was proceeding as planned despite the order.

Bud Schindler asked if the UGA would be fully sewered within the next twenty years, if that was what the sewer plan would include. Phil Flynn replied that we only had to plan for sewers. Josh Peters stated that the Hearings Board had not found the UGA boundary invalid. That presented a number of options for the county. If the UGA boundary remained the same, we would need to plan for sewers for the entire area. If we reduced the boundary, we would plan for sewer within that boundary. Or we could reduce the boundary to that area we had already planned to sewer. He stated that the Hearings Board reiterated that you could not have areas that were not planned to be sewered within the 20-year planning period within the UGA boundary.

Bud Schindler asked about water for Quilcene. Josh Peters replied that he did not know anything about the topic. Mr. Schindler was interested to know if there was an appeal filed. Mr. Peters stated that he would look into the question for the Planning Commission.

Jim Hagen stated that he saw that the city of Kent had been sued by the Governor, DOE, and CTED about their critical areas ordinance. He asked staff to look into the issue and whether that suit would have any impact on our critical areas ordinance and best available science issue.

Bud Schindler asked if there was anything going on with the LUPEDAP committee. Josh Peters replied that there was nothing happening now. He stated that when the UDC Omnibus was ready for public comment, staff would provide them with the public review draft for their comments, if they wished to do so.

Bud Schindler asked about the appeal costs. Josh Peters replied that the last he knew was that Allen Panasuk, as Planning Commission chair, had asked the County Administrator for information and Mr. Fischbach had responded. The commissioners discussed the issue with the concern that the request was put in a "black hole" and was being forgotten. Allen Panasuk offered the opinion that the county did not want the public to know how much had been spent, and was being spent, on appeals. Mr. Peters stated that staff had found a 1-page memo from Gary Rowe containing a table with appeals costs for a period of years, ending in about 1996 he thought. Mr. Peters thought a copy of that memo had been provided to the Planning Commission. Mr. Peters thought it was more of a question of all the things that were going on right now. He thought elected officials and department heads were reluctant to devote staff time to this research. Mr. Peters explained that there were two categories that made the question difficult to answer. One was the direct cost, such as the costs for the county's outside attorney. That information should not be hard to get. An item that was more difficult to determine was how much of the county's Chief Civil Deputy Prosecutor's time was spent on appeals. However, there were other costs which were indirect, such as a planning task that was necessitated by a Hearings Board order. Dennis Schultz stated that it would be helpful if the departments could even make an estimate of how much time was spent on appeals. For example, what percentage of time did the Deputy Prosecutor spend on appeals? The same could be done for Long Range Planning staff. He did not think it needed to be exact. Kyle Alm stated that it was difficult because the question was how much of staff's planning time was related to an appeal. He used the UGA issue as an example, stating that the UGA had been under appeal for years. He questioned whether all of the UGA planning done since the first appeal was filed would be appeal related. Mr. Peters stated that it would not all be appeal related because the UGA was being planned for in stages. When one aspect of the UGA was appealed, such as the boundary appeal in 2002, it did not mean all subsequent planning was related to that appeal.

The Chair invited public comments. There were none offered.

B. DISCUSSION ON WATERSHED & GROWTH MANAGEMENT PLANNING (incl WRIA 17)

Jim Hagen stated that the Planning Commission had received a copy of the CTED publication "About Growth" which included an article addressing watershed planning and its integration into growth management planning. He had asked that the issue be placed on the agenda. Josh Peters stated that it was a timely issue for the Planning Commission to take up. He described the WRIA (Watershed Resource Inventory Area) planning process and introduced Craig Schrader of the county Natural Resources Division who had been involved in the WRIA 16 and 17 planning. He generally described the two planning areas.

Craig Schrader stated that we were at a point where a watershed plan had been developed for WRIA 17 and had been approved by the BOCC. He stated that it had been a "hot topic" because it was an issue of habitat versus possible growth.

Craig Schrader handed out a chart depicting instream flows. He stated that the streams had received stream gauges to monitor instream flows. He explained how the habitat people figured the instream flow minimums. Then they allocated one percent (1%) of the low flow month for potential growth in housing units. The rest was allocated to habitat.

