



JEFFERSON COUNTY PLANNING COMMISSION

621 Sheridan Street, Port Townsend, WA 98368

(360) 379-4450 *PlanComm@co.jefferson.wa.us*

www.co.jefferson.wa.us/commdevelopment/PlanningCommission

MINUTES for WEDNESDAY, MAY 5, 2010

- A. Opening Business**
- B. Election of Officers and Committee Review**
- C. Deliberation: Underground Storage Tanks in Critical Aquifer Recharge Areas - Unified Development Code (UDC) Text Amendment**
- D. Discussion: GMA Periodic Assessment**
- E. Adjournment**

A. Opening Business:

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

Planning Commission (PC) members present were:

DISTRICT 1		DISTRICT 2		DISTRICT 3	
AE	Ashley Bullitt	✓	Henry Werch	✓	Tom Giske
✓	Andrew Reding	✓	Patricia Farmer	AE	Tom Brotherton
✓	Bill Miller	✓	Peter Downey	✓	Richard Hull

Ashley Bullitt and Tom Brotherton were both absent and excused by the Chair. A quorum was present upon completion of Roll Call.

Department of Community Development (DCD) staff present: Michelle McConnell and David Wayne Johnson, Associate Planners.

There were two members of the public in attendance.

Approval of Past Minutes: No minutes to approve.

Staff Updates:

- There is a Planning Commission public hearing on the proposed Unified Development Code (UDC) Text Amendment regarding Sexually Oriented Businesses (SOB) scheduled for May 19. The Planning Commission received a staff report on the issue at their last meeting. Also, the current moratorium on sexually oriented businesses expires May 9 and the Board of County Commissioners (BoCC) will consider extending the SOB moratorium at their May 10 meeting since new code is not ready yet. [DWJ]
- The WA Department of Ecology held an open house and public hearing on the *Locally Approved SMP* (LA-SMP) April 20 at Fort Worden and the state comment period ends May 11. The BoCC will consider sending a comment letter to the state at their May 10 meeting. The state process includes compiling the comments received and providing them to the County. The County must respond to Ecology who will consider both the public comments and County responses as they review the LA-SMP and make a decision on whether to approve, require changes or deny. [MM]
- The County has been collaborating with the City of Port Townsend and Port of Port Townsend on economic development planning efforts with DCD Director Al Scalf attending weekly meetings. These efforts have yielded a joint agreement proposal including a defined process and intent to hire a ‘visionary’ economist. The BoCC will consider this approving this agreement at their May 10 meeting. [MM]
- DCD submitted a final grant application to the federal Environmental Protection Agency (EPA) on April 21 for the Watershed Stewardship Resource Center and anticipates EPA to announce final grant awards by May 28. The project will

create an optional customer help desk to provide education and assistance to property owners, realtors, builders and general public. DCD is also a partner on the Clallam County proposal to EPA for Enhanced Shoreline Protection to monitor and measure the 'no net loss' standard for updated SMPs. In addition, the County Department of Health has been identified as an EPA grant finalist for funds to support operation and maintenance of septic systems for their water quality program. [MM]

6:40 pm

Committee Reports:

- Commissioner Farmer reported that the Housing Action Plan Network met last week to discuss a \$40,000 Community Development Block Grant to fund the evaluation of seven publicly owned properties in Port Townsend to determine a best site for affordable housing.
- Chair Downey reported that he's been named to the Puget Sound Partnership's Strait of Juan de Fuca Action Area Ecosystem Recovery Network (Strait ERN) Steering Committee. He's the only Jefferson County representative on the steering committee and fills a new position. The steering committee is akin to an executive committee for the ERN. He feels that his position as a planning commissioner and a shellfish business owner gives him unique characteristics.

B. Election of Officers and Committee Review

Planner McConnell reviewed the email sent to the group with history of the PC chair and By-Laws limits of four years.

MOTION: Commissioner Giske moved to retain the existing chair and vice chair, but withdrew the motion.

MOTION: Commissioner Werch moved to nominate Peter Downey as Chair and Bill Miller as Vice Chair. Commissioner Farmer seconded the motion.

