



**JEFFERSON COUNTY
PLANNING COMMISSION**

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JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR MARCH 21, 2007

- A. OPENING BUSINESS**
- B. UGA DELIBERATIONS**
- C. PLANNING COMMISSION BY-LAW REVIEW**
- D. DISCUSSION &/OR DISCLOSURE OF EX PARTE COMMUNICATIONS**
- E. ADJOURNMENT**

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 6:30 pm by Chair Bud Schindler. Planning Commission members present were Edel Sokol, JD Gallant, Mike Whittaker, Peter Downey, Henry Werch, Bill Miller and new Planning Commissioner Ashley Bullitt. New Commissioner Patricia Farmer arrived at approximately 7:30 pm.

DCD staff present were Al Scalf, Brent Butler and Jeanie Orr, secretary.

Members of the public who signed the guest list were Terri Jeffreys, James Fritz, Nadine Hild, Richard Hild, Dennis Schultz, James Tracy, John Richmond, Clark Crandall, Victoria Crandall, Jim Hagen, Mike Belinski, Joe D'Amico, David Sullivan, Rich Holtman, John McDuff, Norm McLeod, Bill Wheeler, John Geiser, Teren McLeod, Douglas Joyce and Frank Hoffman.

Brent Butler asked the Chair if the National Anthem could be performed and the commissioners, staff and the public stood and sang to a recorded version.

Staff updates:

Al Scalf updated the commissioners that Joel Peterson and Karen Barrows will be joining the LRP group as new planners starting on April 2nd.

Staff finished the draft Shoreline Management Plan "On the Road" program on March 15. The support of the planning commissioners, technical and policy committees were appreciated.

Brent Butler updated the commissioners on the second meeting of the HAPN (Housing Action Plan Network) which met on March 15. He stated there will also be a televised session on April 16 at the Pope Marine Park building starting at 3:00 pm. The meeting will include an invitation to all of the specific housing providers operating within the county to come and speak regarding issues of housing affordability and availability. He stated that the Washington Center for Real Estate Studies had indicated that Jefferson County has the second least affordable housing of all 39 counties in the State of Washington.

Brent Butler updated the commissioners on the (ILB) Industrial Land Bank issue. The issue will consider the needs within Jefferson County for existing businesses in terms of expansion and space. If this proceeds, there is the potential for a SEPA analysis including an EIS. He stated one of the 2007 suggested CPA is the ILB issue.

Committee reports:

Henry Werch reported that the CA committee is working rapidly with the given timeline extension. Mr. Werch moved that the PC acknowledge the substantial commitment and contribution of former PC members Jim Hagen and Dennis Schultz. He asked to have them be certified members of the CA citizen's advisory group. Peter Downey seconded the motion. JD Gallant asked for clarification that Jim Hagen and Dennis Schultz would serve on the citizen's advisory group only. Motion passed with seven in favor and one abstention (7-0-1).

Bud Schindler reported on the MPR committee. The first meeting is scheduled for March 27th at 7:00 pm at the Brinnon Community Center. Brent Butler commented that a representative from Submarine Base Bangor will be in attendance along with Washington Dept of Fish and Wildlife appraisal personnel and the proponent for the project. Mr. Butler stated he would not be in attendance at the meeting but Al Scalf and Stacie Hoskins from DCD will be in attendance. Al Scalf commented about the process that he and Ms. Hoskins will present at the meeting. At some point the information will be presented to the PC who will then send a final recommendation to the BOCC.

This MPR is a carry over from 2006 as MLA06-87. Brent Butler commented on a phasing plan and what permits will be sought and what will be developed in each phase. He stated there have been changes to the proponents scoping from 1000 units to 890 units. Staff has drafted an invitation letter to the tribes to comment on all (CPA) Comp Plan Amendments as well as some of the court mandated updates such as the CA ordinance. The letter will be sent out at the end of this week.

Bill Miller stated since the PC has been talking about advisory groups, he had heard that an advisory group member was appointed to chair the last CAO committee meeting. Henry Werch responded that Jim Hagen allowed Dr. Kenn Brooks to lead the last meeting because Dr. Brooks presented a video/slide presentation that provided some structure. Dr. Brook's role was only appropriate for the context for that meeting, but he did not chair the meeting.

Al Scalf reported that the BOCC will be in session on March 23 at 3:30 pm in Superior Court to review the public record and proposed draft criteria to amend the Ordinance that establishes No Shooting zones in the county. This is a public meeting and the BOCC will deliberate and possibly make a decision that day.

