

JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR OCTOBER 4, 2006

- A. OPENING BUSINESS
- B. COMPREHENSIVE HOUSING NEEDS ASSESSMENT AND ACTION PLAN
- C. UPDATE ON CRITICAL AREAS ORDINANCE REVISION AND POSSIBLE REQUEST FOR EXTENSION OF TIMELINE
- D. 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 Edel Sokol, Bud Schindler, Mike Whittaker, Bill Miller, Henry Werch, and JD Gallant. Peter Downey and Dennis Schultz were excused.

DCD staff present were Brent Butler, Rachel McHugh, consultant Tom Beckwith, and Cheryl Halvorson, secretary.

There were four members of the public present. One - County Commissioner Phil Johnson - signed the guest list.

The minutes for September 6, 2006, were approved as submitted.

The Chair invited staff updates.

Brent Butler reported that the county had received a resolution from the Kitsap Consolidated Housing Authority which would formalize their ability to operate in this county with the Jefferson County Housing Authority. They had been involved in doing sweat equity housing for low income families. He reported that the resolution had been adopted by the City on October 2. It would be going to the BOCC for adoption as well.

Brent Butler reported on his training in flood damage prevention. He noted that the county had recently passed a Flood Damage Ordinance. It related to our flood rating system. He described the public outreach that was being planned.

Rachel McHugh reported on the status of the No Shooting issue. A draft ordinance and legal notice would be going to the BOCC for their approval and a public hearing on the issue.

Rachel McHugh reported on the completion of the Comp Plan amendment cycle, noting that the county had received a letter from the Statesman Group that effectively put the Brinnon MPR proposal off to 2007.

Rachel McHugh reported on the Shoreline Charrette Primer to be held October 12 through October 14. She handed out a more detailed schedule. The Planning Commission was invited to participate. She stated that the charrette had been changed to a primer for another charrette to be held in February, 2007. Brent Butler stated that the keynote speaker at the opening night event would be a University of Washington professor who was a member of the National Academy of Sciences who had done extensive work on deep sea beds, stating that it should be a very interesting discussion.

Jim Hagen asked if the Statesman Comp Plan amendment would be a continuance or if it would have to be a new application in 2007. Brent Butler stated that it would be a continuance of this year's application. He described the EIS alternatives that would be included in the analysis. Bud Schindler asked if there would be a press release on the continuance. Mr. Butler replied that there would be. Mr. Schindler stated that the information would be helpful to the public in Brinnon.

The Chair invited committee reports.

Concerning the draft No Shooting ordinance, Mike Whittaker asked how it differed from what the committee had recommended. Rachel McHugh replied that some of the ordinance was the same but there were some differences too. She stated that there was a web page on the issue containing the current draft ordinance, the Planning Commission's suggested ordinance, the Planning Commission's report to the BOCC, and the staff report.

Brent Butler reported on the first public outreach effort to county residents on the flood damage issue. Bud Schindler suggested that when staff was ready to do a South County outreach, he could facilitate getting the word out through email contacts. Edel Sokol asked if there were flood maps available on the county web site. Mr. Butler explained the mapping program.

Bill Miller reported on the first UGA Committee meeting. He reported on the issues the committee needed information on which staff was working on for the next meeting (on October 11). The commissioners and staff discussed public outreach to get more public representation at the committee meetings. It was suggested that certain interested citizens be contacted in person.

Concerning the Shoreline Master Program planning, Bud Schindler stated that he had attended the last Shoreline Policy Advisory Committee meeting. He stated that he was surprised to find the overlap between the SMP and the Critical Areas Ordinance. He thought there was the possibility that it could make things very complicated and difficult to administer. His concerns were the channel migration zones and salt water wetlands in particular. He thought it looked suspiciously complex and would bewilder the public in the future. Edel Sokol asked where this came from. Rachel McHugh replied that it came from the state Shoreline Management Act required update. She thought it [the concern] would come up during the charrette and it was something that staff was considering.

