

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

**October 26, 2010
Meeting Notes**

Planning Commissioners Present: Bill Russell, Mike Mahoney, Bob Guenther, Jim Lowery, Rachael Jennings, Richard Tausch

Planning Commissioners Excused: Arny Davis

County Commissioners Present: Bill Schulte, Lee Grose

Consultants Present: Roger Wagoner and Greg Waddell, BHC Consultants; Andy Lane, Cairncross and Hempelmann

Staff Present: Robert Johnson, Lynn Deitrick, Glenn Carter, Tim Elsea, Pat Anderson

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from October 12, 2010
- Draft Comprehensive Plan Amendments
- Matrix from Andy Lane re: IPAT Proposed Comp Plan Amendments
- Matrix from Andy Lane re: Proposed 17.20 LCC Amendments
- Letter of Transmittal on Countywide Planning Policies and Population Allocation
- Letter of Transmittal on Rezones and Toledo UGA

I. Call to Order

Chairman Jennings called the meeting to order at 7:03 p.m. The Commissioners introduced themselves.

II. Old Business

A. Approval of meeting notes from October 12, 2010

Chairman Jennings entertained a motion to approve the meeting notes from October 12, 2010.

Commissioner Russell asked to table the approval as he had not had a chance to read the notes. The approval was tabled.

B. 1st Workshop on Comprehensive Plan Amendments and Industrial Park at TransAlta

Mr. Johnson stated Phil Rupp and Barbara Kincaid are no longer in the county's employ and he and Mr. Lynn Deitrick would be the contacts for long range planning for the near future. He apologized in advance for any lack of information or incorrect information he might give due to his not being as totally involved in the planning as Mr. Rupp and Ms. Kincaid had been.

Mr. Johnson continued to say that Ms. Kincaid would be under contract with the Council of Governments for some work on the subarea plan later in the year. The subarea plan is moving forward and Mr. Johnson wanted to be clear that the subarea plan is not the subject of any actions currently before the Planning Commission with the exception of some policies that would allow utilities, etc. in conjunction with any subarea plan that the county might do anywhere. The county will most likely be looking at doing a subarea plan in Packwood in the future. The actions tonight as they relate to the

Toledo UGA are not a part of the subarea plan. The Toledo UGA is a city request for additional land for residential housing and it is adjacent to the city's existing UGA.

Mr. Johnson recognized Mr. Deitrick to lead the workshop on the Industrial Park at TransAlta (IPAT).

Mr. Deitrick gave some background on IPAT. It is a proposed industrial land bank on a reclaimed surface coal mine site. The proposal would designate up to 4400 acres of industrial zoned land in aggregates of 1000 acres for manufacturing, industrial and commercial businesses that require building sites of at least 100 acres. The Revised Code of Washington (RCW) 36.70A.368 permits designations of portions of reclaimed surface coal mine sites for industrial land banks (ILB). To accomplish this there were proposed amendments, first to the Lewis County Comprehensive Plan, establishing policies for the ILB, and then to the Lewis County Development Regulations to have the instrument to process a request of that nature. There was also an amendment to the Comp Plan map as well as the land use zoning map that would identify that as a county UGA, similar to what was done with Cardinal Glass.

Mr. Deitrick recognized Mr. Bill Lotto, General Manager of Industrial Park at TransAlta.

Mr. Lotto thanked the Planning Commission for the opportunity to workshop this project which has been in the development process for over 13 years. It is now at the point where property could be offered to an industrial company for good job creation. Mr. Lotto stated Mr. Andy Lane and Mr. Mike Daniels were both present and would help clarify issues if necessary.

Mr. Lotto reviewed the history of the IPAT project. The first step was a recognized need in Lewis County. There was long-term, high unemployment, a declining average per-worker wage, an increase in the nature of Lewis County serving as a bedroom county. Between the census years 1990 and 2000 over half of the net gains in jobs in Lewis County were for people working outside the county. There were a number of other economic characteristics that said the county needed to do a better job in regards to job creation and economic development.