Craig Schrader displayed a map of the WRIA 17 area and explained the coding for the sub-areas: (1) the reservation management areas (the stream habitat areas) and (2) the designated groundwater areas. They wanted us to project numbers over twenty years for population growth. He stated that there was a debate going on between higher levels of government about how and what growth projections to use. One possibility was to use the population projections the county had adopted for each planning area. Another possibility was to look at the number of potential parcels. While he contributed to that discussion, he stated that he was not always part of the higher level discussions on the issue.

Bud Schindler asked about the one percent allocation for growth. Craig Schrader described how the habitat biologists figured the flows and arrived at the one percent figure.

Josh Peters asked Mr. Schrader to discuss the rule making process and that DOE had proposed, or would be proposing, a rule that would be adopted for our instream program. Craig Schrader provided a copy of the proposed WAC. He stated that DOE would set the instream flows and was asking the county to provide data for the groundwater areas.

Peter Downey asked if Mr. Schrader could provide a breakdown of percentages for existing use, for habitat preservation, along with the one percent for growth. He thought it would offer some perspective. Craig Schrader responded that it related to senior and junior water rights. He stated that existing water rights, such as Port Townsend's, would have priority. Then instream flows would be set afterwards and would become a water right. Any subsequent water rights would not be allowed to create instream flows below the minimums. Josh Peters stated the belief that we would not try to count or regulate what was already developed in terms of water rights.

Dennis Schultz stated that the DOE was 6,000 applications, or ten years, behind on processing water right applications. He wondered how they planned to handle that. Another issue was the draconian rules they were talking about imposing. That was that, at a certain point, no new wells would be allowed. Also, they proposed to limit the amount of water you could withdraw. He thought there were some real issues related to what DOE was proposing. Craig Schrader stated that single family wells would still be exempt wells. Josh Peters stated that a new water right application, however, would still have to be analyzed against the criteria, which included an analysis of what would be left in the basin.

Peter Downey stated that his understanding was that there were some streams that were already over-allocated. He questioned how you could allocate one percent for growth when you were already over-allocated. Josh Peters asked if it was individual streams that were over-allocated or if it was the planning area as a whole that was over-allocated. Craig Schrader stated that the county had written to DOE requesting the data base information on water rights.

Mike Whittaker and Craig Schrader discussed the city's water rights for the Big Quilcene River. Mr. Whittaker wondered whether the river was being monitored to assure minimum flows. Mr. Schrader replied that there was a stream gauge that provided constant monitoring.

Phil Flynn stated that we were talking about a no growth scenario. Concerning the UGA, he stated that the county was being asked to plan for a sewer that would accommodate twenty years of growth. He questioned how you could accommodate 5,000 people with one percent of the flow. Kyle Alm responded that the PUD already had a water right, which would be a senior right. He stated that the one percent was just for the exempt wells.

Kyle Alm asked if they would go after exempt wells if the instream flow got below the minimum, if they would ask that the exempt wells be shut off or otherwise regulate them. Craig Schrader responded that he did not know what DOE would do. Josh Peters stated that there was a case in Eastern Washington where DOE said that, because we were in a drought year, the junior water users had to curtail their use. Jim Hagen stated that it seemed very problematic to establish the instream flows without first having reconciled the established water rights.

Jim Hagen stated that all of the WRIAs throughout the state came out of the Watershed Planning Act. He stated that all of the talk about WRIA planning was about sufficient instream flows for fish and habitat, but the law did not make that distinction. He quoted from the law, which said "by protecting instream flows for fish" and "by providing for the economic well being of the state citizenry and communities". Mr. Hagen stated that his comment on the WRIA 17 plan was that it was very lopsided towards fish and habitat when the law did not make a distinction between habitat and people (growth). He referred to voluntary agreements for instream flows on the Big Quilcene River. He stated that the WRIA 17 plan indicated a need for 180 cfs in instream flows to accommodate Chum spawning habitat. He was taking that as a recommendation, noting that it was three times what was currently occurring on a voluntary basis. It seemed like a drastic increase. Craig Schrader stated that there were a lot of apparent inconsistencies. He stated that DOE was dealing with the hypothetical of what the river needed; it did not reflect what the river was actually flowing. Peter Downey commented that, in fact, the river might not ever be able to get to the recommended flow [180 cfs].