B. COMPREHENSIVE HOUSING NEEDS ASSESSMENT AND ACTION PLAN

Brent Butler provided a brief history of the Housing Needs Assessment process. He introduced Tom Beckwith, the consultant who led the study and action plan work. He also introduced Kathy McKenna and County Commissioner David Sullivan, who were on the Housing Advisory Board.

Tom Beckwith provided information on the findings of the housing study. He stated that the statistics probably validated what most of the assumptions were about housing trends. He stated that housing costs were getting higher. Up to 80% of households in this county probably could not afford to buy or rent in the current marketplace. That was not unusual nationwide. He explained that the housing issue was an economic issue as well as a social issue.

Tom Beckwith described the process they followed in developing the Action Plan. From that process, they developed forty-two [42] action items. The most important was to have a coordinating group working within the City and County governments to manage the system so that it produced what we needed to have produced. The Action Plan called this group the Housing Action Plan Network [HAPN].

Tom Beckwith stated that another important issue was to involve the public, particularly since much of the funding would come from the public sector. He described some of the concerns the public expressed in a survey they performed. One indication of the survey was that 68% of the people who

responded were willing to pay a significant amount of money towards the housing issue (\$60.00 or more per year).

In answer to Jim Hagen's question, Tom Beckwith described the statistical basis of the study.

Bud Schindler asked about the budgeting requirements to implement the Action Plan. Tom Beckwith replied that they laid out a 6-year program to at least begin implementing each of the 42 action items. The first couple of years would involve government staff working on organization, regulations, etc. At around year three or four, the implementation of the projects would begin. That was when the budgeting and the larger money issues would come up.

Bud Schindler asked if there were other jurisdictions in the state doing similar things on housing that we could learn from. Tom Beckwith responded that the narrative section of the Assessment described activities in other jurisdictions. He stated that no other jurisdiction was a perfect example to follow for this county. He thought the plan was unique to this county, but a lot of the tools described were used by many other jurisdictions.

Brent Butler explained the amount of time he had devoted to this project this year, about seven percent (7%). He explained that there were ways to get staff work done, through VISTA volunteers for example, without having to hire county staff. Tom Beckwith stated that there were ways for the private sector to contribute as well and explained how that might work.

Henry Werch stated that he saw a close correlation between the issue of affordable housing and the challenges facing the county's future in terms of economic development. He was pleased that a well researched and thought-out Action Plan was put into place. He hoped that, within the endorsement process, we also endorse and encourage real active, aggressive participation in the Action Plan. He thought a critically important component depended on economic development that broadened the tax base and depended on a labor force that could afford to live here. He thought the only way we could achieve that was to enact an affordable housing plan.

Edel Sokol asked about the survey. Tom Beckwith described how they conducted the survey.

But Schindler asked, once the plan was endorsed, how we could get the group started. Tom Beckwith thought it should include almost all of the members of the existing group and should add others as well. It needed to be empowered by the City and County elected officials. He stated that just to adopt the plan was not good enough; you needed to adopt the plan and empower that group at the same time.

Bill Miller asked for clarification about the size of the problem. He asked about the statistic that as much as 80% of the population could not afford housing in the county. Tom Beckwith responded that they could not afford the median priced apartment or the median priced house. Mr. Miller asked for clarification on the disparity between the median income of the county and the poverty level. Mr. Beckwith stated that, if someone moved into the county now and wanted to buy the median priced house or rent the median priced apartment, 80% of the population could not do that in today's economic environment. Mr. Miller summarized that if you were not making \$80,000, you could not be a player in the housing market. Mr. Beckwith responded that the average median income in the county was \$40,000 to \$50,000. Mr. Miller

commented that was a significant disparity. Mr. Beckwith explained that was market-wide statistics. They looked at those we would consider affordable, meaning people who were in poverty status or very low income or had already over-extended their household budget over 35%. That segment was about 20%. But in an economic sense, if you were seemingly well off and still could not afford the housing, that represented that second statistic that 80% of the people could not afford the housing costs in this community. He explained that they used the Federal housing standards, which said that 30% of your income was affordable for housing. That did not include utilities or transportation, which made it even higher. He stated that they had found that some households were paying as much as 40% to 50% of their incomes for housing costs. So it was not an unusual statistic to say that 80% could not play in the market. He stated that one issue affecting the Fed right now was that, if they raised the interest rate and because there were so many adjustable rate mortgages, they might bust the housing market; inflation was not the biggest concern.