Al Scalf reported that on the April 4th PC meeting, the 2007 CPA applicants will be invited to introduce their proposals. This will be a joint workshop with the BOCC.

Brent Butler reported that on the May 16th PC meeting agenda there will be a UDC amendment proposal from the Port Ludlow Drainage District. The nature of the amendment from the proponent as it relates to single family and smaller dwelling storm water management issues.

Public comments:

Terri Jeffreys, from the Jefferson County Association of Realtors, commented on the proposed sign code agenda item. She stated that real estate signs are a vital component of the real estate profession. She would like to be informed of changes to the sign code and any proposed language that would protect and/or regulate sign usage. She would like to see a sign code that maintains integrity for all involved.

James Fritz, 271 Crutcher Rd, commented on the importance and protection of rural farming. He commented on realtors building tract housing and if we want to keep Jefferson County rural and beautiful, we need to protect farming and buffer zones.

Dennis Schultz, 250 W Jacob Miller Rd, commented on the sign ordinance. At one time there were no restrictions for the size of political or real estate signs. He stated that on October 5, 2005, a letter from Josh Peters was written to the commissioners regarding signs and stated that somehow the ordinance got changed. He also commented on JD Gallant's email to the PC addressing the role of an advisory subcommittee group. He stated that we are trying to put together an advisory group for the MPR committee. Mr. Gallant's letter states that advisors should be seen but not heard, only speak when spoken to. Mr. Schultz stated that this is a real insult to the people who contribute to a subcommittee like the UGA or CA. They are the heart and soul and a great deal of work has to been done to find citizens to help. He felt we are now trying to discourage all public input for subcommittees. He stated the CAO and the citizens on that committee have put in more time and meaning into their homework than JD Gallant has put in during his time as a Planning Commissioner. Mr. Schultz stated that if this is JD Gallant's attitude, then he questions whether Mr. Gallant is fit to be a Planning Commissioner.

Jim Hagen, 150 Maple Dr, thanked both past and present commissioners and staff with whom he had served during his time on the PC. He commented on the by-law and parliamentary procedures and stated that, if it isn't broke, don't fix it. He stated that, if the PC wanted to adhere to Robert's Rules of Order, it would require a full time professional parliamentarian to advise the commission and open the commission up to legal scrutiny. He felt this could be a political maneuver and would hate see the reputation of PC and all the goodwill to be thrown off when there is no need for it.

Richard Hild, 1571 Cape George Rd, asked what the definition of an Industrial Land Bank is. He also asked how many people live in the Tri Area. He commented on what synthetic estrogens are, and if the international building code allowed this, how it would affect people who ingest it in their drinking water. He was told that Fred Slota from the building department would contact him.

James Tracy, land use attorney for Fred Hill Materials, commented on the concern about using Robert's Rules of Order. He wondered what sections they consider using and also made a suggestion that the PC begin with looking at their own bylaws and what "guided" by means. He also commented about the GMHB and the past and present issues facing

the PC saying they should not be concerned about any Ag exemptions. He asked that the PC assemble and use experts in the community to work with the GMHB.

Rich Holtman, 10473 Rhody Dr, commented on encouraging cottage industry and small business growth in Jefferson County.

Teren McLeod, 241 Sand, agreed with Jim Tracy's comments.

Mike Belinski, commented on the Robert's Rules of Order book and the Open Public Meetings Act.

B. UGA DELIBERATIONS:

Al Scalf opened the UGA deliberations with a GMA history presentation. He showed past and present maps of the urban growth area development along with the issues related to the GMHB. Topics addressed were the provisional growth area in 1999, the 2002 comp plan amendment on the exterior boundary, capital facilities planning, the various appeals of the UGA and their outcomes, including a return to rural standards. He reported on the compliance hearing on March 20 and how he was disturbed by what had happened at the hearing with the petitioner and the HB.

Al Scalf reported that a Public Hearing on the Interim Control Ordinance to return to rural standards is on March 26th at 10:45 am in the BOCC office.

