



JEFFERSON COUNTY PLANNING COMMISSION

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MINUTES for WEDNESDAY, OCTOBER 6, 2010

- A. Opening Business**
- B. Deliberation: 2010 Comprehensive Plan Amendment Annual Cycle**
- C. Adjournment**

A. Opening Business:

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

Roll Call & Quorum: Planning Commission (PC) members present were:

DISTRICT 1		DISTRICT 2		DISTRICT 3	
✓	Bill Miller	AE	Henry Werch	✓	Tom Giske
-	VACANT	✓	Patricia Farmer	✓	Tom Brotherton
-	VACANT	✓	Peter Downey	✓	Richard Hull

Henry Werch was absent and excused. A quorum was present upon completion of Roll Call.

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

There were four (4) members of the public in attendance.

Approval of Past Minutes: None

Staff Updates:

Associate Planner Michelle McConnell informed the group of the following items:

- Unified Development Code (UDC) Amendment Proposal – Application received for revisions regarding expansion of public purpose facilities (building cap limitations and impervious surface requirements) submitted by Jefferson County Library (Port Hadlock). Amendment proposal is not site-specific and would apply to all appropriate areas of the County. Joel Peterson assigned as project lead. Planning Commission role to review Staff Report, conduct public comment period and hearing, and prepare recommendation to Board of County Commissioners (BoCC).
- Urban Growth Area (UGA) Wastewater Facility - Application was made to the State Public Works Trust Fund for \$10M. The UGA Sewer project is included on this year’s legislative bill for capital improvement projects. DCD and the County Administration are running various project financing scenarios. Design is projected to be completed at end of 2011 with construction beginning 2012 and first phase connections in 2013—2014.
- Shoreline Master Program (SMP) -
 - BoCC requested and was approved a 40-day timeline extension for submittal of a Responsiveness Summary to the State Department of Ecology (Ecology), new deadline is November 30, 2010. Large volume of comments takes time to process. Ecology Findings & Conclusion decision response due within 30 business days of receipt of Responsiveness Summary, approximately mid-January 2011.
 - Peter Downey recently made comment to the BoCC with concerns about Ecology’s proposed rulemaking regarding geoduck aquaculture, speaking as shellfish farmer and business owner. The revisions are proposed for the SMP Guidelines (WAC 173-26), which implement the Shoreline Management Act (RCW 90.58). BoCC has directed staff to work with Peter to prepare a comment letter for their review and possible

submittal to the state by November 23 comment deadline. The *Locally Approved SMP* now under review would not be held to the rule change, but the SMP would need to comply at the next update due in 2018 or as a limited amendment in an interim year. This is not a Planning Commission issue at this time.

Chair Downey summarized his concerns for the group.

- Pleasant Harbor Master Planned Resort (MPR) – Staff and the applicant are still working to prepare a Supplemental Environmental Impact Statement (SEIS) that will need Planning Commission review sometime in 2011.
- Federal Emergency Management Act/National Marine Fisheries Service (FEMA/NMFS) Compliance – Issue regarding whether the National Flood Insurance Program (NFIP) adequately meets the requirements of Endangered Species Act (ESA). One-year extension granted for compliance, now due by September 2011. Staff is reviewing the checklist requirements and Biological Opinion to determine what changes might be needed. The County’s Critical Areas Ordinance and pending SMP are expected to largely provide the consistency needed. Any changes to the UDC would be reviewed by Planning Commission. Until County is in full compliance, any pertinent permit applications are reported on a case-by-case basis to document compliance.
- Iron Mountain Quarry (IMQ) – Recent court decision requires County to repeat environmental review but does not require any specific determination. In short, the judge didn’t say the County’s decision was wrong, but rather we didn’t show our homework, so to speak.
- Sexually-Oriented Business (SOB) Moratorium – Board will consider renewing the existing moratorium on SOBs, which expires in November, while staff continues to work on details of the proposed licensing provisions. Staff has not had response from the Sheriff’s office regarding licensing.
- Planning Commission vacancies and TED event announcements in meeting packet.

(6:57 pm)

Committee Reports: None

B. Deliberation: 2010 Comprehensive Plan Amendment Annual Cycle

Associate Planner Michelle Farfan gave a brief overview of MLA 10-73 proposed by Miles Sand and Gravel Company and the draft Planning Commission recommendation document, including findings & conclusions, with two attachments (map and language revisions to Ordinance 08-0706-04). The draft documents were provided digitally via projection on the wall to allow group review and editing.

MOTION: Commissioner Brotherton moved to approve MLA 10-00073, Vice Chair Miller seconded the motion. Chair Downey invited discussion, which included clarifying the previously released staff report and numerous revisions to the draft letter:

- Page 1-9 of the Staff Report regarding ‘no significant adverse environmental impacts’ doesn’t mean there will be no impacts to critical areas, but that any impacts are anticipated to

be mitigated consistent with County code. For example, monitoring wells are already in place and applicant will take over ongoing data collection.