JD Gallant commented that the emphasis seemed to be on buying versus renting. He stated that he could provide examples of young people at about the poverty level who were buying or renting with an option to buy. He wondered if they had considered a real program of education. He asked about the emphasis on buying over renting. It seemed to him that in the future there would be an emphasis on renting. Tom Beckwith responded that they emphasized creating the product. A lot of those products could be either bought or rented. They used four prototypes of different areas of the county in terms of products that could be created in those areas. He stated that the issue was not whether they would be rented or bought; the issue was whether they were affordable for the targeted income level. Mr. Beckwith stated that he liked the question about education. He described the Santa Fe, New Mexico, program and described the education they required before someone could buy a home. They also used sweat equity programs or purchasing pre-packaged plans. The point was that they were using a lot of tools. He stated that a lot of the action items were modeled after that program, and there was a lot of education included in that, and a lot of it was privately funded.

Edel Sokol discussed a Seattle program where a development's "affordable" houses had to resemble the other \$800,000 houses in the development, so that one could not distinguish between the "affordable" house and the expensive houses. She questioned how that was possible. Tom Beckwith responded that was nonsense. He stated that one program model required that a certain percentage of houses in a development had to be affordable. But typically that meant they would be smaller and less furnished; it was cheaper cost housing. It was ridiculous to expect it to be like expensive housing. He described an apartment development in Belltown in Seattle where the 500 square foot apartments were going for high prices. He stated that was not affordable housing, but they had huge waiting lists because there was a market.

Jim Hagen asked if the Assessment got into conducting a land analysis where some of these innovative projects might occur considering some of our density constraints and the trend of people being in favor of affordable housing, but not necessarily next to where they lived. He stated that the point he was getting to was that the county was faced with compliance matters regarding the UGA. One of the things that had come up was a land analysis requirement to see if it matched up with the boundaries of the UGA. It seemed to be beyond our local level; it was going into state regulations. He thought it may potentially result in a smaller UGA, which currently was the most likely

place for affordable housing. He thought that it seemed that one defeated the other because you needed greater density for some of the affordable housing models. He asked if the state was being lobbied at any level to amend the GMA to at least amend the requirement for a sewer system in a UGA, perhaps allowing community septic systems instead. Tom Beckwith responded that the plan illustrated four prototypes which were based on real sites. They were in Quilcene, Port Hadlock, uptown Port Townsend, and on the waterfront in Port Townsend. He stated that each of those areas had different issues about development and how you would do it, but they were all in what we called moderate to high density residential areas. The issue in Quilcene was sewer. The proposal was for a package system and clustering the units. The one in Port Hadlock also had problems with sewer. At the density that would be allowed, it would eventually be a very compact community. But in the first phase you would probably use a package treatment facility and use a good share of that property as your drainfield until such time as public sewer was available. The issue in uptown Port Townsend was how to infill but still preserve the historic stock and provide another choice or variety in housing, which might be a house over a garage or a duplex. The issue in the downtown area was how to use the lower floor as a retail area and building housing in the upper floors while still keeping within the height restrictions. He stated that the prototypes, while they had issues to resolve, showed that they could be done within the current rules.

Jim Hagen stated that he was surprised at the \$80,000 figure. Since it was a 6-year program, he wondered what that figure would be in six years. He was concerned about gentrification of the area. He agreed with Mr. Werch that economic development was a key to making housing affordable. He thought that innovative programs and public support could only go so far. He thought that, ultimately, people needed to be able to afford housing. He stated that he did not see an emphasis on economic development in the near term actions. Tom Beckwith responded that the plan did contain a task that we needed to aggressively carry out an economic development program. Brent Butler stated that Diversified Resources reviewed the draft and it was amended to include specific action items under Economic Development. They recognized that it was a very important component.