There was a study done in 1997 by Eric Hovee and Associates which told the county it needed to focus on per worker wages. The county was losing the good paying jobs and it needed to look at how to replace those. The study showed that Lewis County had the opportunity to provide larger acreage properties for major capital intensive manufacturing. These are the firms that hire more highly skilled workers, pay the better wages and represent a strong tax base.

There was still a question of where this would best be located. In 1999 Batch and Associates was hired to look at the major urban corridors, Hwy 6, Hwy 12 and I-5, to look for larger acreage areas that would be suitable to meet the strategy that was desired. There were 19 criteria on which to base the selection, which presented three possibilities and resulted in one recommendation. That recommendation was the industrial property at TransAlta.

At that time PacifiCorp stated they had no opposition to this area being used for that purpose as they knew they would eventually be transitioning out of the coal mining business. As long as they had active coal mining going on, that part of the business did not want to be in competition with a manufacturing firm for the activities in the area, which meant "not at this time".

When TransAlta announced the cessation of coal mining, they came back and asked if there was still an interest in taking this forward. There was interest but there was a question as to how it could be done

legally. A team was put together that went to the legislature and in the 2007 legislative session, a bill was passed specifically identifying the approach to be taken to establish this industrial park. The bill pointedly addressed this one site.

Mr. Lotto stated the project is a request to rezone approximately 4400 acres of land that has been under intensive active coal mining for about 35 years to an industrial use. Within the 4400 acres, seven areas of about 1000+ acres in total seem best suited for the availability for manufacturing.

Development within those seven areas is expected to be done in three phases over 15-20 years, the first 2-3 areas over years 2-7, the second 2-3 areas over years 8-12 and the third areas from 13 to 20 years. Phasing is a common term in economic development and there is not always much meaning behind that other than it sounds like a process for not dumping everything in at one time. This phasing is not simply the result of throwing darts at a timetable. It is related to the federal obligations to rehab those properties from mining activities prior to their availability for industry. The final phases could be under rehab according to TransAlta for as long as the next 10 years. That process confirms the timetable as how we are likely to develop.

The minimum size sale is 100 acres by state statute, restricting site use to large capital intensive manufacturing. Also by state law this proposal is to be a programmatic environmental impact statement. Some detail you might see when reviewing a specific company application you will not find in a programmatic document such as this.

The sites in phase 1 and partly in phase 2 are adjacent to and on the south side of Big Hanaford Rd, meaning there is direct access to those sites from Big Hanaford Rd so that early on-site road construction can be held to a minimum.

Bonneville Power lines run through the site, as do natural gas and high speed internet lines. Water and sewer facilities will both be required and water/sewer volume estimates in the DEIS were set at the upper end of the likely demand range, helping to ensure that we plan for the higher range of possible use. Alternative road and rail use were both analyzed including future demand for a north county interchange. We have been working with state and federal officials, WSDOT, Lewis County, the city of Centralia, Public Utilities District, TransAlta and the Public Development Authority among others on the best and most likely options to deliver each of these services. Information on each has been included in the DEIS and in the referenced attachments.

Mr. Lotto thanked the Planning Commission again for its time.

Mr. Andy Lane stated Mr. Lotto gave a good overview of the proposal. What the Planning Commission has before it is amendments to the Comprehensive Plan and amendments to the county code. The amendments to the comp plan will be a mapped designation of this area and there will be some policy amendments. The code amendments will put the process in the code that explains how a specific application will be reviewed when it comes in.

The statute that Mr. Lotto referred to that was adopted in 2007 sets the designation criteria for how the comprehensive plan needs to designate this land as an industrial land bank. Those are the types of policies that will be amended in the comp plan; it will include language from the statute that says it has to meet these criteria. The statute also sets out the specific criteria for the county to use to review a proposal within this site.

When the application was made to the county with the proposed code and comp plan amendments it was made independent of the effort that BHC Consultants were doing in reviewing the comp plan and development code to make other global amendments. The application materials that came in in December of last year have since been incorporated into the comp plan and code amendments that BHC has worked on with the county.

