Planning Commission Public Meeting
Lewis County Courthouse
351 NW North St.
Chehalis, WA 98532

June 8, 2010
Meeting Notes

Planning Commissioners Present: Bill Russell, Mike Mahoney, Bob Guenther, Jim Lowery, Rachael Jennings, Arny Davis
Planning Commissioners Excused: Richard Tausch
Staff Present: Glenn Carter, Phillip Rupp, Barbara Kincaid, Pat Anderson
Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from May 25, 2010
- Rezone Maps
- Matrix of Applications and Staff Review

1. Call to Order
Chairman Jennings called the meeting to order at 7:00 P.M. Introductions were made.

Chairman Jennings reminded the Commissioners that when they are in the public they need to remember that having just gotten out of invalidity and working on the rezones might present issues. While each member may have opinions about what the Commission is addressing a lot of people see you as Planning Commissioners and as representing the Planning Commission when in fact you are stating your personal opinion. She asked that everyone be mindful of how you speak on these issues.

2. Old Business
A. Approval of meeting notes
Chairman Jennings entertained a motion to approve the meeting notes from May 25, 2010. Commissioner Russell moved; Commissioner Lowery seconded. Motion carried.

B. Workshop on Rezones Geographic Location: West of I-5, South of King Road
Mr. Phil Rupp stated the revised RCW and WAC identify criteria that the Growth Management Act has set out to guide the designation of uses in rural areas and how intense those rural areas might be developed. Included in that is the Comp Plan policies and the goals and objectives. These are the factors that we will ultimately need to consider when we are making a recommendation to the BOCC. The BOCC will also need to consider these factors.

Mr. Rupp provided a summary of these factors to refer to while studying the rezone applications.

At the last meeting there were three applications that had some incomplete information. The first was Application #15 on Map 5. During the Good of the Order the applicant identified land north of his property that had been subdivided. Staff did not have that information and the Assessor's office did not have it shown on the maps. The property north of the application is undeveloped in timber.

The next application to review was Application #80 on revised Map 6. Ms. Kincaid stated there are two new maps in the packets: Revised Map 6 and Map 7. Revised Map 6 identifies properties that were part of Application #80 that were inadvertently left out. The review on the matrix reflects the review of the total acreage. One parcel that was added since the last meeting was a 301-acre parcel, identified under the ARL designation. The other was an 11-acre parcel that is RDD-20. Comments pertaining to the review stand as in the matrix.

Application #112 on Revised Map 6 had information provided at the Good of the Order at the last meeting. The property was designated in 2008 as ARL and during that process it was considered part of a larger parcel, which is actually across Avery Road. The applicant stated she is no longer raising poultry. Soils were identified as prime originally. Looking at the aerials, the poultry barns take up about a quarter of the property; the rest is being farmed.

Commissioner Russell asked the soil types, which Ms. Kincaid identified as Salkum Silty Clay Loam.

Commissioner Mahoney stated a decision might be dependent on testimony at the public hearing. He recalled there were some properties that the Commission was reluctant to make an ARL decision on because it did not like the total product; that there were some mistakes. This is one of them. It is an isolated parcel, there is a major highway and a railroad dividing it from other farm land and it is close to Cardinal Glass. It is probable that there will be uses more intense than ag in the future.

Mr. Rupp stated there was a question regarding Claquato Farms and Commissioner Mahoney suggested physically looking at the property. Staff has not had the opportunity to do that yet.

Commissioner Mahoney stated an important part of that discussion is if a parcel is a lot of record or a stand-alone parcel, or if it has to be looked at as part of the entire farm. If it is a legal parcel it will make a big difference as to how it can be designated.

Mr. Rupp stated those types of issues will need to be addressed during the summaries.

Application #81, Map 6
Two of the parcels in this 210-acre parcel were designated ARL in 2008. The remaining 11 parcels are currently zoned RDD-20. Ms. Kincaid pointed out the different designations. Commissioner Mahoney asked what the surrounding zoning is. Mr. Rupp stated to the west it is ARL and to the east it is RDD-5.

There is a split zone on the southern part of the parcel where a creek divides the property. Part is RDD-10 and part is RDD-20. We will need to determine how that will be resolved.

Commissioner Russell is not sure RDD-5 would fit here but he thinks we should consider making this RDD-10 as a buffer between the RDD-5 and the RDD-20 and the ag land.

Commissioner Davis asked if this was zoned RDD-5 could the property owner come up with a plan that would preserve slide areas and wetlands. He was impressed with what was done on Jeffries Rd, where the wetlands were set aside and the owner was still able to develop the property.

Mr. Rupp stated yes, as a development process proceeds, critical areas must be considered which require setbacks, etc. Another consideration, which is part of the GMA, is to look at land use as it affects things you cannot see. There are some areas that have very sensitive aquifers that are being damaged

by higher intensity rural use. It is our responsibility to look at the things that cannot be seen to determine how they affect the critical areas.