- Restoration/reclamation of the mining site is overseen by the State Department of Natural Resources (DNR), and applicant will need to comply with DNR requirements.
- Add Staff Report language to state ‘subject to the conditions of ‘Ordinance 08’ to establish intent
- Reason for processing amendment as two separate ordinances to establish 18 acres not as an expansion of the existing Wahl Lake Mineral Resource Land Overlay (MRLO), but rather as a new MRLO adjacent to the existing Wahl Lake Area. Also to avoid effects on map should the revised Ordinance 08 language be appealed, or vice-versa.

(8:53 pm)

MOTION: Commissioner Brotherton amended his motion to:

1. Approve the proposed 18-acre mineral resource land overlay (MRLO) per Attachment A confirming the correct legal descriptions of the 18-acres in order to accept the MRLO designation in the spirit of the intended location;
2. Approve the proposed language change to Ordinance 08-0706-04 as indicated in Attachment B; and
3. Document the above actions through two separate ordinances.

Vice Chair Miller seconded the amended motion.

VOTE: Chair Downey called the vote; the motion was approved unanimously (6-0-0).

MOTION: Vice Chair Miller moved to direct the Planning Commission Chair to sign the recommendation memo and attached map. Commissioner Brotherton seconded the motion.

VOTE: Chair Downey called the vote; the motion was approved unanimously (6-0-0).

Commissioner Giske expressed appreciation that the applicant worked with a local organization to seek resolution to their concerns. The effort showed an interest in community spirit and commitment to the land.

MOTION: Commissioner Brotherton moved to direct the Chair to send a letter of thanks to Miles Sand and Gravel Company and to the Hood Canal Coalition for an excellent process. Vice Chair Miller seconded the motion.

VOTE: Chair Downey called the vote; the motion was approved unanimously (6-0-0).

(8:58 pm)

New Business:

Commissioner Brotherton proposes the Planning Commission form an Environment Committee to review land use codes;

Chair Downey suggested an informal group that meets for dinner to discuss ideas to save staff time on public noticing, etc. The group could explore ideas for the Planning Commission to pursue.

Commissioner Giske suggests the Planning Commission be more proactive; interest in planning for a non-motorized UGA; wants the group to consider possible project ideas, pick one and get to work on it.

Commissioner Hull expressed his interest in the environment and wondered if it's appropriate for the Planning Commission to be proactive as is being discussed.

Associate Planner McConnell reminded the group of the Open Public Meetings Act requirements and noted that it is appropriate for the Planning Commission to recommend Comprehensive Plan and Unified Development Code amendments to the BoCC. It would be possible to have 'open discussion' on the regular agendas.

Chair Downey suggested the group talk more about this on November 3.

Commissioner Brotherton suggested a committee could do its own advertising and minutes, without staff involvement.

Commissioner Hull cautioned against short-circuiting the necessary process, and that doing so renders such efforts meaningless.

Chair Downey suggested a small group lunch discussion about possibly making a formal committee.

Commissioner Brotherton noted such a lunch would require public notice.

Associate Planner McConnell agreed and reminded the group that it is most appropriate that any discussion of any topic related to Planning Commission business be conducted in a public forum. She suggested Commissioner Brotherton bring his ideas/proposal in writing to the next Planning Commission meeting. She also reminded the group that the Planning Commission and DCD staff together form the Planning Agency and that cooperation and collaboration should be a constant goal. Staff work load is very heavy and the best way to conserve staff time is to reduce the number of meetings, as per the adopted BoCC budget goals.

Commissioner Farmer expressed disappointment at delaying further discussion on the Comp Plan Update. It seems like a good place to put in ideas and how to spend 'down time'.

Associate Planner McConnell expressed support for Commissioner Giske's previous idea to conduct a series of guest speaker presentations to inform the PC and better engage the public in the Periodic Assessment. She feels it could be a very successful and popular approach.

Chair Downey asked Commissioner Brotherton to bring his proposal to the next meeting or consider such dialogue in other community venues.

Associate Planner McConnell agreed and noted that the duty of Planning Commissioner is to represent the public and constituents from their district. She added the best way to serve the public is by ensuring transparency and inclusiveness and offered to distribute any submitted materials to the group ahead of time.

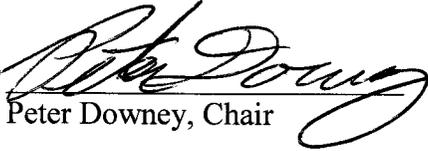
Next Meetings – October 20 and November 3:

- October 20 – CANCELED by consensus
- November 3 – Staff Report for UDC Amendment; Commissioner Brotherton ideas for environmental dialogue.

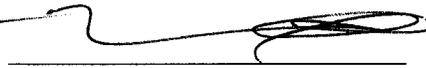
C. Adjournment: The meeting was adjourned at 9:11 p.m. by unanimous vote.

Approval of Minutes:

These minutes were approved this 2 day of February, 2011.



Peter Downey, Chair



Michelle McConnell, LRP Lead