As Mr. Lane looked through the documents, he was trying to compare what was in the original application and what the Planning Commission was looking at. He prepared two charts: one cross references the adopted comp plan amendments to the recommended amendments and the other shows the proposed amendments that came in with IPAT's request and the code as BHC has proposed it, and breaking it down to make it easier to use than the existing code. There is a place on this chart that will be used to tweak a few things that still need to be considered from the original IPAT application.

Mr. Lane stated there is an agenda item tonight for comment on the IPAT DEIS. He asked if the Planning Commission had questions.

Commissioner Guenther stated he has been familiar with this project for the entire 13 years and has worked with folks to try to make this happen because he has seen the declining average wage in Lewis County over the last 20 years. Some day the power plant will shut down just like the mine shut down. There are \$200 million going into our economy with the power plant running, and if it goes away we need to figure out how to replace that income base. He wanted full disclosure to the Planning Commission and the public that he has been working on this and has been to the legislature about it. He believes the county needs to look 20-30 years ahead.

Commissioner Lowery stated he saw figures of 1000 acres and 4000 acres and asked for clarification.

Mr. Lane stated the statute included language that stated to designate an area the area designated has to be at least 1000 acres. Because of the nature of the TransAlta site, in order to cobble enough land together to amount to 1000 usable acres, it includes up to 4400 acres.

Commissioner Lowery stated even though there are 4400 acres designated, not all of that will be developed. Mr. Lane stated that is correct.

Commissioner Russell asked if the bill is cited in the proposal. Mr. Lane stated it is RCW 36.70A.368.

Commissioner Mahoney asked if any of the 4400 acres has been used for disposal of residue from the burning of coal.

Mr. Lotto stated the "narrow" answer is no, the larger answer is those areas that were mined were backfilled. That means when we go through our analysis, and we have for the first site already, part of our due diligence is to conduct soils testing and compaction testing to make sure that there is sufficient ability on the areas to hold up under construction.

Commissioner Mahoney stated there has been significant information lately about promoting the use of bottom ash and it has been discovered it contains materials we were not aware of. He would not want the county to be liable for property that is leaching mercury or some other substance into the ground water. If he understood Mr. Lotto correctly, the mine owner must rehabilitate the ground to

environmental standards before it can be offered for development. Since we will be considering this for industrial development, he asked if this will affect the topography of the finished rehabilitation.

Mr. Lane stated the reclamation plan will need to be revised; however TransAlta will be the one to bring the site up to the appropriate level of reclamation for its designated use. The intent is that the reclamation plan will be changed so that these sites will not be rolling hills, but appropriately leveled for industrial use.

Commissioner Mahoney wanted confirmation that the final reclamation has to meet DOE or EPA standards or federal requirements before the county would be able to proceed with any development. Mr. Lane stated that is correct.

C. Letter of Transmittal on Countywide Planning Policies and Population Allocation

Mr. Johnson stated the Countywide Planning Policies (CWPP) are required under the Growth Management Act. Their purpose is to provide a foundation for comprehensive plans not only for the county but for the cities within the county that have to do planning under GMA. The county is required to review the countywide planning policies and the population allocations that are put forth by the Office of Financial Management. Those provide the projected growth within the county for the 20 year planning horizon. There is no recommendation at this time to change the population projections that were approved in 2008.

There are some changes that are proposed and the county entertains those changes through the Planned Growth Committee (PGC). That is a body that consists of officials from the incorporated cities and the county, and our County Commissioners are also on that committee. Its purpose is to make sure that the planning policies the county has in place are consistent with the needs of both the incorporated and unincorporated areas of Lewis County, and that the population allocation is appropriately selected. The changes that are recommended by the PGC are brought to the Planning Commission who forwards them to the Board of County Commissioners for approval.

The policies can be characterized as policies that are related to industrial development to facilitate and coordinate the designation of the industrial land bank at TransAlta. They also authorize the designation of a subarea urban growth area anywhere in the county and the necessary infrastructure and services to support those.

