



JEFFERSON COUNTY

PLANNING COMMISSION

621 Sheridan Street

Port Townsend, WA 98368

(360) 379-4450

JEFFERSON COUNTY PLANNING COMMISSION

Minutes for January 16, 2008

- A. Opening Business**
- B. Introduction to MLA06-211 proposed by Port Ludlow Drainage District to amend development regulations on storm water standards**
- C. Approval of the Majority Report-CAO**
- D. Approval of Bylaw Amendments-Section 14, adding paragraph 5 and amending paragraph 2**
- E. Email communication from PC members**
- F. Adjournment**

A. Opening Business:

The meeting was called to order at WSU Learning Center at 6:30 p.m. by Vice-Chair Bud Schindler. Planning Commission members present were Bud Schindler, Ashley Bullitt, Henry Werch, Bill Miller, JD Gallant, Edel Sokol and Mike Whittaker. Chair Peter Downey and Patricia Farmer were excused.

DCD staff present were Stacie Hoskins and Karen Barrows. Jim Pearson from Public Works attended as well as Barry Baker and Lee Amundsen who represented the Port Ludlow Drainage District regarding MLA06-211.

Members of the audience who signed the guest list were Norman MacLeod, Jim Hagen, Barry Baker, Barbara Nightingale and Duffy Nightingale.

The minutes for November 14, 2007 were approved as amended.
The minutes for November 28, 2007 were approved as submitted.
The minutes for December 5, 2007 were approved as submitted.
The minutes for December 12, 2007 were tabled until the February 6th meeting.

Staff updates:

Karen Barrows reported on the 2007 CPA cycle. Six of the nine site-specific amendments were approved and some with conditions by the BoCC at their January 14th meeting. MLA07-104 (ILB) was approved for deferral to the 2008 CPA cycle. Approval of the amendments was in concurrence with the PC and staff recommendations. Staff is now in the process of preparing the Ordinances for adoption by the BoCC.

Karen Barrows did an update on the No Shooting Ordinance for Paradise Bay. The committee has reviewed its recommendation and brought it to the BoCC on January 7th. A public hearing is scheduled for February 4th at 10:00 a.m. with the BoCC.

Committee reports:

Commissioner Miller commented that the CAO committee had a final meeting to review of the CAO draft with only a few minor adjustments to make.

Commissioner Miller reported that on January 17 from 1-4 p.m. there is a UGA general sewer system plan meeting at the Fire Hall.

There was general discussion in regards to the Gerald Steel letters and it was explained by Karen Barrows about the CPA cycle and the sixty day open appeal period after the Notice of Adoption is published.

The order of the agenda items were changed to as follows:

B. Introduction to MLA06-211 proposed by Port Ludlow Drainage District to Amend development regulations on storm water standards:

Barry Baker and Lee Amundsen from the Port Ludlow Drainage District (PLDD) did a power point presentation to describe their proposal. They explained that the PLDD was created to address the concerns not addressed by the County. They want to have a say in what's put in because they maintain the system and there are no hard requirements for storm water in the UDC in regards to requirements for single family residential lot development, and they want direct discharge as a primary method.

Commissioner Werch asked if the runoff is nutrient rich and creates significant areas of exposure to any plan that directs it to marine waters. Commissioner Bullitt asked why this is a problem now, and Commissioner Whittaker asked how this came about.

Barry Baker discussed the problems with retention ponds vs. water quality ponds; slow flow; remove sediments; filtration and biological treatment (wetland); culvert and ditch system. He stated that there is no written agreement with PLDD and Jefferson County. The district has met with DCD, Public Works and staff in the past to resolve issues and this is why the PLDD had put in a UDC amendment to try to resolve and codify past discussions. They would like the authority to review and approve. At a minimum, require the County to send a copy of the application and plan to the PLDD for review. This would become a better product with higher water quality, and would help to deal with erosion and runoff.

Jim Pearson from Public Works asked about maintenance.

It was questioned that financial funding was not addressed in the PLDD application and Barry Baker responded that the district would obtain an assessment from property owners based on the percentage of pervious surfaces, and charge a per month fee for storm water.

Karen Barrows, Stacie Hoskins, Jim Pearson, Barry Baker and others will meet to discuss areas of agreement and disagreement, in order to proceed with further review of the process. Stacie Hoskins noted that since this PLDD application was received in 2006, the County process has evolved.

