

# Lewis County Planning Commission *Workshop*

Lewis County Courthouse  
Commissioners' Hearing Room - 2nd Floor  
351 NW North St - Chehalis, WA

## **April 12, 2016 - Meeting Notes**

**Planning Commissioners Present:** Russ Prior, District 3; Jeff Millman, District 2; Bob Whannell, District 3; Mike Mahoney, District 1; Sue Rosbach, District 2; Leslie Myers, District 1

**Planning Commissioners Excused:** Stephen Hueffed, District 2

**Staff Present:** Lee Napier, Community Development Director; Glenn Carter, Civil Deputy Prosecuting Attorney; Fred Evander, Senior Long Range Planner; Brianna Teitzel, Pat Anderson, Planning Department

**Others Present:** Please see sign in sheet

### **Handouts/Materials Used:**

- Agenda
- Meeting Notes from March 22, 2016
- Staff Report: Shoreline Master Program (SMP)
- Draft Shoreline Master Program
- Comments on SMP from Glenn Carter
- Draft Changes to Titles 16 and 17

### **1. Call to Order and Introductions of Planning Commissioners**

Chair Mahoney called the meeting to order at 6:00 p.m. The Commissioners introduced themselves.

### **2. Approval of Agenda**

The agenda was approved as presented.

### **3. Approval of Meeting Notes**

The Chair entertained a motion to approve the meeting notes from March 22, 2016. Commissioner Rosbach made the motion to approve; seconded by Commissioner Myers. The motion carried.

### **4. Old Business**

#### **A. Shoreline Master Program**

Mr. Evander stated the draft SMP had been sent to Department of Ecology and comments were received back. There were some changes but most of them were minor, and the more substantial changes were viewed as good changes by staff.

Mr. Evander referred to the staff report for the changes and briefly addressed the major changes. Commissioner Prior stated he liked the drawing on page 34 and asked if there could be one for the interrupted buffer provision.

There was discussion about the size of recreational floats. DOE stated there needs to be a maximum size stated and if someone wants to go above the maximum he would need a Shoreline Variance. Staff put in 250 square feet, which has not yet been suggested to DOE. The Planning Commissioners wanted to ask for 400 square feet.

Chairman Mahoney asked if "F" on page 77 is new language. Mr. Evander believed this was a requirement of the Shoreline Management Act; he would confirm that. Chairman Mahoney stated that if new language places a burden on an applicant he wants to discuss it.

Mr. Evander stated Mr. Carter had some language he wished to include in the shoreline stabilization section. Mr. Evander distributed a handout with those recommendations, which are underlined. Commissioner Millman asked about 5.05.02 (B)(5) and 5.17. Mr. Evander stated these two sections are the only ones of Mr. Carter's comments that are not related to shoreline stabilization structures. Commissioner Millman noted the word "prohibited."

Mr. Carter explained that the County has an obligation under the Growth Management Act to protect sources of water, water purity and water quality, regardless of the preemptive power of the state under the biosolids act. Under the Shoreline Management Act the County has the power and authority (if the Planning Commission chooses to recommend and the BOCC chooses to enact) to limit and regulate the use of biosolids within shoreline jurisdiction.

Mr. Carter stated Class A biosolids do not have pathogens, Class B do, and he did not know what impact this recommendation would have on agriculture.

Chairman Mahoney stated he would object if the Shoreline Master Program is used in any way to circumvent or change the County's Critical Areas Ordinance (CAO). He wanted an explanation from DOE as to why the Program went from 60 pages to 145, without the restoration plan or maps, and why the CAO needs to be changed.

Mr. Evander stated a lot of the language is because of the WACs that are included. For each proposed change to the critical areas, it is the same ordinance as previously adopted. Pages 25-28 are the revisions that are made to the CAO. The CAO as written now applies; to ensure that it meets all of the necessary requirements are the modifications in the ordinance.

Chairman Mahoney asked if the CAO needs to be changed because of these modifications. Mr. Evander stated at some point in time, after the SMP is completed.

Chairman Mahoney asked when the SMP can go to a public hearing. Mr. Evander stated a public hearing could be held on May 10 or June 14. Chair Mahoney asked if a red-line draft would go to public hearing. Ms. Napier stated she would like to see a clean copy since this is essentially a new document. If changes come out of the public hearing then those changes can be shown going forward. Mr. Carter agreed, as a red-lined copy would be very confusing. There could be background given and why this is being done. Major changes and additions could be pointed out.

Chairman Mahoney polled the Planning Commissioners and each wanted to see a clean copy. He then entertained a motion to set the public hearing on the Shoreline Master Program for May 10. The motion was made by Commissioner Prior, seconded by Commissioner Rosbach. The motion carried.

Mr. Evander stated the SMP for the hearing would include the drawing of the interrupted buffer provision, a change to the float size, incorporate Mr. Carter's changes, and Mr. Evander will double check about mining within the Channel Migration Zones.

Commissioner Prior stated he would send comments to Mr. Evander about the Restoration Plan. He also wanted on the record that the picture of Mt. Rainier should not be on Lewis County's SMP – there should be a picture of something from Lewis County.

#### **B. Code Changes to Titles 16 and 17**

Mr. Evander stated that dates have been added in LCC 17.05 based on the discussion at the last meeting. These are shown on page 100 of Part 1.

There was no other discussion and the code changes would be discussed at a public hearing on April 26.

#### **C. 2017 Comprehensive Plan Update**

Mr. Evander asked if anyone had anything to discuss about the Rural Element that had been presented at the last meeting.

Chairman Mahoney asked Mr. Evander to comment on feedback received from the Farm Bureau. Mr. Evander stated there was nothing received regarding the Comp Plan; there were comments on the Right to Farm chapter of the code. Staff is proposing to keep mining and forestry out the Right to Farm chapter. All notice provisions will be in the resource land section, as found in 17.30, which is in Part 2. The Right to Farm chapter has been left basically the same, which is 17.40 on page 45.

There was discussion about the noticing provisions. Commissioner Prior had seen a comment about notification if someone was changing RDD to Forest Resource Land. Mr. Evander stated if someone is requesting a zone change then it would be noticed as a zoning change which is different than the notification itself. The notification itself is if someone has a building or development permit which will be a condition of the permit approval. The condition says to be aware that you are building near resource land.

At the last meeting there was also a discussion about the distance for notification of a resource land. Forestry states 500 feet; mining and agriculture state 1320 feet. Mr. Evander asked if the Commissioners wished to keep all of the distances as 1320. After discussion, it was decided to keep them all at 1320 feet.

#### **5. New Business**

There was no new business.

#### **6. Calendar**

The next meeting will be on April 26, 2016, a public hearing on the draft revisions to Titles 16 and 17.

#### **7. Good of the Order**

There were no comments.

#### **8. Adjourn**

The meeting adjourned at 7:16 p.m.