Jim Hagen stated that the job of the Planning Commission was to integrate the watershed plan into land use planning based on the GMA. He stated that GMA planning was based upon 20-year planning for accommodating population growth. He did not know of any provisions that said growth must be controlled if "Factor X" was present. He thought that was a discussion that would emerge in land use planning. Peter Downey thought it was a factor in land use planning. He stated that you had to look at growth from the physical nature, and water was definitely one of them. He cited Los Angeles, Phoenix, and Las Vegas as examples of places that were now dealing with water as a primary issue in their growth. He thought we had a bit of an advantage in that we were not in a critical situation yet, so we had some time to put together a good plan for growth that was realistic with all of the constraints we had, including water.

Dennis Schultz asked at what stage the WRIA 17 planning was, when it would go to public comment, and what the remaining process was. Craig Schrader responded that we were now in the middle of the process. They had held a

public meeting on the plan. Mr. Schultz commented that he had been disappointed in that meeting.

Phil Flynn asked what the future process was and when it would happen. Craig Schrader replied that DOE had written proposed rules. They were interested in public comments on those rules. He stated that they could make minor changes. Dennis Schultz asked if they were open to appeals because they "cast it in concrete" and then gave it to the public. Mr. Schrader replied that he could not answer that question because it was outside of his purview as a hydrologist. Mr. Flynn stated that the Planning Commission needed to know the process. He asked if the rule had been finalized. Mr. Schrader replied that it had not. Mr. Flynn commented that there was still time for input then. Mr. Schrader stated that DOE was under pressure to finish the WRIA process because their money had run out. Mr. Flynn stated that, as a hydrologist, Mr. Schrader knew that we lacked storage capacity, so that in a good year we could not store water for a drought year. He stated that they were not under pressure to get more feedback. He stated that WRIA 18 was finished. He stated that there were a lot of other WRIA areas. He wondered what would happen if those plans were all different. He wondered if they would go into DOE and be lost there. He referred to the early county community planning process where the communities created their plans and they were never used. He wondered if the same would happen with the WRIA plans. He wondered whether it was only "show biz" and the state would do what it wanted to do. He did not see how they were going to put it all together. He wondered how the process worked.

Allen Panasuk commented that Mr. Schrader had said that DOE was under pressure. He asked what that pressure was. Craig Schrader replied that it was legislative pressure to continue and finish the process. He stated that they [DOE] had tried getting broad input during the WRIA 17 process. He thought that at this point, they wanted to continue moving on toward adoption into law [the WAC] this year.

Dennis Schultz stated that they were proposing a whole set of regulations about what people could do with their land, with their wells, how much water they could have, and how they could use it. He stated that information had not been disseminated to the public. They did not talk about such things at their outreach meeting. It was hidden on the back page of the handout. That handout indicated they would limit withdrawal to 350 gallons per day from exempt wells and there would be no new wells. They also proposed shutting down all wells within a water service area. They never discussed those proposals. Craig Schrader stated that it had not been clear to the public that the 350 gpd was only a bookkeeping technique used to try to figure amount of usage.

Josh Peters stated that he would consult with Mr. Schrader in the next few days about the process and the schedule for the proposed WAC and would e-mail the Planning Commission with the information. He stated that there was a formal process for making rules under the WACs.

Dennis Schultz stated that after DOE adopted a rule, it would come to the county to do an ordinance to implement the rule. Josh Peters responded that they wanted the county to write an ordinance, but the county could choose whether to do so or not. He stated that they wanted the county to participate on a willing basis on a number of issues. When it ultimately came down to it, DOE had the ruling authority given to it by the legislature.

