



## **JEFFERSON COUNTY**

### **PLANNING COMMISSION**

621 Sheridan Street

Port Townsend, WA 98368

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#### **Minutes for Wednesday, July 16, 2008**

- A. Opening Business**
- B. Recap of Planning Commission Field Trip on July 9, 2008**
- C. Bylaws**
- D. Sexually Oriented Business Draft Regulations (Adult Business)**
- E. Any Unfinished Items to Address**

#### **Adjournment**

#### **A. Opening Business:**

The meeting was called to order at the WSU Learning Center at 6:30 p.m. by Chair Peter Downey. Planning Commission members present were Peter Downey, Tom Brotherton, Barbara

Nightingale, Patricia Farmer, Mike Whittaker, Tom Giske, Henry Werch and Bill Miller. Ashley Bullitt was excused.

The DCD staff present were Stacie Hoskins, Planning Manager, Joel Peterson, Karen Barrows and Ryan Hunter, Assistant Planners.

There were no members of the public present.

The minutes for June 18 and July 9, 2008 were approved as submitted.

### **Staff Updates:**

Karen Barrows gave an update on the Climate Action Committee. The jointly-appointed CAC held its last meeting on Wednesday, July 2<sup>nd</sup>. The agenda included a review of the penultimate draft of the Jefferson County Carbon Emissions Inventory. As a result, the final draft (subject to approval) is posted online and dated July 6<sup>th</sup>. The next meeting is a special meeting to be held at 3:30 p.m. on Wednesday, July 30<sup>th</sup> in the Pope Marine Building on Water Street in Port Townsend. Agenda items include final approval of the draft inventory, and work on the timeline for the Climate Action Plan. Karen stated she has met with the Chairman and City counterpart Judy Surber to create drafts for both. She suggested that anyone can visit the Climate Change page under "Issue Links" on the County website for information on committee membership, important documents, schedules, and so forth.

Karen Barrows gave an update on the No Shooting Area Review Committee. The committee met last week on Thursday, July 10<sup>th</sup> to consider the Chimacum Creek No Shooting Area petition in light of the motion made by the BoCC on July 7<sup>th</sup> to expand the area south to the Tri-Area Community Center and HJ Carroll Park. The next meeting of the Review Committee will be on Tuesday, August 12<sup>th</sup> at 3:00 p.m.; the committee will meet on East Moore Street in Port Hadlock to begin a field tour of the petition area.

Karen Barrows gave a short update on the non-project legal appeal from the Brinnon MPR Opposition and Brinnon Group which will go before the WWGMHB on August 5<sup>th</sup>.

Karen Barrows gave a short update on the 2008 CPA Cycle Preliminary Staff Report/SEPA Addendum, and PC schedule. She stated that Staff anticipates publishing its preliminary report in mid-August, and suggested that the PC think about a special meeting date for the public hearing sometime in early September.

Joel Peterson gave an update on the Critical Areas Ordinance appeal in which a hearing on the merits will be held on October 7<sup>th</sup>.

Chair Downey mentioned the recent Clallam County Superior Court decision to exempt Ag lands. Discussion followed about how to differentiate between new and old Ag; can't exempt all Ag. The PC asked for additional information on this.

Joel Peterson gave an update on the UGA. A Notice of Adoption was published today. A public hearing is scheduled before the BoCC on August 4<sup>th</sup> at 10:15 a.m. on the Interim Ordinance. A UGA Committee meeting will be held on Wednesday, July 23<sup>rd</sup> at the Jefferson County Library starting at 6:00 p.m.

Joel Peterson gave an update on the SMP Public Outreach & Involvement. There has been recent event notification via: Website; Email list (300+ members); Press releases/newspaper articles; Publicity posters at 30+ locations; direct mailing to 3,000+ shoreline property owners. Joel Peterson also gave the following updates:

#### Neighborhood Information Booths – June 26 to July 3

- Over 85 individuals contacted at 12 locations.
- Purpose to give a heads-up on project, answer questions, distribute materials (brochures & stickers) and encourage attendance at the July 10 public event.
- The white tent with colorful banner was highly visible and generated much interest.
- Attendees noted they'd come because they were already on the email list, received the mailer, seen the poster, read about it in the paper, and/or just been driving by.
- Thanks to SPAC member Karen Best for assisting!

#### Community Planning Workshop – July 10

- Last week's event at Inn at Port Hadlock had nearly 40 attendees at the daytime Stakeholder Focus Group Meetings and the evening Public Meeting session.
- Additional useful input on Aquaculture was provided by growers who attended as well as good dialogue on important SMP and shoreline-related issues.
- Thanks to Planning Commission Shoreline Committee members Peter Downey, Bill Miller, and Tom Giske for their attendance and participation!

A summary of recent outreach efforts will be prepared and made available.

#### SMP Documents:

- Last Friday, July 11, ended the 'informal' comment period on 3 key documents (Revised Committee Working Draft SMP; Shoreline Restoration Plan; and Final Shoreline Inventory & Characterization Report).
- Approximately 24 individuals have submitted comments including STAC & SPAC members and interested public.
- Comments are being compiled for transmittal to ESA Adolfson and distribution to committees and website.
- Staff and consultants will now work on reviewing comments and determining how to respond.