Chair Downey asked if there were other nominations – there were none.

Commissioner Werch moved to close the nominations, Commissioner Giske seconded the motion.

Chair Downey called the question to elect himself as Chair and Bill as Vice Chair. The motion passed with 5 in favor, 0 opposed and 2 abstained (5-0-2).

Planner McConnell reminded the group of the handout in the packet regarding Planning Commission committees, noting that most committees are not active and one was never officially formed. Staff suggested decommissioning all committees and forming any at the time there is a need. The group discussed existing committees and agreed by consensus to keep the existing Adult Business and Brinnon MPR Committees.

MOTION: Vice Chair Miller moved to decommission the By-Laws Committee, Commissioner Hull seconded the motion. There was no discussion and the motion was approved by unanimous vote (7-0-0).

The group discussed the Industrial Land Bank (ILB) Committee, which was never officially formed. Chair Downey feels it is an important issue, and will be considered as part of the 2014 Comprehensive Plan Update. The previous 2011 ILB deadline has changed to 2014 with the periodic update. Vice Chair Miller stated he was previously opposed but now would support an ILB and believes there are two potential businesses that could be interested.

Planner McConnell noted that per BoCC direction, staff would not support addressing the ILB as part of the annual Comp Plan Amendment cycle, but rather include as part of the periodic update. At present, the whole county is an ILB and there are current code provisions for a major industrial development (MID) that would allow an interested business to develop at a location they choose, rather than only choosing from one or two predetermined locations.

Commissioner Giske suggested a committee be active in the area of economic development and planning and wouldn't require any staffing.

Planner McConnell noted that the ILB is not currently part of the Planning Commission or DCD annual work plans and that no staff resources are available this year. Committee meetings require legal noticing and audio recording and past experience has shown that staff involvement with committee work supports a stronger working relationship.

Chair Downey will speak to the BoCC for further direction on the ILB.

Commissioner Farmer indicated her preference for the periodic assessment and Comp Plan Update as a priority over the ILB.

MOTION: Vice Chair Miller moved to decommission the Mining Committee. Commissioner Reding seconded the motion. After brief discussion that such a committee could be formed should the need arise, the motion was approved by unanimous vote (7-0-0).

MOTION: Vice Chair Miller moved to keep the Shoreline/SMP Committee until after final SMP adoption by the BoCC. The motion died for lack of a second.

Planner McConnell noted that because the Planning Commission is approaching both the GMA Periodic Assessment and two UDC Text Amendment proposals with the full group, that the UDC Committee is not needed.

MOTION: Vice Chair Miller moved to decommission the Unified Development Code (UDC) Review Committee. Commissioner Farmer seconded the motion. There was no discussion and the motion passed unanimously (7-0-0).

Chair Downey expressed a need to keep the Urban Growth Area – Irondale/Port Hadlock UGA Committee and asked if any other members were interested to participate in the group. Commissioner Giske expressed interest and was appointed to the committee by the Chair.

The group discussed other Planning Commissioner participation on Housing Action Plan Network and Climate Action Committee is not official Planning Commission business.

7:09 pm

C. Deliberation: Underground Storage Tanks (USTs) in Critical Aquifer Recharge Areas (CARAs) - Unified Development Code (UDC) Text Amendment

Planner Johnson presented an addendum to the Staff Report and the group discussed the new information and the proposed amendment. The following points were part of the discussion:

- Ecology website is a good resource
- There is a change to the WAC rules pending, including new requirement for mandatory UST Operator Training
- City's concerns about HDPE materials and potential for contamination
- Is septage considered 'hazardous'? Different WACs regulate each
- Why were USTs in CARAs prohibited in the first place? 1994 Critical Areas Ordinance was silent on USTs and there was contention over the decommissioning per WAC during the 2000 UDC amendments.
- Seawater Intrusion Protection Zones (SIPZ) and Special Aquifer Recharge Protection Areas (SARPAs) on Marrowstone Island... BoCC action, there was no PC involvement
- Require fees up front to fund potential clean-up