Jim Hagen stated that it occurred to him that watershed planning and GMA did not involve the same set of stakeholders or follow the same process. Yet the dictates from watershed planning would affect land use. He stated that we were talking about incorporating some of the findings and recommendations in the WRIAs into the Comp Plan and development regulations. He thought that would require a whole amendment process. His question was why there had been no Planning Commission representation in the WRIA 17 planning process. Second, once some of the watershed planning recommendations from WRIA 17 were approved, he asked if they would require Comp Plan amendments to incorporate them into our Comp Plan and development regulations. Josh Peters replied that it would be the same process as any Comp Plan amendment process. He stated that his question was why there was not a Long Range Planning staff on the WRIA 17 group, similar to Mr. Hagen's question about why there was no Planning Commission representative. He explained that it was a question of staff resources. He stated that Natural Resources was the county department involved, although there had been some consulting with LRP staff. He stated that staff had always realized that, at some point, there would be a nexus between watershed planning and Growth Management land use planning. He stated that the watershed planning effort had borrowed some concepts from the growth management effort, such as using population figures, among others.

Bud Schindler commented that, since LRP was not represented on WRIA 17 and it appeared the political representation on the panel was lopsided, he wondered whether something was going on that was not in the best interests of the people. He thought that could happen if you had interest groups that overwhelmed an organization. Josh Peters explained that there were basically two tiers on the WRIA 17 planning group. There were the "big names": local government, the tribes, and state agencies. Then there were different interest groups and businesses. Craig Schrader stated that the last year had gotten very technical. He stated that they had made a reasonable effort to include a wide range of participants on the planning group, but, over time, some people had dropped out. Mr. Peters stated that, in terms of how the public was represented, the plan went to the BOCC for approval. Mr. Schrader stated that the BOCC approved the plan unanimously. He stated that the county was not going to approve the instream flows.

Jim Hagen asked if it was true that, if a consensus was not reached, the decision-making would revert to DOE and the affected tribes. Craig Schrader replied that he was not aware of a situation like that occurring. Josh Peters stated the understanding that, if the watershed planning unit did not reach a consensus recommendation to DOE with regard to a proposed rule, DOE could simply proceed with rule making without a recommendation under their legislative authority. Mr. Schrader stated that the tribes in WRIA 17 were very anxious for this process to work.

Jim Hagen asked about the target date. Craig Schrader responded that he thought it was in November of this year. Josh Peters stated that staff would look into the date and provide it to the Planning Commission. Mr. Hagen asked when it would get to the BOCC for adoption. Mr. Peters stated that he did not know, since the plan itself was already adopted by the BOCC, but the plan did not include a proposed instream flow rule. He stated that DOE would like the county to adopt regulations that corresponded to that instream flow rule. Mr. Schrader stated the belief that DOE was looking for a memorandum of understanding on how the county would administer the WAC. He thought it again came down to staff resources. Mr. Peters stated that the research and work the county had done on the seawater intrusion issue had discovered things the county had not thought about before in terms of how we should

approach wells. He stated that all of that research was directly applicable to this case and would help the county in its approach to administration of any WAC rule that may be adopted. Peter Downey stated that there was a long and storied past about DOE kind of shirking their responsibility for setting instream flows. He thought DOE might be wanting someone else to do their job for them. Mr. Peters commented that there might be some of that going on. He stated that one of the reasons WRIA 17 and 18 were important to the state was because they were listed as critical basins. They were designated as critical basins because they were perceived to be over allocated and because of important habitat issues.

The commissioners and staff discussed over allocation. Phil Flynn commented that a complication was the water rights issue, senior and junior rights. He asked if DOE had any plans to accommodate the issue. Craig Schrader replied that he did not know. He stated that the county had requested information about the number of water right applications that were in the process so that we could make an assessment about what impacts there may be in this county. Dennis Schultz stated that water rights were the most contentious, litigious subject in land use there was.

Jim Hagen offered the opinion that it was a subject that, during the next update, could really impact our projected population because it would not be a number just based upon trends. Dennis Schultz stated that the concern was that it would not matter whether a person was in a UGA or not or had a parcel of land, they would not allow them to have water; therefore, they could not develop their property. Mr. Hagen agreed, adding that it could affect our whole planning process, because the heart of our planning process was orderly growth based on a 20-year population projection. Josh Peters stated that the bright side was that we at least had an opportunity in recognizing that there may be a problem in the future and we may try to come up with a creative solution. He stated that the second bright side was that the Northwest was known for being water plentiful. Phil Flynn commented that we may have plenty of water, but we did not capture it.