Tom Beckwith addressed the gentrification concern. The problem was that it could be affordable when it was built, but the price would rise as an area became popular. The problem was how to keep it affordable. One of the examples in the plan was that the land would be held by the Land Trust and essentially leased to the house owner. Part of the entry into the project and being able to write off the land cost, you would agree to participate in a formula on what your equity could rise by, so when you re-sold it, it remained affordable. By having the land leased, it kept the ultimate price in the years ahead within the affordable range.

Edel Sokol stated that an example was the blue apartments in Port Townsend that were built as affordable housing under a federal program that were now being sold as condos.

Henry Werch stated that an issue in this county was our aging population. That meant there would be many people, as they got older, who would want to downsize their homes, leaving their larger family homes for smaller accommodations. They would not be able to find a house to accommodate them. As a result, some communities had seen an exodus from the community of the older residents who could not afford to stay in the community, never mind the people who wanted to move into the community. So the problem became

multiplied. He stated that we wanted to keep the people who were here already as well as attracting new residents to fill the jobs and attract the businesses with the lure that their employees would be able to find a place to live.

Tom Beckwith stated that it was very common that the most affordable housing was your existing stock. You could not afford to lose your existing stock. You could not afford to allow it to deteriorate. And you could not be in a position where you trapped people in their houses because they could not afford to leave or fix it up. He stated that the plan discussed ways to rehabilitate our aging housing stock. One way was to provide a loan which did not have to be repaid until the house was sold. It was similar to a reverse mortgage. When it was re-sold, it would be recycled into an affordable purchase. That was critical. If we did not preserve that stock, the deficit would just get worse.

Edel Sokol stated that something that bothered her was an expectation that the state expected each child to have a bedroom or three bedrooms for four children. She described family living conditions in Europe for refugees. She thought the expectation should be that you did not need to have three bedrooms for four children. She questioned why the state regulated something like that. Tom Beckwith explained that the standards were not absolute, depending on what you were trying to do.

Bud Schindler moved that the Planning Commission endorse the 2006 Housing Needs Assessment and Action Plan and that the commission further endorse the continuation of the Housing Needs Assessment Advisory Group. JD Gallant seconded the motion.

Henry Werch stated that he hoped that it was inherent in the motion that it was the commission's strongest recommendation that the Action Plan be, in fact, put into place so that we could get the desired result. Bud Schindler stated that the desired result would be to have housing costs that were suitable for the incomes of the people who lived here or who moved here. Mr. Werch stated that, as difficult as it was, it seemed more realistic than trying to double the incomes of the people who lived here.

Jim Hagen stated that you could not control the market. There was only so much we could do. He stated that the motion was to endorse the plan. He thought the commissioners were getting into philosophical discussions that should be entrusted to the HAPN committee.

Kathy McKenna stated that it had been an exciting eight months. She thought the end result was that they all understood the needs and wanted to work on ways to address those needs. She stated that one of the things Mr. Beckwith had talked about was partnerships. She stated that they had a spreadsheet containing many contacts and a network that would be necessary to make this happen. She stated that they had some ideas and they were excited about moving forward.

Henry Werch asked if the motion included an endorsement of the draft letter that was provided to the commissioners. Bud Schindler responded that he would prefer to make that a separate motion. Jim Hagen thought that by endorsing the plan, the commission would be endorsing the letter as well. He did not know that a separate motion was necessary.

The motion carried unanimously (7-0-0).

C. UPDATE ON CRITICAL AREAS ORDINANCE REVISION AND POSSIBLE REQUEST FOR EXTENSION OF TIMELINE

Jim Hagen thought the second part of the agenda item (a request for extension of the timeline) should be discussed first. He stated that the Planning Commission last met on September 6, just after the Island County Hearings Board decision of August 30. He stated that the Hearings Board indicated that the Island County ordinance could be a model for other jurisdictions. He stated that he had sent a letter to the BOCC on behalf of the Critical Areas Committee asking for an extension of time. He described the work of the Critical Areas Committee and Advisory Group to date and the expertise on the committee. The group had agreed that there was a real need for more time. He stated that the mandate for their work really came from the public input during the public process. He stated that the County Administrator had indicated that he would put the committee's request for an extension on the BOCC agenda for October 9. Rachel McHugh suggested that the full Planning Commission formalize and endorse that request since the Critical Areas Committee and Advisory Group was a committee of the full Planning Commission.