Commissioner Davis stated that makes him feel much more comfortable with the request of RDD-5 based on those criteria having to be met, versus RDD-10 or RDD-20.

Application # 82, 78, 20, Map 6
These were grouped and reviewed as one block. There are approximately 510 acres and the proposal is to increase density from RDD-20 to RDD-5, or RDD-10 in some instances. The properties can be generally characterized as sparsely developed, primarily timber, ag and forestry with single family residences. Most properties are enrolled in the open space tax program.

Commissioner Mahoney noted that Application #20 is pretty scattered. On Map 6 between the southern-most parcels in #20 and the northern parcels, the ground appears to be heavily divided. Looking at the aerial map, however, he does not see the same parcelization.

Mr. Rupp stated they are parcelized but there is no development on them. They are legal lots of record.

Commissioner Mahoney stated they are five acre parcels but the area is zoned RDD-20. Mr. Rupp stated that is correct and that is not uncommon.

Commissioner Lowery referred to the strip between the Application #20 parcels and asked if that was also RDD-20. Mr. Rupp stated yes.

Commissioner Mahoney stated if there was a recommendation of any change in this area we would also have to look at some parcels that are not included in the request to avoid spot zoning. He thought it should be RDD-10 because the surrounding area is RDD-10 already.

Mr. Rupp stated properties can be added to make a uniform block.

Commissioner Russell asked if it is allowed to split an application. For example, if an applicant is requesting all of their property rezoned, part of it could be re-zoned without rezoning all of the application.

Mr. Rupp stated that is correct on a parcel-by-parcel basis. We do not want to split boundaries.

Application #115, Map 6
This is to the east of the area just reviewed, which is 273 acres with a request to change from RDD-10 to RDD-5. In 2008 approximately 26 acres were designated as ARL. The remaining application involves three segments separated by large tracts of RDD-10 in timber and ag use. The upper area does not appear to have any critical areas.

The center portion has predominately 10-acre size parcels. It is also in timber and ag use.

The southern section is a single property of 52 acres bisected by Winlock Vader Rd. In 2008 the eastern half was designated as ARL.

Commissioner Russell asked if the soils criterion is different on either side of the road. Mr. Rupp assumed the east side met the prime soils criteria. Ms. Kincaid pointed out that the area just south of that is part of a larger agricultural block. There was no evidence that there was a mistake made in that designation. If this is to remain ARL would re-designation of the western portion be considered a spot zone? This is something that must be considered.

Commissioner Mahoney stated he did not see any reason to change this from RDD-10 to RDD-5 unless there is testimony to say otherwise. This is especially true if we give consideration to Applications 82, 78 and 20 going to RDD-10.

Application #55, Map 7
The revised Map 7 includes two parcels that were not included in the original map.

Commissioner Russell stated he does not see anything in the aerial photo that would warrant changing the zoning, especially to RDD-5. It would create a spot zone on one and create an irregular boundary on the other.

Application #143, Map 7
This is currently designated ARL. The request is to go to RDD but no density was requested. Conditions have not changed nor has evidence been submitted to indicate an error was made. There are recorded surveys that have segregated this property into 5-acre tracts and the property is split as low as it can go through that survey.

Commissioner Guenther verified that this will remain that way because of the prior surveys. Mr. Rupp stated yes.

Commissioner Mahoney stated this has already been divided into legal lots of record so the only advantage to rezoning it would be to put businesses on it. Mr. Rupp stated that is correct. Commissioner Mahoney stated rezoning it would create an island.

Commissioner Guenther asked if the owner wanted to sell off five acres for a house it could be done. Mr. Rupp stated that is correct.

Application #160, Map 7
The request in 2007 was to change 76 acres from RDD to mineral resource land. In 2008 the property was designated ARL. There is no indication that the ARL designation was made in error.

Commissioner Russell asked if there is a process to change from one resource designation to another. Mr. Rupp stated it would be the process that the Planning Commission is going through right now; it would be a re-designation of one land use to another.

Commissioner Russell asked if there was sufficient evidence that the minerals they wished to extract are there. Mr. Rupp stated there was a very complete application and they made a good case for the MRL designation; however the code requires that an error was made for the ARL designation or that the conditions have changed to allow a re-designation.

Commissioner Guenther stated the gravel pit to the north has been mined extensively; it was used to build the freeway. There are mineral resources to the south of it.

Commissioner Russell confirmed that the soils are prime. Mr. Rupp stated yes.

III. Calendar
The next meeting will be on June 22, a workshop on rezone applications included in the geographic area East of I-5 and North of SR508.

Commissioner Russell asked when the matrixes are drafted that just the changes are sent rather than the entire packet. Commissioners Lowery and Jennings agreed.

IV. Good of the Order
Chairman Jennings asked if anyone would like to comment.

Commissioner Mahoney stated he will not be able to attend the meeting on June 22 and asked that a packet is sent to him.

There were no other comments.

V. Adjourn
A motion was made and seconded to adjourn; adjournment was at 7:56 P.M.