The planning staff went through these with the Planning Commission and Mr. Johnson's recommendation was to review the draft document and transmit a recommendation to the Board of County Commissioners.

Commissioner Russell has mentioned his objections in the past to the Countywide Planning Policies and he has not seen any changes to the draft and is not happy with the document.

Chairman Jennings asked for other comments.

Commissioner Lowery made a motion for the Chair to sign the letter of transmittal to forward the CWPPs to the BOCC for approval. Commissioner Guenther seconded. The vote was tied three to three and Chairman Jennings asked if it should be tabled for further discussion or voted on when there was a full Commission.

Mr. Johnson asked what the concerns were as he was unaware of any concerns.

Chairman Jennings stated Commissioner Russell's concerns were read at the public hearing and she did not recall Commissioner Mahoney's concerns.

Commissioner Russell asked Mr. Johnson to review Commissioner Russell's copy of the CWPPs.

Commissioner Mahoney agreed with Commissioner Russell's comments. There is some rough language that needs to be cleaned up.

Mr. Johnson apologized for the lack of communication with staff. He would not bring something to the Planning Commission unless there was some assurance that it would pass.

In reviewing Commissioner Russell's document, there are considerable concerns about the word "shall". Mr. Johnson asked what the concerns are between "shall" and "should". One reason those were included is because the policies used to be non-directive and more general and now you are asking the PGC and BOCC to revert back to a form that they were not willing to have several years ago, which was non-specific directive language. The policies need to be directive and therefore those words were included. Does the Planning Commission want to propose to the PGC that the planning policies are less directive?

Commissioner Guenther asked if the questions were directed to the way the vote went or to the Planning Commission. Mr. Johnson stated they are directed to both because the Commission makes the recommendation but they are specific to Commissioners Mahoney and Russell because they are the ones who were concerned about the language.

Commissioner Russell referred to the first page where a couple of the policies use the word "shall" and another uses the word "should". The language is inconsistent – the policies should state that the county is going to do something. On every page of the document the language is mixed with what the county shall do or what the county should or would or could do. There are other items in his memo he thought should be omitted from the document.

Mr. Johnson stated the language in the CWPPs is the language that the PGC has worked on throughout the last several years. Some language has been discussed and the nuances between "shall" and "should" have been discussed and Mr. Johnson could not presume to say why they chose that language. He stated the PGC meets a few times a year and there is a need for these policies to be in place this year for a number of reasons, not the least of which is we are required to have the comp plans and the CWPPs consistent. There is no language in the CWPP as they exist to speak to an industrial land bank or necessary infrastructure to support a subarea plan. While he appreciates the concerns over the specific language, he urged the Commissioners to reconsider this in view of the policy itself and what it deals with. If there are concerns with the "shall" and "should" language, a suggestion could be sent back to the PGC to reconsider that language. In view of what is before the Planning Commission and the BOCC regarding the subarea planning, IPAT and the provision for utility services that the county will undertake, in Vader in particular, there is a need to have these policies recommended by the Planning Commission and approved by the BOCC.

In answer to a question, Mr. Johnson stated the PGC meets every year to discuss the urban growth areas and whether they are appropriate for the cities. There may be proposals from cities later this year to

expand their growth areas. The PGC also looks at the population allocations, but typically only meet four or five times a year. It would be too late for the PGC to meet this year to go through the CWPPs and get another recommendation back to the Planning Commission.

Commissioner Mahoney stated the work on these have been going on long enough now that it is time to quit looking at it piece meal and get the whole document so it is consistent. He would like Mr. Johnson's assurance that this issue would be put on the PGC agenda for next year. He would like to see consistency in all the documents incorporated into the comp plan.

Commissioner Lowery stated he understands Commissioner Russell's concern, especially 3.0, the Transportation Element. In regard to supporting it tonight, get this one done and send a recommendation to the PGC to look at the policies because the Planning Commission is uncomfortable with them.