Jim Hagen stated that the committee had spent some time discussing philosophical issues and that they had taken a lot of time on the agriculture issue so far. He stated that the committee had formalized a work plan and set up small groups for core issues. Rachel McHugh summarized the small groups the committee formed, each taking a particular subject. Mr. Hagen provided information on how the committee had modified the list of small groups.

Jim Hagen commented that he thought an endorsement by the full Planning Commission for an extension request was appropriate.

Edel Sokol asked about the reason for the need to hurry. Bud Schindler replied that it had to do with the Washington Environmental Council [WEC] Second Settlement Agreement deadline. Mr. Schindler offered the opinion that what would come from the committee's work would be a model for other efforts in the future. He thought it would be valuable experience.

Jim Hagen discussed the PhD scientists on the committee, stating that a third local PhD scientist had been contacted about participating. He thought it would present a rather remarkable situation to have three PhDs on the committee to provide some pretty extraordinary resources. He stated that one thing we had heard from the people was that they were, or wanted to be, good stewards of the land and would support regulations that were shown to be needed. Mr. Hagen stated that WAC 365-195-905 indicated that they preferred a study conducted by a scientific expert or a team of qualified scientific experts. While it was recommended that they rely on criteria from state agencies, those criteria were not meant as a substitute for on-the-ground, in-the-field examination of critical areas. Because that was such an ambitious undertaking, it could not be done here, but it was an important aspect of the Island County model.

Henry Werch stated that most of what the committee had addressed so far, other than philosophical discussions and agriculture, was what we had heard from the public. A main concern was that there was a lack of confidence in the existing exemption and that the exemption needed to be strengthened. Also, they wanted to make sure that new agriculture uses were included as well, because the committee thought that new ag uses were important to

economic growth and the vision that most of the committee had. He stated that the committee had spent a lot of time on that. Mr. Werch stated that they really liked what Island County had done but they recognized that we really did not have much from Island County beyond agriculture. While some may disagree, there was dissatisfaction with the draft ordinance that DCD presented, the dissatisfaction was more with form than it was with substance insofar as the committee had not reviewed the entire draft ordinance category by category to determine what may be valuable and what may not be. The committee had been clear that the way in which the Island County ordinance was drafted was much more user friendly than ours. Jim Hagen disagreed, stating the opinion that it had been quite clear that the fairly overwhelming voice had expressed concerns with the substance of the ordinance. Mr. Werch did not agree with that assessment. He thought that clearly there was a unanimous voice that every section of the draft ordinance needed to be reconsidered by the committee to determine what was acceptable and what was not, with suggestions regarding how it might be more user friendly. Mr. Hagen thought that it could be agreed that, in order to do that, we needed more time to conduct a thorough examination. Mr. Werch stated that during discussions on the timeline, while some wished to go into the second quarter of 2007, the committee had agreed to extend through April.

Brent Butler stated that one assumption was that WEC would agree to an extension. Jim Hagen responded that it was simply a request without any assumptions. Henry Werch stated that the committee believed that WEC would be impressed with the quality of the process that was being undertaken and that would provide them with reason. He thought there was a strong sense within the committee to not change the game plan; that the committee should do everything it can to support the process we were in because the committee felt it was really valuable, whether or not WEC agreed to an extension.

The commissioners and staff discussed the extension timeline. It was noted that the committee was asking for an extension to April 1, 2007, for the committee's work. Then the public process before the full Planning Commission would occur after that, taking another sixty to ninety days. Therefore, the extension request to WEC should include a timeline incorporating the full process, which would go into next summer.

