



JEFFERSON COUNTY

PLANNING COMMISSION

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JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR OCTOBER 24, 2007

- A. OPENING BUSINESS**
- B. DELIBERATIONS ON THE DRAFT CAO ORDINANCE**

A. OPENING BUSINESS

The meeting was called to order at the WSU Community Learning Center at 6:30 p.m. by Chairman, Peter Downey.

ROLL CALL: Peter Downey, Patricia Farmer, Mike Whittaker, JD Gallant, Ashley Bullitt, Henry Werch, and Bill Miller. Excused absences: Bud Schindler, Edel Sokol

DCD staff present: Joel Peterson, and Wendy McCauley, secretary.

There were approximately 10 members of the public present. Those that signed the guest list were: Moe Rogers, Frank Hoffman, Lois Richmond, John Richmond, Dennis Schultz, Jim Hagen, Bill Wheeler and Diane Johnson.

STAFF UPDATES:

Joel Peterson updated the PC on the fact that the Brinnon MPR comment period that closed at 4:30 p.m. today. Karen Barrows is presently taking all the comment letters putting them on a matrix to address the areas of concern.

There was also a public hearing at the BoCC on Monday (10/29) regarding the interim ordinance for the Urban Growth Area (UGA); the urban development standards and rural standards in the context of coming up with a capital facilities plan for the UGA. The BoCC gave their recommendations to see if the PC could come up with some sort of a resolution, do a little bit more studying with the mini-storage issue. The staff will be working on that.

COMMITTEE REPORTS:

Commissioner Gallant gave a report on the by-laws committee. They will have a meeting on 10/26 at DCD at 9:30 to 10:30 to continue discussion to amend the by-laws.

Joel Peterson then stated that the meeting for the by-law committee set for 10/26 was to be cancelled and re-scheduled for 11/2. He hadn't yet talked with Commissioner Gallant after receiving his agenda. Other PC Committee members are unable to attend on 10/26.

Commissioner Miller updated the PC on the Shoreline Policy Committee working through the first draft editing, looking for items of significance, mostly its rewording text that has been provided and that they are partly through Chapter 7.

Commissioner Bullitt brought up an administrative matter which in that the PC receives 100's of emails a week from the staff, mostly passing on community responses on the MPR. She has talked with a number of the members of the commission and she would much prefer, instead of receiving emails, to receive only hard copies. This would free up the staff to do more important things and it would be easier to organize the comments in a different manner than by emails.

Mr. Peterson attempted to address Commissioner Bullitt's concerns, and that hard copies are in the GMA file that staff receives. There are number of binders being prepared where the public comments will be bound. Approximately 300 comment letters are in the binder.

Commissioner Werch inquired as whether the emails match the hard copies the PC receives. Mr. Peterson replied that if they are in their packet, they are good to go. Everyone is given hard copies. They are not scanned and posted. It would take considerable time to scan every document and post it. Commissioner Gallant commented that a long range planning short course he attended addressed this

subject and it was two way versus one way. The legal representative gave instructions and brought up that point. One way of communication was very good but cautioned against using two-way communication at any time.

Commissioner Gallant further indicated that he was categorizing them by those in opposition, or proponents of the MPR and those who question the MPR, strictly not an opponent or proponent. His system revealed 38/41/8. It is a controversial issue, very divisive. It took him three hours to perform this task.

Commissioner Werch requested that this issue be discussed at a later date when there was more time.

B. REVIEW OF DRAFT CAO ORDINANCE

Commissioner Whittaker mentioned an email he received on 10/24 regarding the acoustics of the last PC meeting at the Chimacum High School Auditorium and it was difficult for the public to get the jest of what was going on.

Chair Downey respected the request but asked that due to there being so much to address tonight that when the staff puts together the CAO document that they highlight the findings for clarification of the changes made at the 10/17 meeting. Chair Downey was not prepared to highlight all the changes made last week at the present time, that the staff will have it, and that it is not available at this time.

The PC discussed and edited line by line items by consensus continuing on Page 29 of the pre-hearing draft.

PUBLIC COMMENT:

Jim Tracy addressed the commissioners as follows: Three quick points on the PC's discussion so far. It might be good for everyone on the commission to understand what the function and building setback line is. Most jurisdictions handle building setback lines by not allowing anything that is temporary or portable and also allowing decks within 6" of the ground in building setbacks. Your stream buffer presumption at the top of page 36 is directly opposite to building in Swinomish Tribal case. You might want to take a look at that. He also commented on Commissioner Gallant's question about high water mark.

There was comment about the director having the ability to increase the buffer. But if the buffer itself at the time of the application is made has been cleared or has no vegetation, then it is almost required by that presumption language to increase the buffer. So if you are going to take one out you should take the entire section out as well.

Dennis Schultz commented to the PC regarding the Fish & Wildlife and what the habitat conservation area is. What the purpose of it is. You can't use that as a general protect all wildlife in the area. In extreme buffers on page 36, the PC says 75 to 100 feet depending on physical characteristics. Where do you find the physical characteristics of streams: Who is going to determine what physical characteristics are? What is the default size on that?

Jim Hagen commented on what natural constraints mean. Eric Toews recommended just inserting "critical areas" there but Mr. Hagen believed that it completely changes the intent of that purpose. Natural constraints referred to the natural constraints on development and as an extension a very small amount of developable land for Jefferson County. That should be taken into account in planning decisions. If you insert "critical areas" it completely changes the intent of that purpose. He is troubled by this ecology thing, there seems to be a retreat to a real hard line prescriptive approach. Especially the reference to the land use table and that any rural residential, single family, larger than one acre is buffer use and that really goes against one of the few areas of consensus on critical areas we have had.

John Richmond came to the meeting to represent the two residents of the west end. He thinks that given this pre-draft a quick look, the thing that was really uncomfortable is the 450 foot prescriptive buffer. What you are doing is holding this land hostage. You are expecting the landowner to have to forfeit his income in order to use his land. He doesn't see that it is your right to do this and he is very upset as well as numerous other landowners. The property stewardship is not once a year cleaning up the beaches, its every day. He thinks it is only reasonable to ask to be cut a little slack on what you are proposing upon people that live on the land and take care of the land and know what stewardship is all about. I may be prejudging the possible outcome of the wetlands.

CONTINUATION: REVIEW OF THE CAO ORDINANCE

The PC then continued discussion and editing line by line items by consensus and finished the review of the pre-hearing CAO draft.

D. ADJOURNMENT:

The meeting adjourned at 9:25 p.m.

Peter Downey, Chair

Wendy McCauley, Secretary