Mike Whittaker wondered whether the DOE would undertake some of the enforcement. Craig Schrader stated that he did not have a good answer. He thought DOE would like the county to do it. He reported that a number of people at the planning unit spoke up and said that would not work.

Phil Flynn suggested that the Planning Commission sponsor a workshop and ask DOE to provide a representative. It appeared that there were still unanswered questions. It seemed that the whole thing was moving down the track and he was not sure that the players even knew what was going on. Craig Schrader stated that Commissioner Sullivan had attended most of the WRIA 17 meetings and had been very involved.

Dennis Schultz asked if the one public meeting was the only one planned. Craig Schrader replied that the one meeting satisfied the plan requirements. The proposed WAC rule was now open for public comments. Mr. Schultz asked if there would be another public outreach meeting for comments on the proposed rule. Mr. Schrader did not know.

Bud Schindler supported the idea of the Planning Commission hosting a workshop for public education. Josh Peters stated that he would contact DOE about sending a representative in light of the "About Growth" article. He stated that staff would provide an e-mail to the commissioners with various links to DOE information.

Peter Downey stated that there was much more to watershed planning than just instream flows. He asked where that information was located. Craig Schrader replied that it was done. He stated that a summary had been done. There were 43 recommendations. Paul Heinzinger stated that instream flow was not now part of the watershed plan. Josh Peters stated that the next phase was implementation. Mr. Schrader stated that the next phase was to prioritize the 43 recommendations and arrive at three or four to focus on. Mr. Peters stated that there was a WRIA 17 website that would contain more information. He stated that staff would provide that website address as well. Mr. Schrader stated that there was limited money for projects, so we had to prioritize. He stated that one thing he was interested in was to do some kind of groundwater monitoring to see where our water tables were. He stated that we did not have a good baseline.

Craig Schrader stated that his observation was that there appeared to be two different groups: the habitat group and the pro-buildout group. They had very different views. Dennis Schultz offered the observation that most of the attendees at the WRIA 17 meetings were from the habitat group side because they held the meetings during the day so that working people could not attend. Mr. Schrader stated that the West End meetings for another WRIA were being held in the evenings.

Allen Panasuk stated the opinion that it would not make any difference what the county wanted. He related his experience with DOE on field burning in Eastern Washington, where the local citizens were opposed to DOE's rule banning burning. He stated that the rule shut down all the seed farmers. He thought that as long as we continued to vote the way we did in Washington State, this was what we would get.

Jim Hagen invited public comments on the issue.

Vince Zodiaco, Marrowstone Island, asked if the WRIA 17 watershed plan had been brought to the Planning Commission's consideration or if the Planning Commission had voted on it. The commissioners indicated that they had not seen it. Mr. Zodiaco stated that the county apparently adopted it, although he did not know the basis for that action. Once they adopted it, they signed up for the things the Planning Commission was concerned about. He stated that the DOE would determine what happened in this county. He stated that the agenda of the WRIA process was supposed to set the surface water regulations. The process jumped from the regulation of surface waters and instream flows to groundwater and to growth and growth management. It did that by the simple assumption that everything that was in the ground had an effect on the streams. So, every drop of water that was extracted from the ground would diminish stream flow somewhere. That assumption got translated into a watershed management plan which set instream flows, which essentially set restrictions on what could be extracted from the ground.

In response to Allen Panasuk's question, Vince Zodiaco stated that the BOCC passed the watershed plan in the spring. He stated that, as a citizen, he had no idea they were even considering it. Jim Hagen stated that it bypassed the Planning Commission. That was a question he had about the process. Josh Peters stated that, as Mr. Hagen pointed out, the Watershed Management Act was a separate piece of legislation from the GMA and it did not make an explicit connection. That act set up a procedure by which the watershed planning unit group was formed, came up with a plan, and sent it on to the BOCC as a recommendation. It was a similar process to what the Planning

Commission did with the Comp Plan and development regulations. The only way the Planning Commission would get involved was if the watershed plan recommendations included a recommendation to consider certain Comp Plan policies or development regulations.