Commissioner Russell stated this has been brought up every year and it has never been changed. He asked why it is brought to the Commission for a recommendation when there are no changes made – it could go straight to the BOCC.

Mr. Johnson stated the time to make the changes were during the work session. Chairman Jennings stated Commissioner Russell was not at that work session but he had given his concerns to Chairman Jennings and she read them into the record. Chairman Jennings stated the language has been an issue for as long as she has been on the Planning Commission.

Mr. Johnson suggested the Planning Commission adopt the recommendation and attach Commissioner Russell's document and write on it to look at the language and consider the changes and if changes are not made this year, consider making them next year. If you are okay with the policy and you have concerns about the language it would not be inappropriate to make that kind of recommendation.

Commissioner Russell stated he would be comfortable with transmitting a letter with a codicil to have the County Commissioners review that as to its appropriateness.

Commissioner Guenther stated he would like to make sure that the document is directive.

Mr. Johnson stated he cannot guarantee that the PGC will agree that all the language should be changed; they may still elect to have the language be less directive. He will take it back to the PGC and discuss the Planning Commission's concerns and ask them to address it.

Commissioner Mahoney made a motion to reconsider the original vote. Commissioner Tausch seconded. The motion carried.

Commissioner Russell moved to bring the Countywide Planning Policies back to the table for a re-vote. Commissioner Mahoney seconded. The motion carried.

Commissioner Russell stated having discussed this issue and given the assurance that the attachment will be added to the letter of transmittal, he moved to transmit the Countywide Planning Policies to the BOCC. Commissioner Mahoney seconded. The motion carried.

D. Workshop on Rezones

Mr. Johnson stated in the Commissioners' packet was a staff report on the rezone requests. Every year the county entertains rezone applications. Before 2009 the county was continuously under invalidity or non-compliance with the Growth Management Act so some of these applications have been waiting for processing since 2000. The Planning Commission has, in the past, reviewed a number of rezone applications in areas that were not under invalidity. This year the county reviewed about 75 applications and they were all presented to the Planning Commission. There were hearings held on these applications as well as a special hearing for one particular application in Mineral.

At this time the discussion would be relative to the matrix that was prepared by county staff with the pertinent information and recommendations. There are ten applications that have been recommended for changes.

Mr. Johnson asked if each application will have its own motion or if they will all go through on one motion.

Chairman Jennings suggested that since most of the Planning Commission's recommendations were in line with staff recommendations on those that would remain the same, those with changes could be addressed one at a time.

Mr. Johnson stated the first recommended change is on page 6 of the matrix, Application #171. The request was from ARL to RDD-5 on 113+ acres. Part of the property would continue to be farmed and would remain in ARL. Discussion followed and the Planning Commission agreed that this property should be rezoned to RDD-5.

Page 7, Application #15 has a recommendation of re-designating one parcel from RDD-10 to RDD-5. The Planning Commission agreed.

Page 10, Application #81 requested an RDD-5 designation. On several parcels staff recommended designation to RDD-10.

Commissioner Russell stated in an effort to speed things up, the Planning Commission agreed with the staff's recommendation on the other requests but there was discussion on Application #169, which is on page 21. He did not remember that a consensus was reached by the Planning Commission on this application and he recalled that a re-designation should be considered.

Mr. Johnson stated the one criterion for re-designation from ARL was if there was a mistake made and if a mistake was made did the property owner bring in the appropriate documentation that a mistake was made.

Commissioner Russell stated there was a declaration from the owner that the property was not drained on 1/3 of the property.

Commissioner Mahoney stated for a small parcel to be developed in any kind of intense horticulture or truck crops it needs irrigation and it is not irrigated. A lot of this ground should be designated prime if irrigated but it is not and we can't use that. He is not sure this is fair to the land owner but he would go with the staff recommendation on this application.

Commissioner Guenther concurred.

Chairman Jennings recessed the meeting at 8:22 p.m. and reconvened at 8:36 p.m.

Chairman Jennings stated if the Commissioners have specific questions on rezones they should be addressed, otherwise she did not see the need to go over the applications again.