Brent Butler reviewed and read the proposed comp plan change on P 1.6, page 2-23 to read "rezoned" and added 3, 4, and 5". Motion by Bill Miller, seconded by Edel Sokol to approve the change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 2-8 (projected population growth) to read 2004 not 2003 in the figures. Motion by Peter Downey, seconded by Henry Werch to approve the amended change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 2-16 to read "however, any Water System Plan as approved by the Department of Health (DOH) shall not be incorporated into or adopted by reference into the Jefferson County Comprehensive Plan". Motion by Henry Werch, seconded by Peter Downey to approve the amended change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed Table 3-3, page 3-7 and Table 5-1 and recommended that these be tabled until the results of the Industrial Land Bank (ILB) survey are available to the PC in approximately six weeks to be able to determine the size of our population. Motion by Bill Miller, seconded by Edel Sokol to table this until further data is received. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change to the transportation element, goals and policies, page 10-32 to read “the Peninsula Regional Transportation Planning Organization (PRTPO)”. Motion by Henry Werch, seconded by Peter Downey to approve the changes and also the amended changes. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 10-33 relating to TRP 1.10, TRP 1.11 and TRP 1.12. Motion by Peter Downey, seconded by Edel Sokol to approve the changes. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 10-35, TRP 4.6 to read; “I. Frontage improvements and roadway features to meet urban design standards within the Irondale-Port Hadlock UGA.” Motion by Edel Sokol, seconded by Bill Miller to approve the change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 10-36, TRP 4.10 and in 1., the word “below” will be removed from the sentence. Motion by Mike Whittaker, seconded by Bill Miller to approve the amended change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on page 10-41, #2. Motion by Peter Downey, seconded by Edel Sokol to approve the change. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the last proposed comp plan change in the Transportation element, page 10-44, to change the numbering to read 37, 38, 39, 40, 41 and 42. Discussion followed and it was moved by Henry Werch to change 38 to read: "develop and implement a Routing Plan to direct heavy truck and vehicle traffic away from residential neighborhoods". Mr. Werch then withdrew his motion. Motion by Bill Miller to change 38 to read "to develop and implement a Truck Routing Plan", seconded by Edel Sokol. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed comp plan change on the same page 10-44, number 42 to add "Corresponding Goal: TRG 4.0" Motion by Peter Downey, seconded by Bill Miller to approve the amended changes. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed change to the UDC Title 18, Jefferson County Code (JCC), 18.30.020 General development standards (5). Motion by Bill Miller to add in the last sentence “Transportation facilities shall be deemed adequate if necessary improvements are planned and designated funding is secured in the approved Jefferson County Six-Year Transportation Improvement Program”. The motion was seconded by Mike Whittaker. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler stated there are no changes to the UGA (stand alone) Transportation Plan specific to transportation improvements. One change on 2-9 related to a recalculation of trips from 179 per acre to 928 per acre for typical commercial users. Another change is an increase in the average daily trips and trip distribution. It had a sum total of 11, 249 and that has changed to 43, 471. Motion by Henry Werch to accept the revised trip data provided by the County's consultants and all the other wordsmith changes as well. The motion was seconded by Mike Whittaker. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler reviewed and read the proposed UGA (stand alone) Transportation Plan changes on page 2-13, 2-14 and 2-15. Motion by Peter Downey, seconded by Bill Miller to accept all the above changes. Motion carried with eight in favor and one abstention (8-0-1).

Brent Butler stated that all the elements of the above changes are also on the County website.

C. PLANNING COMMISSION BY-LAW REVIEW

JD Gallant stood and addressed the public, the Planning Commission and staff regarding his past work history and working with Robert's Rules of Order and parliamentary law. He stated that it is very critical that there is a separation between the committee and advisory group. He stated that the by-laws are important to the PC and we shall be guided by Robert's Rules of Order. He stated he believes in committees but also believes very strongly in rules.

Motion by JD Gallant that the special rule of September 6, 2006, for suspending any rules about Jim Hagen being Chair of CAO committee does not carry forward to the current presiding officer or future presiding officer. The motion was seconded by Bill Miller.

Peter Downey asked if we need a motion. JD Gallant responded that this needs to be clarified.

There was discussion among the PC regarding the by-laws and the interpretation of Robert's Rules of Order regarding appointment of Chair and Chair of committees. They discussed amending the by-laws. Henry Werch recommended that the issue of Chairs of committees be addressed as an amendment to the by-laws at a future date.

The Chair asked for a vote and the motion carried with five in favor, three opposed, and one abstention (5-3-1).