C. Approval of the Majority Report-CAO:

Commissioner Werch questioned the past practice of the PC doing the Majority report and asked if the Chair did it with input. He stated he's uncomfortable approving the draft and thought that Joel Peterson would have the findings of fact with dates included in the Majority report. Commissioner Miller stated he felt the same as Commissioner Werch.

Commissioner Werch stated he has areas of concern as one who was part of the review committee; he thinks that in the absence of an introduction to the proposed CAO he does not think an accurate view and historical perspective are possible. He said the process deserves a higher level of validation, and he was uncomfortable approving it for that reason.

Commissioners Miller and Gallant stated they just received the report and need time to review it.

Further discussion ensued between Commissioners regarding previous CAO committees and the final draft. The CAO itself is ready to go; however, has everything been discussed?

Commissioner Werch strongly felt that the BoCC might adopt the CAO without the documents justifying it as “proper process” questions.

Commissioner Bullitt was excused and left the PC meeting at 8:20 p.m.during the break.

Public Comments:

Norm MacLeod commented that the majority needs appropriate input into the report. He questioned what the bylaws say. He commented that without everyone’s input, the County could be legally liable down the road.

Commissioner Werch responded that he is not reacting to anything that’s been done. He stated he was merely asking for information with no intent to argue the bylaws.

Norm MacLeod continued with the process being followed in the past and maybe the Chair is not aware of this.

Jim Hagen commented on the need to focus on Section 9 of the bylaws. He commented on the Roberts Rules of Order and that there isn’t a parliamentarian here and confusion created by uncertainty of what the rules are. He stated he understands staff is overworked, but the PC minutes are wrong and that they are a public record and he relies on them.

End of Public Comment and Continuation of Agenda items:

Approval of the Majority Report-CAO:

Commissioner Werch stated that the draft Majority report has been submitted to the PC and he proposed a committee be formed to fine tune the report and meet between now and the next scheduled PC meeting. The committee would then report back to the PC and the members to approve the draft report.

Vice Chair Schindler appointed members for this CAO committee including Peter Downey, Henry Werch and Bill Miller. They will meet on January 24, 2008 and report back to the PC on February 6th. The report will then go to the BoCC in the packet on February 12th.

Moved by Commissioner Werch, seconded by Commissioner Miller to have the Chair form a PC committee to review the Majority report on the CAO, and that the majority share the report with the rest of the PC so they can review both the Majority and Minority reports at the next scheduled meeting. Motion was approved unanimously with six in favor. (6-0-0)

D. Approval of Bylaw Amendments-Section 14, adding paragraph 5 and Amending paragraph 2:

Moved by Commissioner Werch, seconded by Commissioner Miller that Section 14 paragraph 2, should begin with the following “In quasi-judicial actions”... (No change to the rest of the paragraph).

Commissioner Werch proposed a friendly amendment, seconded by Commissioner Miller to strike the last sentence in paragraph 3.

Motion was approved with five in favor and one opposed. (5-1-0)

The first motion from Commissioner Werch and seconded by Commissioner Miller was approved unanimously. (6-0-0)

E. Email Communication from PC Members:

There was discussion amongst the members about communication using email. Several points emerged during the discussion.

- Whether or not the chair should be approve PC communications first
- Do not “reply to all”
- Send only to PC secretary, Jeanie Orr

Commissioner Gallant recommended that PC table this discussion until the next meeting on February 6th.

Commissioner Schindler and Commissioner Sokol asked staff as to where we stand on the Adult Business Ordinance. Staff will look into this and report back to the members.

Commissioner Sokol announced she will not be at the February 6th and possibly the February 20th PC meeting for personal reasons.

Possible agenda topics discussed for the February 6th meeting are: Adoption of the CAO Majority report and Minority report availability; Email communication from PC members; Ethics discussion (conduct by PC members); Minutes–issues of vagueness and quality of recording; Review Changes to chapter 2 of the Comp Plan and UGA update

F. Adjournment:

The meeting was adjourned at 9:30 p.m.

These minutes were approved this _____ day of February, 2008.

Bud Schindler, Vice-Chair

Jeanie Orr, Secretary