Mr. Johnson proposed that the Planning Commission move forward the recommendations as proposed in the staff report. The one rezone application that is not included in the matrix is #156, the Mineral Lake application.

Commissioner Mahoney stated the staff recommendation on Application #156 is that the rezone not be granted.

Chairman Jennings stated Application #156 is included in the letter of transmittal and therefore should be addressed now.

Commissioner Mahoney stated based on the testimony received there was not a mistake made in the original designation of forest land of long term commercial significance and he agreed with the staff recommendation on this application. He wanted to comment to some of the people who were so adamant about not allowing the rezone. The worst case scenario would be for the property owner to put oddly-shaped properties in and there would be no way for the county to stop that from happening or stop the construction of buildings as long as they meet the 80-acre parcel size. If that were to happen, the rezone would look like a better solution for the county and the local people. At the present time Commissioner Mahoney supports staff that the rezone request be denied.

Commissioner Russell spoke to Application #156. Throughout all the testimony it became obvious that everything became clouded as to what the actual issues were. The majority of everyone testifying was about after-the-fact-zoning, development and road problems, etc. It did not speak to the actual land. There was a statement made about what other counties do and it does not matter what other counties do. Lewis County had struggled with forest resource lands for a long time before it came up with a designation of one in 80 and that best suited Lewis County because of the vast amount of resource lands that we have. The opt-in provision was made for the smaller property owners who wanted to opt in to get the protection of the forest resource land to maintain their forest activities. Commissioner Russell does not see where any mistakes were made. It is part of a larger block, the one in 80 fits, we planned for one in 80 and if they want to divide that up into 80-acre tracts, Commissioner Russell is okay with that. The road standards that the county has in place will take care of the problems that everyone had after the fact. The Planning Commission, however, was not charged with that. It was charged with determining if the land is forest land of long term commercial significance according to the county and it is.

Commissioner Guenther agreed and stated what may happen by forwarding this transmittal is some statements by Mineral residents may come to fruition as far as attracting a suitable buyer for that property that will give the timber company that owns it the opportunity to recover its investment.

Mr. Johnson stated Commissioner Russell summed up the staff's analysis appropriately. The opportunity for consideration of the criteria and designation process in the comprehensive plan is well

past. That opportunity existed in 1994 when the county adopted forest resource land and the designation criteria. It has not changed since then and the forest resource lands have been left intact. The argument that a mistake was made is not appropriate at this time. As for the opt-in provision, you cannot opt in if you are already there. The opt-in provision is for lands that do not already meet the criteria but want to be forest resource lands. This land already meets the criteria as adopted by the county for designation. The staff's recommendation is: by definition this land is forest resource land and it is appropriate to leave it as it is.

Mr. Johnson wanted it clear that the people who own that property have the right to develop it consistent with the development regulations that are in place. They can put one residence on every 80 acres if they so choose.

Commissioner Lowery stated this issue was one of the first when he was appointed to the Planning Commission. He abstained from a vote at that time but since then he has listened to and has read all the testimony and read the very persuasive arguments from the proponents. Nowhere did he see that an error was made in the original designation of forest land of long term commercial significance. He agrees with staff's recommendation.

Chairman Jennings agreed. The case was not proven where staff made an error in designating it for forest lands of long term commercial significance. If there was not an error made based on GMA requirements it will stand as it is.

Commissioner Russell stated there was one more application he wished to discuss which was on page 27, Application #144. He recalled that the Planning Commission disagreed with staff. The property is already divided and would not create a spot zone.

Chairman Jennings stated this property is parcelized but there is no development on it.

Commissioner Russell stated it is adjacent to RDD zoning and is part of larger block of agricultural land but nothing would change by re-designating it.

Mr. Johnson asked if it is currently subdivided. Commissioner Russell stated according to his notes it had been.

Mr. Johnson stated the request was to RDD and even if it was changed to RDD-20 nothing would change. If the lots are indeed subdivided lots they are vested to the development regulation at the time. If it is going to be developed for residential purposes and it is already subdivided, it is immaterial.