MOTION: Commissioner Hull moved to approve the proposed amendment as presented. Commissioner Werch seconded the motion. This motion was withdrawn after group discussion, which included the following points:

- WAC 173-491 addresses spills and clean-up
- State departments of Ecology and Transportation have experience with decommissioning USTs. There are protocols in place and is well regulated.
- Municipal Research Services Center referred to websites
- More specificity and a more proactive stance is needed
- Consider how other jurisdictions address the issue
- Is this an issue of economic development vs. increased dependence on petroleum? Best way to decrease dependence on oil industry is to increase cost and decrease availability
- Avoid the distractions of site-specific example and related but not pertinent issues – protect the environment without limiting business in a consumer driven market. There are sufficient safeguards in place

- There are risks, but the increased training, inspection and technical improvements allow support.
- Tank failure is not likely, plus there's additional containment. Are our concerns philosophical or about the construction?
- Economic development is a recurring theme, but some economic development is not good. For example, PUD moving towards public power may bring 300 jobs, but will a new QFC gas station create more jobs? Increasing the gross domestic product (GDP) doesn't always result in better lives for the people.
- This is not an economic development decision. It's better to have more modern systems. Competition will drive collective improvements.
- One philosophy is to envision a future downtown Hadlock without two gas stations.
- We must decide based on the science/facts not on our emotions
- How can we 'disincentivize' locating USTs in sensitive areas?
- Would a hydrological geology analysis still be required?

8:05 pm - Break

8:13 pm - Resume Deliberations

- Consider a friendly amendment to the motion to require a conditional use permit (CUP) when locating USTs in CARAs, and allow as a 'yes' use outside CARAs?
- Consider the CUP criteria found in JCC 18.40.530(a) – (1)
- Consider additional revision to proposed amendment text to require CUP and Hydrological Geologist Report
- Motion on the table needs 5 votes, otherwise issue is undecided or PC has no recommendation to the BoCC.
- Table the motion 'til next meeting or withdraw motion and continue deliberations at next meeting with revised proposed amendment text from staff.

8:26 pm

D. Discussion: GMA Periodic Assessment

The group continued discussion of the Comprehensive Plan Chapter 10. Transportation including the following topics:]

- Level of Service Standards (LOSS)
- Policies
- Possible outage of Hood Canal Bridge, State Routes 19 and 20, State Highways 101 and 104 due to natural disaster
- Emergency response plan – invite Bob Hamlin to attend future meeting
- Non-motorized transportation and Trails
- Transportation Policy - TRP 4.9
- Connectivity to Seattle metro area, public transit
- Need to strengthen transportation policy TRP 2.1 to include Seattle, Kitsap, Bainbridge

8:53 pm

- TRP 10.5 – need to inventory fish barriers to prioritize for repair/replacement; what is Jefferson County status and funding?
- UGA reminder – ‘complete streets’ policy to include multi-modal transportation.
- Electric vehicle infrastructure with charging stations at public parking areas, standard fuel stations, etc.

The group concluded they were done with initial review of Chapter 10.

9:05 pm

MOTION: Commissioner Giske moved to adjourn the meeting. Commissioner Reding seconded the motion. Discussion included the following:

Next Meeting – May 19:

- Continue deliberation on USTs in CARAs amendment with findings & conclusions
- Public hearing on sexually oriented businesses (SOB) code amendment
- Continue GMA assessment – Chapters 8, 11 & 12

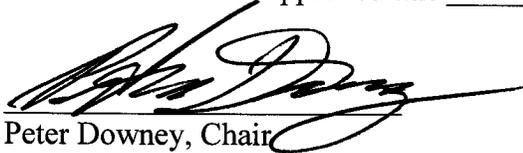
Commissioner Werch noted he would be absent for the 6/2 meeting.

Commissioner Farmer noted she would be absent for the 5/19 meeting.

E. Adjournment: The meeting was adjourned at 9:07 p.m.

Approval of Minutes:

These minutes were approved this 7 day of July, 2010.



Peter Downey, Chair



Michelle McConnell, LRP Lead