Allen Panasuk asked when the plan was passed by the BOCC. Josh Peters thought Mr. Zodiaco had said it was in January, but he was not certain. He stated that he would provide the information to the commissioners via e-mail. Jim Hagen was concerned about the public participation issue. He stated that he was unaware that the BOCC had passed the watershed plan and he followed such things pretty closely. He guessed that less than 1/10 of 1% of county citizens had input into something that would have tremendous impact. He wondered whether some of the watershed plan recommendations would be implemented through our critical areas ordinance. He was concerned that our planning was really trumped because it was negated by the water issue. He was sorry more people were not aware of the planning process. Mike Whittaker stated that if you did not have water, you could not do any development.

Jim Hagen stated that one thing he kept hearing was about the rush. He stated that we heard that there was not enough water. Whether there was or not, it certainly deserved scrutiny. He did not know that it had been borne out by science. There still seemed to be a lot of uncertainty. It seemed like a lot of the plan as adopted was based on a lot of assumptions. He thought a rule should be based on science.

C. DISCUSSION ON COUNTY-WIDE PLANNING POLICY

Bud Schindler stated that the White Paper had been provided to Andy Cook, the attorney for the Building Association of Washington. Mr. Cook had provided an e-mail response which had been provided to the Planning Commission.

Bud Schindler expressed some concern about forming a committee on the CPP. He noted that the CPP had been provided to the Planning Commission for informational purposes only. That told him the commission had no authority for dealing with the CPP. His first suggestion was that the commission seek the authority to dig further into them. He proposed writing a letter to the BOCC asking for that authority before the Planning Commission took up the issue.

Josh Peters thought Mr. Schindler's characterization was a bit strong. He clarified that the BOCC adopted the CPP. The CPP were developed, reviewed and discussed at the Growth Management Steering Committee [GMSC]. If the Planning Commission had something to say about the CPP, the commission was certainly welcome to do so. He stated that the GMSC was historically the advisory body that advised the officials about policy. If the Planning Commission wanted to get involved, there was nothing that said the commission could not. However, it was not part of the work plan for this year.

Bud Schindler asked if the commission could recommend that the process be changed for the CPP. Josh Peters stated that the commission could do that. Dennis Schultz stated that the issue was that the CPP actually was being used to override the Comp Plan. The question was whether the CPP should be in the Comp Plan, perhaps as a discrete chapter.

Kyle Alm pointed out some handouts he had provided concerning the CPP issue. They included pages from the Comp Plan and UDC. He stated that the CPP were actually included in the Comp Plan already. He reviewed the UDC sections

that referenced the CPP. He stated that we had to consider the CPP when we updated our Plan. He noted that he had also provided, for informational purposes, the Mason County Comp Plan section that addressed the CPP. Bud Schindler stated that Mason County had integrated their CPP into their Comp Plan, whereas we still had two separate documents. Mr. Alm stated that they still had two separate documents as well. Mr. Schindler stated that it did not make sense to have two documents when the CPP had been integrated into their Comp Plan. Josh Peters noted that Mason County had adopted their CPP in 1992. That suggested they did something similar to what Jefferson County had done with adoption of our CPP. Mr. Schindler pointed out that they apparently incorporated the CPP into their Comp Plan in 1996. Mr. Peters stated that it appeared only part of their CPP were referenced in their Comp Plan.

Peter Downey questioned why the Planning Commission was taking time on the issue when the commission had decided to form a committee to look into the issue and come back to the full commission with a recommendation. It seemed to him that the Planning Commission was spending a lot of time "flailing" on it when there were a lot of other issues the Planning Commission should be working on. He thought a committee should be formed to research the educational information on the issue and bring that back to the full commission. The commissioners discussed the amount of time the commission had devoted to the issue. Jim Hagen offered the opinion that it was not a subject that would be on future agendas for awhile because of the other work the commission had to do.