Commissioner Russell stated the uses would be different.

Mr. Johnson stated if it is fully contained within a larger agricultural block he would back what Mr. Rupp suggested, because to change it would be inconsistent with the methodology that the county used in the past. It would create a situation that is inconsistent with agricultural use and the mandate under GMA is to protect and preserve agricultural land if it meets the requirements. He would not support a rezone.

Mr. Johnson responded to an inaudible comment that the property owner would know if they recorded a deed or had it surveyed. If they have developable property they retain the right to develop that

property. Some uses might be different in agricultural land but the mandate under GMA is to protect those areas that are appropriate for agriculture from other uses that may be incompatible. To put a small spot zone in a larger agricultural block could be construed as not protecting the larger agricultural block and introducing uses that are inconsistent with agricultural uses.

Commissioner Russell stated this would not create a spot zone. The property directly to the east of it is not zoned agricultural land and the ground is the same according to the soils map.

Mr. Johnson stated if there was a recorded survey that created the subdivision or an approved subdivision, those are mapped. There are a large number of tax parcels within the county that are not legal divisions of land and should not be taken into consideration when doing rezones. Mr. Johnson would still not recommend a rezone and he stated the staff recommendations and Planning Commission's recommendations do not have to be the same.

Commissioner Mahoney stated if they are legal lots they can be developed for residential use and the agriculture designation won't hurt that. If they are not, it is a large parcel within the agriculture block that should stay agriculture. He was willing to go with staff's recommendation.

Chairman Jennings stated her meeting notes from July 27 state there was no recommendation when it was reviewed by the Planning Commission.

Commissioner Russell withdrew his comment.

E. Letter of Transmittal on Rezones and Toledo UGA

Commissioner Mahoney made a motion that the letter of transmittal with the matrix and staff recommendations, including Application #156 be forwarded to the BOCC. Commissioner Lowery seconded. Five Commissioners voted in favor of the motion. Commissioner Tausch abstained because he had missed several of the rezone workshops.

Mr. Johnson stated earlier in the agenda the proposed comp plan changes for IPAT were discussed but the other proposed comp plan amendments were overlooked. He asked that Mr. Wagoner could speak to those proposed amendments.

Mr. Wagoner stated the comp plan packet that is before the Planning Commission is to show the recommendations for changes to three of the comp plan elements, primarily the land use element. Because of the way the changes were made, copying and pasting, strikethrough and underlining, it got confusing. You will find a clean version of the recommendations and about two thirds of the paper is existing comp plan elements so you can put them side by side to make comparisons.

The memo is a reader's guide of what we are proposing for each of the elements. It should help as you go through each element. Mr. Wagoner stated he would not go through all of them but would answer questions if there were any. With respect to the land use element it was clear to BHC that as it was written and adopted a number of years ago a lot of it is out of date. The current land use element has abstracts describing comprehensive plans of all the cities in the county. The cities amend their comprehensive plans probably annually and it is not practical for the county to try to keep up and it is not necessary for the county comp plan to have that kind of information in it. Therefore, we cut down the introduction to the land use element substantially and then looked at the urban sub element and

rural sub element of the land use element. We did not touch the natural resource environmental part of the comp plan because that was worked on when the agricultural resource lands work was done.

In the urban element we provided some recommendations for policies that set the stage for things you discussed tonight, such as IPAT, which is not in the existing comp plan.

In the rural element we tried to clear up some inconsistencies about the use of terminology, "gateway" being one of the terms that is used liberally in the plan and used differently in the zoning code.

We also prepared a glossary of terms for the land use element for urban and rural that will be useful to the public and anyone who uses the comprehensive plan.

There have been a number of small changes made to the economic development element. That was drafted for the first time for a new element and adopted by the county in 2009. With the additional information and work that has been done in the last several years, it became clear that there needed to be additional work in both the policies in economic development and the profile, which is the data or descriptive part of the economic development element.