Brent Butler suggested that the Planning Commission provide a work plan with target dates for discrete segments of the ordinance as a good faith gesture. Jim Hagen stated that the committee had developed a general work plan. Mr. Butler stated that the work plan developed for the UGA compliance was accepted by the Hearings Board. He thought it would show good faith in negotiations with WEC. Mr. Hagen and Henry Werch were not sure that the committee could provide deliverable dates for specific items, although they had meeting dates for discussions on each issue.

The Chair invited public comments.

David Sullivan stated that he liked the idea of a work plan. He wondered if there were resources to help that happen. He stated that he had been involved in such groups before and there had been a lot of pressure to cover a very broad topic in a short period of time, so it was similar to what the committee was experiencing. He thought it might be good to involve WEC on the committee and to make sure that the committee broadly represented the whole community. He discussed the implications of the Hearings Board involvement. He stated that the GMA required the use of "best available science", which may include new knowledge that may be available. We had to

consult with DOE and CTED if we wanted to vary from their guidelines. Mr. Sullivan stated that at the end of this process we would adopt a new critical areas ordinance, which would be appeal able to the Hearings Board. He stated that we would like to avoid that if possible. He thought it may be necessary to adopt an interim ordinance that would incorporate some of the more protective aspects of the DOE guidance while we were working on the final critical areas ordinance. He stated that it did not sound like anyone had talked to anyone from WEC. Edel Sokol responded that they were invited.

Henry Werch stated that the issue with an interim ordinance was that we would spend as much time reviewing an interim ordinance as it would take to do a permanent ordinance. He did not think there would be support from the committee for that approach. Mr. Werch stated that Dr. Brooks had made it clear that we could talk about science forever and scientists did not agree. He stated that the body of science was not different; what differed was the interpretation. He reported that Dr. Brooks' point was that discussions over science could go on forever, but the decisions to determine what the setbacks or buffers would be were political decisions that were based upon community decisions of weighing economic factors. He stated that you could never get agreement on what the right science was. Mr. Werch thought that anything that could come back from the BOCC or DCD that let the committee know what their boundaries were would be very helpful.

Jim Hagen stated that he thought the Planning Commission's charge was to make an independent recommendation after a reasoned and logical examination. Henry Werch thought there was a very strong consensus that the voluntary plans done through the Conservation District was based on some interpretation of science that worked very well. He thought there was a minority of environmental interests on the committee that would say they only addressed certain aspects of the environment and they did not go far enough. He stated that those voices would be raised but he did not know what the outcome would be. He thought there was also a sense within the committee that you did not necessarily give the same level of individual choice to everyone in the community. For instance, residential uses may not have the same responsible commitment to the land and environment that the existing agricultural uses did. He stated that what the committee had not addressed was how to deal with those segments of the community who maybe did not have the same commitment and were not involved in the same structures to ensure a commitment to good practices.

Edel Sokol stated that another issue that should be kept in mind was affordable housing. She stated that the more land you took out of production, the less land you had for affordable housing. Henry Werch stated that there seemed to be a strong community commitment to local agriculture, to sourcing locally, and to buying locally. Ms. Sokol stated that you could not leave the human element out. Mr. Werch stated that his sense was that, if the other ordinances did not allow agriculture to happen, we would "shoot ourselves in the foot". That was a matter of balance, but those balances were political decisions and not science.

Henry Werch moved that the Planning Commission endorse the request by the Critical Areas Committee to have the committee extend its work through April 1, 2007. Mike Whittaker seconded the motion.

Bud Schindler suggested an amendment that it should be recognized that it was work only by the committee and not the requirements of LRP after the committee completed its work on April 1. It was suggested that the Planning

Commission take a second motion to address the additional work that would come after the committee finished. Mr. Schindler withdrew his suggested amendment.