Chair Bud Schindler moved to make himself a full member of the CAO committee and Mike Whittaker as the other member. Mr. Schindler clarified that this is his appointment. Ediel Sokol asked who would be Chair of the CAO committee. JD Gallant stated that he is adamantly opposed to the Chair appointing himself as Chair of the CAO committee. Henry Werch stated that he is formally informing the PC that he will not be available for

the CAO committee or PC meetings until April 12th. He stated the Chair has the responsibility to appoint a back up. Bud Schindler appointed Edel Sokol as back up. Chair Bud Schindler then appointed himself Chair of the CAO committee. Peter Downey clearly stated that the PC had just taken a vote not to let the Chair appoint himself Chair of the CAO committee.

Mike Whittaker moved to appoint Bud Schindler as Chair of the CAO committee, seconded by Edel Sokol. There was then heated discussion among the commissioners regarding the by-laws and how they read now and talk about possibly amending them. Bill Miller stated he had a motion to present and wanted to move on to the peoples' business. He then asked if he was appointed and the answer was in the affirmative. Mike Whittaker then withdrew his motion.

Motion by Bill Miller to instruct the Critical Area Ordinance (CAO) Committee to produce reports developed during its deliberations, to the Jefferson County Planning Commission on Wednesday, May 2, 2007; while requiring: any report submitted must be signed by at least one (1) member of the Planning Commission assigned to that committee and at least two (2) members of the advisory group who have contributed to that report, with the understanding that on the above date, and not to exceed fifteen (15) minutes, an oral statement regarding a report may be presented by any one of the signatories of that report. The motion was seconded by Peter Downey.

Bill Miller commented that even though he has not been involved in the CAC, he has seen articles in the newspapers and spoken with people. His understanding is there have been a variety of reports being produced. He stated that the PC judges those reports and would like to have the reports come to the PC in order for the PC to find concurrency or disagreement. The PC would start with the reports that are concurrent and work with the code writer and then work on the reports that are in disagreement. That is the job of the Planning Commissioners.

Bud Schindler stated that the CAO committee has obligated itself to the goal of producing the reports to the PC by the May 2 timeframe. Mr. Schindler stated he would like to table this motion and take it to the CAC and get a unanimous agreement to the proposed motion. However, there was no motion to table Mr. Miller's motion.

The Chair asked for a vote and the motion carried with eight in favor and one abstention (8-0-1).

Staff recommended moving the Sign Ordinance revisions to next PC meeting on April 4th.

D. DISCUSSION &/OR DISCLOSURE OF EX PARTE COMMUNICATIONS

Brent Butler discussed ex-parte communications as it relates to the Comp Plan Amendments and the Planning Commission. Bud Schindler stated that one of the members in the community gave the press release to Statesman. It got back to DCD staff

and it looked as if Mr. Schindler had direct contact with the applicant but that was not the case. He stated it looked as if there was the appearance of ex-parte communication and there was not.

Public Comment:

Jim Hagen commented on the Chair and the by-laws issue. He commended Ashley Bullitt for abstaining from voting on any motions. He commented about the unfairness and all points of view not being heard. He stated that all work done in CA committee has been done by a group vote.

Norman McLeod, 241 Sand Rd, commented on the UGA litigation. He reminded the PC that the CAC would have access to a code writer to help make things clear. He commented on JD Gallant's statements, stating that he did not appreciate being talked down to and chastised by a member of the PC.

Jim Tracy, council for Fred Hill Materials, congratulated the PC for their public service and offered his condolences. It is a battle to keep their nose to the grindstone and get things done. He also commented on the Short Course on Planning and development regulations.

Joe D'Amico, Security Services Northwest, commented on rules and protocol. He commented that no one said the Pledge of Allegiance. He commented on Brent Butler playing the National Anthem and felt it was grandstanding. He stated there is no American flag in the room and he felt angry about that. He commented that the new PC should take an oath of office and felt it was important to do so. He commented that no one knows how many grandfathered businesses are in the County.

David Sullivan, County Commissioner, commented that the BOCC will be saying the Pledge of Allegiance every Monday morning. He commented on the UGA litigation, stating that the UGA is the most important issue facing the county in the next couple years. Most important factor is the sewer for our seniors. He stated we will get it done.

E. ADJOURNMENT

The agenda item for the next meeting will be a joint workshop with BOCC inviting the 2007 Comp Plan Amendments applicants to do a short presentation.

The meeting was adjourned at 10:25 p.m.

F. APPROVAL OF MINUTES

These minutes were approved this _____ day of April, 2007.

Bud Schindler, Chair

Jeanie Orr, Secretary