#### Upcoming Process:

- August 5 (Noon – 5:00pm at WSU Spruce Room) – Joint STAC & SPAC meeting to discuss final changes in response to comments; Seek collective buy-in on 3 key documents; Potentially the last meeting for both committees; Open to public observation (not a public hearing).
- August 20 – Tentative joint workshop w/ PC & BoCC
- September – Submit *Preliminary Draft SMP* staff proposal to PC to begin formal review process
- February '09 – PC recommendation to BoCC
- May '09 – BoCC local approval of SMP
- June '09 – Submit to Ecology for final approval

Discussion followed regarding the SMP meeting in Port Hadlock including; Dick Broder's comments on setbacks, Marrowstone Island resident concerns, aquaculture issues, shoreline

restoration, archaeological and historical issues and that the SMP may be like the CAO, but hopefully the participation process will be better.

Ryan Hunter gave an update on the Pleasant Harbor Master Planned Resort. The County conducted 5 interviews with consultant firms for the MPR peer review. We expect to make a decision within one or two weeks. Once a decision is made, we will need to negotiate a contract with the firm, establish a three party agreement with Statesman, and seek BoCC approval.

Commissioner Whittaker asked about cost of project and Stacie Hoskins replied that this is a 300M project and the Statesman process involves their own firm to do the EIS; the peer review provides timelines and expertise. Stacie Hoskins also stated that this will produce a document with less susceptibility to legal challenge.

Ryan Hunter gave an update on the Comprehensive Flood Hazard Management Plan. The County held the first public meeting for the Duckabush and Dosewallips Comprehensive Flood Hazard Management Plan on Monday, June 30<sup>th</sup> at the Brinnon Community Center. Approximately 15 people attended. The County has established an advisory committee for the planning process and the first committee meeting is scheduled for Thursday, July 31<sup>st</sup> in Brinnon.

Discussion followed on how many structures are in the flood zone and Stacie Hoskins responded by stating that there are a lot.

Ryan Hunter gave an update on the UDC Mining Amendments. Staff is currently conducting research on the proposed amendments. CTED recently responded to a series of questions but indicated that they need to do more research as well. Staff intends to follow up with CTED with additional inquiries.

Commissioner Giske asked about an update on the Pit to Pier project (FHM) and Stacie Hoskins responded that this is not a Long Range Planning issue and outside the PC realm of work.

Stacie Hoskins commented that the Olympic Peninsula Quarterly Planner's Forum in this Friday, July 18<sup>th</sup> at Fort Worden.

### **Committee Reports:**

Commissioner Whittaker commented that since his term will be up in March 2009 it would be a good idea to get another PC member appointed to the UGA Committee to get them up to speed. Chair Downey responded that he would talk to Commissioner Bullitt about this.

Commissioner Nightingale reported on the struggling relationship with Puget Sound Partnership and the need for money for water right studies, more source testing especially for nitrates and that the Puget Sound Recovery Act includes money for distressed communities. These issues were part of the July 15<sup>th</sup> workshop on Hood Canal. She stated that Neil Harrington was appointed as a representative to WRIA 17.

Commissioner Giske reported that he attended a Dissolved Oxygen meeting. He commented that science being conducted on Hood Canal and Puget Sound. He stated that 94% of the problem is natural, but humans are the tipping point.

### **B. Recap of Planning Commission Field Trip on July 9, 2008:**

Karen Barrows thanked the PC for coming on the field trip. She gave a presentation about the process staff goes through to evaluate the Comp Plan Amendment applications to arrive at their recommendations. She stated that staff goes through the relevant citations:

- a) GMA, RCW's, Comp Plan and Jefferson County Code
- b) Each planner reviews his/her assigned applications
- c) Staff meets a number of times to discuss applications by "genre"; similar cases in the past, etc.

Karen Barrows stated that the planners don't always agree at first and debate and discuss and back up our points of view with these guidelines. She stated that the planners want the PC to have the same opportunity to learn, debate, discuss the applications before the public hearing and deliberations. She gave the PC a handout that showed the Rural Residential (RR to RR) Criteria for Review.

Joel Peterson gave a brief presentation on the County Wide Planning Policy (CWPP) for County and City from 1992 and that there are 10 policies. He stated that "this gets you into the community" and stay at a policy level discussion. He stated a copy of the CWPP will be given to each PC at the next meeting.

Ryan Hunter started his presentation on Rural Residential Rezones and Commissioner Werch abruptly asked what are we accomplishing? What are we doing tonight? He stated his frustration about not having any written information to follow along with the presentation.