JD Gallant stated that he had no confidence in the group [the Critical Areas Committee and Advisory Group] as it stands. He stated that he had attended the first six meetings and saw very little accomplished. He had heard remarks that there was no pressure to move forward. He stated that he had never seen a committee function that way in his entire experience. He raised issues with parliamentary procedure and law, stating that the Advisory Group members were making motions and the four Planning Commission committee members were voting on those motions. He described how the meetings should proceed. He acknowledged that there was wonderful representation on the Advisory Group and he thought the four Planning Commissioners on the committee were good as well. He saw no reason why the group could not move forward. He raised an issue with the Advisory Group forming subcommittees. Jim Hagen interrupted, stating that he wanted to end the discussion about parliamentary procedure. He stated that the commission had discussed that issue sufficiently. He thought it would be much more helpful to have constructive discussion. Mr. Gallant stated that he just wanted to express himself about why he had no confidence in the committee at this point in time. Henry Werch asked if Mr. Gallant's reservations were that he had no confidence in the committee or that he was uncomfortable with the progress of the committee and the output, because those were two different things. Mr. Gallant agreed that his concern was with the progress of the committee. He thought the committee members and most of the Advisory Group had great talent; his concern was with the process to date.

The motion carried with six in favor and one opposed (6-1-0).

Henry Werch moved that the Planning Commission further acknowledge that the request from the committee to have its life extended to April 1, 2007, be understood as not requiring that all of the work to prepare a draft ordinance will be completed by that date but that the Planning Commission as a whole committed its support to working with staff to continue whatever was necessary to fulfill the goal of reaching consensus on a draft ordinance. Edel Sokol seconded the motion.

It was summarized that the intent of the motion was that it was recognizing that the April 1, 2007, date did not represent completion of the full process. That date represented completion by the committee and the Planning Commission was committed to following up with the necessary public process leading to adoption of an ordinance.

Edel Sokol asked if there was consensus on the agriculture issue. Jim Hagen stated that the committee had asked for a white paper to be prepared memorializing the consensus that had been reached. Henry Werch stated that he believed staff could provide a draft at this point, but the committee had not specifically requested it. Rachel McHugh expressed confusion about what the committee expected of staff concerning the agriculture issue, whether they were only addressing the critical areas section or whether they wanted to address other portions of the JCC that addressed agriculture as well. Mr. Werch stated that the committee thought reviewing other sections of the code was pertinent. He stated that if the BOCC and DCD came back to the committee and said it should only look at the critical areas section, then the committee could respond to that. Ms. McHugh acknowledged that no such instruction had been given to the committee. Mr. Werch stated that the

committee liked the way the Island County ordinance was constructed; it read well. Ms. McHugh stated that her recollection of what was discussed was that the Island County committee made a report on some of their work. That was what had been discussed that staff could bring forward; staff could use the Island County report as a basis for a similar report from the Critical Areas Committee on the agriculture issue. Mr. Werch thought there was enough in the committee notes and tapes so that staff could actually prepare a line-in, line-out draft for agriculture.

Jim Hagen brought the discussion back to the motion.

Edel Sokol stated that her question was not answered. She asked if it was possible for staff to prepare a line-in, line-out draft for agriculture in order to show something to the public and WEC. Rachel McHugh replied that it depended on whether you wanted it for the entire code or just for the critical areas section. Edel Sokol replied that it would be just for the critical areas section dealing with agriculture. Ms. McHugh stated that the agriculture issue was not in the critical areas section; it was in a separate section of the JCC. Jim Hagen stated that you could not change one without changing the other. Ms. Sokol asked about the best way to proceed, whether it was better to wait until April to do all the line-in, line-out or whether it was better to do it as we went along. Ms. McHugh stated that her opinion was that we could certainly work on things. She thought the suggested white paper was a way to reflect some of the committee's thoughts. She stated that a working document was one thing, but to put out a working document as an actual draft was completely different. She related how the committee had proceeded prior to the Island County decision and how they had changed their conclusions after it came out. She stated that would create a different type of working draft. Ms. Sokol thought that the committee was not yet ready for line-in, line-out language. Ms. McHugh stated that, certainly, as a working document, staff could prepare something, but she did not think we were ready for final language.

Brent Butler stated a concern that we should not wait too long in drafting line-in, line-out language because we would not want to lose the reasoning for such language, as happened with the Omnibus. He suggested that the drafting be done by increments in order to keep the reasoning for the changes intact.