Jim Hagen reported on a GMSC meeting he had attended because they were talking about industrial land banks, which was a topic for a proposed amendment to the CPP. He stated that the meeting had been very contentious. What it revolved around was the essence of coordinated planning and whether the city must be consulted or must agree. He stated that a problem he saw was that the GMSC hardly ever met; they may have had only one meeting this year, although they generally were supposed to meet quarterly. Their last meeting had been cancelled. He wondered how much time the GMSC had, with everything else they had as elected officials, to devote to amending something as important as the CPP. Mr. Hagen referred to CPP 10.3.2 that indicated a successor entity. He stated that one suggestion he would make was that the Planning Commission take on more of a role in developing amendments to the CPP with the GMSC reviewing them. He emphasized that he was not advocating replacing the GMSC because it was ultimately the elected officials who approved the amendments. He stated that Mr. Schindler had taken a lot of time researching the issue and may have other suggestions. He suggested that perhaps the process might include the city's Planning Commission working jointly with the county's Planning Commission on the CPP amendments.

Bud Schindler stated that his conversations with the BOCC members indicated to him that they were struggling with the process as now defined. He thought they were receptive to change. He stated that they realized it was a very important issue. He stated that if you did not have coordinated, consistent planning, it could send you off in different directions, and you did not want that happening. Mr. Schindler thought it was an important issue as well, which was why he had researched it as much as he had. He thought that staff had indicated that the CPP were required and that they had indicated that they would not devote time to researching the issue. Josh Peters took exception to that statement on staff's behalf, stating that staff had spent quite a lot of hours on the subject, although not as many hours as Mr.

Schindler. Mr. Schindler stated that it was an important issue that should be pursued.

Allen Panasuk suggested that a committee, including Mr. Schindler, bring the Planning Commission a recommendation. Then the commission could review it and forward something to the BOCC. Bud Schindler stated that the White Paper he had prepared was his recommendation, although the whole Planning Commission had not reviewed it. He stated that it had been provided to the BOCC. He suggested that the Planning Commission review the White Paper and act on it as the Planning Commission's recommendation.

Jim Hagen stated that the Planning Commission schedule for the next couple of meetings was fairly full with the public hearing on the Comp Plan amendments. Then the commission was not too far from a public hearing on the Omnibus. He suggested that a committee format would be a better use of time for the CPP issue. He suggested that the UDC Committee address the CPP issue as well, since that committee was already formed.

Josh Peters reported that there was no GMSC meeting planned. He also reported that the county had re-advertised for Hadlock/Irondale UGA representatives to the GMSC.

Allen Panasuk moved that the UDC Committee take on the CPP issue as part of its work. Phil Flynn seconded the motion, which carried unanimously.

Jim Hagen thanked Mr. Schindler and Mr. Alm for all their work on the issue.

D. DISCUSSION ON UDC OMNIBUS: PHASE 2

Bud Schindler stated that Phase 2 was to assure that the Comp Plan clearly stated the goals, policies and strategies and that the UDC contained the implementing regulations. He stated that there were many instances where the regulations were contained in the Comp Plan and just re-stated in the UDC. Changing the regulations now required a Comp Plan amendment. He stated that the history of the Comp Plan development basically necessitated such regulatory wording, but now that we had the UDC, such regulatory language should not be needed in the Comp Plan any longer. He stated that the Comp Plan Review Committee in 2004 had not had time to look for such redundancies. Now, Phase 2 would look for those redundancies and make recommendations for amendments. He thought it would take some time.

Bud Schindler stated that the first issue to check was a side-by-side comparison of the UDC Omnibus with the Comp Plan to make sure they were consistent. Dennis Schultz stated that one thing the committee had considered was to do the review and develop a proposal for the 2006 amendment docket.

Bud Schindler stated that one thing they were considering was zoning and thought it was an issue the Planning Commission should discuss. He stated that the committee had discussed the advantages and disadvantages of the way we now handled rezones. He stated that the proposal was to generalize the Comp Plan language about Rural Residential zoning and to make the UDC more specific, which would serve to zone all Rural Residential rezones through the UDC, rather than through a Comp Plan site-specific amendment process. He stated that Clallam County handled their rezones in that way. Peter Downey asked if that would make rezones easier. Mr. Schindler replied that was the intent. Dennis Schultz stated that the intent would be to take rezoning

between Rural Residential zones out of the Comp Plan amendment process. However, it would not allow a rezone from Rural Residential to commercial; that would still have to be a Comp Plan amendment. Mr. Schindler thought it would free up staff time, Planning Commission time, and BOCC time. He thought there would be some resistance from some segments of the public.