Ryan Hunter continued his presentation with the following:

- 1) Sharing with the PC questions and concerns raised in internal staff discussions about approach to rural residential rezones....providing PC an opportunity to give consideration to these issues as well.
- 2) This discussion is at a macro level looking at the approach to rural residential rezones, obviously this is not a discussion which should lead to deliberations which are to occur after the public hearing, but we do want the PC to be informed of this discussion so as to assist with future deliberations.
- 3) Current approach to rural residential rezones is application of LNP 3.3, especially with regards to language on 'established patterns'....general approach has been application of the '50% rule of thumb'. However, application of the 50% rule is somewhat arbitrary and the significance to long range planning of applying the 'established pattern' criteria in isolation of the rest of the comprehensive plan is unclear.
- 4) There is concern that application of the 50% established pattern rule of thumb could lead to unintended long-term, cumulative consequences, including:
  - creating a 'domino effect' in which nearly every rezone triggers the potential for up zoning adjacent properties
  - drawing population growth away from urban areas, which is contrary to the goals of GMA and the comp. plan

- undermining the vision and goals of the GMA and comp. plan by creating new rural residential lots without consideration of the projected 20-year future population growth and its allocation to rural areas
- reducing the variety of rural densities that is called for in the GMA and comp. plan
- reducing rural character, open space, and native vegetation we are called to retain in the comp. plan without appropriate level of visioning and planning

5) A competing approach to rural residential rezones would be a more cautious approach:

- Our comp. plan is our 20 year vision for the county that is updated every seven years to accommodate changing demographics, county circumstances, or community assumptions and goals. There is some concern that, in considering rural residential rezones during the annual comp. plan amendment cycle, the burden has been on why not to change the comp. plan, but perhaps the burden is better placed on whether there is a compelling reason to change the comp. plan. In fact, this may be what the GMI's are implying when they ask if there any changes in county-wide attitudes, assumptions, growth projections, service delivery capacity, or other circumstances since the adoption or revision of the comp. plan or whether there is new information available since the adoption or revision of the comp. plan.
- As part of the 20-year planning process, the county must consider the allocation of projected 20 year population growth. "The GMA specifies that future growth should, first, be located in areas that already have public facilities and service capacity and, second, in areas where such services, if not already available, are planned for"...in other words, in UGAs or areas planned to become UGAs. In considering rural residential rezones, it perhaps would be wise if we consider the allocation of projected 20 year population growth, how much of that growth is allocated to rural areas (30%), and what impact annual rural residential rezones will have on allocating future growth primarily to urban areas. Currently we know that the county has far more build able vacant rural residential lots than is needed to accommodate the projected county population of 2016, and this is not accounting for the fact that population growth has slowed in comparison to projections in recent years. Is it wise then to create new rural residential lots when they are not needed to accommodate projected growth?

(In 2003 it was projected that rural areas would grow by 4,149 people between 2000-2024 – which at 2.2 people per household means we would need 1,886 build able lots to accommodate the projected 2024 population, in 1996 it was projected that by 2016 we would have perhaps 4,500 more build able rural residential lots than needed to accommodate the population growth projected for 2016, and since 2004 there have been at least 100 new rural residential lots created).

- By taking a more cautious approach to rural residential rezones, and incorporating consideration of the 20 year projected population growth and its allocation to urban vs. rural areas, we are less likely to jeopardize over the long-term the county's variety of rural residential densities and its commitment to

preservation of rural character, open space, and native vegetation. (RR1:5 – 29,212 acres, RR 1:10 – 9,874 acres, RR 1:20 – 51,444 acres).

- With a more cautious approach, the county would not necessarily be saying ‘no’ to specific rural residential rezone applications, perhaps just ‘not at this time...not until there is a better balance between vacant rural residential lots and the 20 year projected population growth and its allocation to rural areas.’

The PC will receive a copy of Ryan Hunters presentation. The PC appreciated staff sharing the information and being open about the process but wanted it in an easier format to be able to do analysis to make decisions.

Discussion followed regarding issues of the matrix of criteria on the most important issues to consider; county wide attitudes; growth and urban areas; affordable housing; the domino effect; data on number of rezones in past; 50% rule to justify established patterns; ad hoc study group; roles between PC and staff.

**C. Bylaws:**

Commissioner Werch stated that the line-in, line-out that the PC received is not from the most current version of the Bylaws. He stated that the County website needs to be updated.

Commissioner Werch asked the PC to review to see if there are any other issues to the suggested line-in, line-out. The committee will then re-issue along with staff ideas to be included for review at the next PC meeting.

**D. Sexually Oriented Business Draft Regulations (Adult Business):**

Commissioner Brotherton gave a one page handout to PC and staff on Zoning and Regulation and discussed his handout.

Discussion followed regarding a large variety of the definitions of Sexually Oriented Businesses, situational ideas and questions and the application of the Ordinance. Staff will do more research and look at the next steps of contacting Central Services for County mapping and business license requirements.

**E. Any Unfinished Items to Address:**

None.

**Adjournment:**

The meeting was adjourned at 9:37 p.m.

**Approval of Minutes:**

These minutes were approved this \_\_\_\_\_ day of August, 2008.

\_\_\_\_\_  
Peter Downey, Chair

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Jeanie Orr, Secretary