Bud Schindler suggested using an outline and as time went on the outline could mature as issues were addressed and resolved. The elements within that outline could be filled in over time. He stated that he had suggested something like a "straw horse" coming out of each of these efforts. Those could be used to fill in the empty spots within the outline. Then when you saw everything coming into place, staff could start the line-in, line-out drafting.

Henry Werch and Jim Hagen debated different facilitation styles, peoples' perceptions, and personal biases and their effect on the committee's work. Edel Sokol stated that this whole thing started with mistrust by the people. She thought that, if the last six weeks had been used to overcome that mistrust, then it was a good investment. She thought a good faith effort would result in a draft that everyone (the public, the BOCC, the Planning Commission, and WEC) could review.

Bill Miller stated that, group dynamics notwithstanding, he liked what he heard earlier when it was said that we had sections of the critical areas

ordinance - agriculture, channel migration zones, fish and wildlife, wetland buffers, etc. He suggested that they be headings in the critical areas ordinance draft provided to the committee and filled out incrementally as you went along. Then it would provide a target and you could set goals. That would show diligence in the work. He thought some could be done quicker than others. He thought people on the committee would jump on the issues they were interested in. He thought the committee was on its way. Jim Hagen discussed the way the committee had functioned so far and the things they had discussed and agreed upon for their future process. He stated that they had committed to accomplishing certain tasks in certain time periods.

Rachel McHugh stated that staff was trying to keep up with the committee and would support the committee in whatever way they could.

Bud Schindler discussed the concept of process checks, including the idea of discussing using a facilitator.

The motion carried with six in favor, none opposed, and one abstention (6-0-1).

Henry Werch moved that the Planning Commission also recognize that the structure of addressing specially designated issues which could be found within the minutes of the committee be codified and used and provided as evidence that the work of the committee was targeted and committed to carrying out the responsibility it had been charged with. Edel Sokol seconded the motion.

Henry Werch summarized that the motion really meant that we would formally provide to WEC a structured outline demonstrating that the committee was committed to addressing all of the issues within a particular period of time. Jim Hagen stated that the committee almost had it done now. It really meant a work plan. Some commissioners thought the earlier motions addressed this issue. Mr. Werch withdrew his motion in order to make a more simple motion.

Henry Werch moved that the Planning Commission request that the committee submit a work plan demonstrating that the committee will cover all of the items required to meet the requirements of the critical areas ordinance. Bill Miller seconded the motion.

Bill Miller stated that the point was to have something to go to negotiation with WEC. Jim Hagen stated that he thought he had most of a work plan already. Rachel McHugh thought the first motion addressed this issue.

Staff and the commissioners discussed when a final draft line-in, line-out draft would be ready and whether the committee would need to meet again to review it after it was ready. Rachel McHugh stated that staff hoped to have a new draft ordinance by the end of April.

Edel Sokol asked if the full Planning Commission could have reports, white papers, or drafts from the committee as the committee work progressed. Jim Hagen thought this process was very similar to the Comp Plan draft, or the UGA process, or the UDC process. He stated that, assuming an extension was granted, the Planning Commission occasionally, at various intervals, could allot an agenda topic to the committee's progress.

The motion failed with two in favor and five opposed (2-5-0). It was reasoned that the motion was redundant because it was included in the first motion.

D. ADJOURNMENT

Mike Whittaker asked if the mining issue was on the county's agenda because it was not passed with the Omnibus. David Sullivan thought it was on the schedule for 2007. Jim Hagen asked about the rationale for leaving it out. Commissioner Sullivan stated that the noise issue was the main concern. The BOCC thought it was better to set it aside in order to pass something that, hopefully, would not be challenged and it was not.

The next meeting would be for the hearing on the Holland Port Ludlow MPR JCC amendment. No other agenda topics were suggested.

County Commissioner Phil Johnson thanked the Planning Commission for a lively meeting. He liked the idea of pursuing Dr. Fred Weinman for participation on the Critical Areas Committee.

The meeting was adjourned at 9:33 p.m.

E. APPROVAL OF MINUTES

These minutes were approved this _____ day of October, 2006.

Jim Hagen, Chair

Cheryl Halvorson, Secretary