Josh Peters offered the opinion that the suggestion was definitely worth discussing. In terms of freeing up staff time, he was not so sure. He pointed out that under the suggested process, the county could get a series of applications throughout the year. Those applications would have to be reviewed as discrete units. He stated that there was some advantage to compiling all such rezones into one report in terms of time management. He stated that was not a comment about the cumbersome nature of the current application process for the applicant. That was a completely different issue and he understood it. He merely wanted to offer a different perspective from staff's point of view. He thought the suggested method could potentially increase the staff workload.

Josh Peters discussed the timing of the Phase 2 effort and the deadlines for a proposal, depending upon whether the Omnibus was adopted or not adopted before the end of the year.

Bud Schindler asked if there was a consensus of the Planning Commission on the suggested rezoning scenario.

Bud Schindler moved that the Planning Commission recommend changing the current method of zoning, such that we would have two levels of zoning. The higher level would identify the Rural Residential scheme in the Comp Plan and the lower level of RR 1:5, 10, and 20 be identified in the UDC. Allen Panasuk seconded the motion.

Peter Downey clarified that the motion was to examine the scope and determine how it would be done. Josh Peters stated that, from a procedural standpoint, it would not come into effect until the BOCC adopted it with the 2006 amendment cycle. He stated that the Comp Plan would need to be amended first. Or, alternatively, the Comp Plan and UDC could be amended simultaneously.

The motion carried unanimously.

Josh Peters reported that staff had posted the public review draft of the UDC Omnibus on the county web site. While the Planning Commission began reviewing the Comp Plan amendment docket, staff would begin preparing a staff report on the Omnibus and formulate a schedule for public hearings, deliberations, etc. Bud Schindler suggested that staff provide the timeline to the Planning Commission when staff had it ready.

E. PRESENTATION OF STAFF REPORT ON 2005 COMPREHENSIVE PLAN AMENDMENTS

The Staff Report and SEPA Review document was handed out to the Planning Commissioners at the meeting. Josh Peters reviewed the sections of the report.

Josh Peters stated that there was a discrepancy in the water service area mapping provided by the applicant OPG on one of their applications and the actual water service area. The actual service area was much smaller. He stated that staff would provide the correct water service area map to the

Planning Commission. He thought the applicant would address the issue at the public hearing.

Josh Peters asked that the Planning Commission ratify the advertisement for the public hearing on August 17. He stated that written public comments would be accepted until August 24. Depending upon how the public hearing went on August 17, the Planning Commission may wish to continue the hearing and extend the comment period. He thought the commission would take the two meetings in September for deliberations and a recommendation to the BOCC.

Josh Peters stated that staff did not expect at this time, given the lack of public inquiry on the Comp Plan amendments, that there would be a lot of public comments on the amendments at the public hearing. Therefore, staff had invited Tamer Kirac of the Economic Development Council to make a presentation at the August 17 meeting, after the hearing.

The commissioners agreed by consensus to hold the public hearing on August 17 as recommended and advertised by staff.

Bud Schindler suggested that the commissioners review the EDC Strategic Plan before the August 17 presentation by Tamer Kirac.

F. ADJOURNMENT

Jim Hagen asked about the possibility of holding an additional meeting on August 31. Josh Peters stated that the purpose would be to begin deliberations on the Comp Plan amendment docket. He stated that the Omnibus was holding until the staff report could be prepared. He thought the Omnibus public hearing could be held in September or October.

The commissioners agreed by consensus to schedule a special meeting on August 31 at whatever venue staff could find. The purpose would be to deliberate on the Comp Plan amendment docket or to continue the public hearing, if necessary.

The meeting was adjourned at 9:25 p.m.

G. APPROVAL OF MINUTES

These minutes were approved this _____ day of August, 2005.

Jim Hagen, Chair

Cheryl Halvorson, Secretary