In the capital facilities element some changes were made primarily because of the new role the county is heading towards and that is to be a provider of utility services which is not included in the current comp plan. Policy language has been included and the profile was updated because of work done with respect to the south county plan. We have identified a clearer description of some of the facilities that are owned by the cities in South County and some of the special purpose districts that are providing services. The school districts have updated their master plans and updated information is provided in that regard.

Earlier Mr. Lane presented some additional proposed language with respect to IPAT for both the comp plan and the code. There is also a memo from Public Works with additional suggestions for changes to the capital facilities element. We will incorporate both of those into this draft and that will become the draft that will be available for the public hearing.

Mr. Wagoner stated the other part of the packet were changes to the development regulations, primarily Chapter 17.20 which is the county urban zones. The current code does not include language regarding free-standing urban growth areas in the county that would be regulated by the county and intended primarily for economic development, not for population growth. Language was also added for master planned resorts (MPR). There is a placeholder in the current comp plan for MPRs but no specific development regulations. IPAT language has been included, and we tried to make all these things consistent.

One chapter was broken into five chapters and each one has a purpose statement, a description of what they are supposed to do and how they are formed or designated and language about uses and development standards for each one of those urban growth areas.

There are recommendations for amendments to the existing code language for binding site plans which is a way for permitting large-scale development. In the south county plan we have proposed that would be the best way to review and approve large-scale projects in these urban growth areas. Language has been proposed in the code that will clean it up and make it procedurally better for developers to function as well as the county as it reviews and approves these projects.

Mr. Wagoner entertained questions or comments.

Commissioner Guenther referenced page 6, the last bullet, which identifies an area as Stinky Corner. That should be called Anderson's Corner. A dairy went in there years ago and that's how it got its name in recent years but the Anderson family was there long before that.

Commissioner Lowery referred to the economic development portion. It states the county will provide information and technical assistance to aid the expansion of existing businesses. He asked when the county took on that role and who does it.

Mr. Wagoner stated that goes back to the draft adopted in 2009. The county convened an advisory committee comprised of organizations primarily involved in economic development, such as the Chambers of Commerce, Centralia College, and other folks, all of whom were familiar with the issues of trying to improve the economy in Lewis County. It was a consensus of that group that it was a role that the county should take on. That has probably not happened yet but this is a 20-year plan and we are trying to identify strategies and responsibilities that the county should seriously consider. Mr. Wagoner's view as a planner is that even though the plans are written for 20 years, they are updated frequently and the update periods are the time to look at things to see if we did them, and if not why or should we still plan to do them.

Commissioner Lowery asked if it was covered in the contract with the Economic Development Council.

Mr. Johnson stated the county has statutory authority to do economic development and it does it by contracting with the EDC which is the official economic arm of Lewis County.

Commissioner Lowery did not understand what Policy 6.11 in economic development meant. It states the county will encourage on-farm housing for family members to ensure continuation of family farms and farm economy. He interprets that to say that a house can be built for a child.

Mr. Wagoner stated the current code, in the RDD and ARL zones, in addition to the primary residence, there is the provision for an additional house being built on each parcel. That was in the code before but it acknowledges an important statement for the county to make.

Commissioner Lowery agreed but he heard that it could not be done. Mr. Wagoner stated it can definitely be done in RDD and he believed it could be done in ARL.

Mr. Johnson stated the policy presupposes that the county is going to follow its development regulations and the development regulations generally follow the policy. Farms are typically large in size, so if it has the appropriate land they can do farm worker housing or accessory residential use. The policy is to encourage folks to add more than one residence to the farm.

Mr. Deitrick stated it is also in Chapter 17.102, family member units and accessory dwelling units.

Commissioner Russell referred to the binding site plan, page 6. Under 16.15.060(1) he suggested dropping the word "only" from the last sentence. On page 7, 16.15.070, he asked who would be approving the amendments to the site plans.

Mr. Wagoner stated these are terms that may require more clarification, but a major amendment normally for both this and for a subdivision would go back through the entire approval process.

Commissioner Russell thought it would be helpful to have that stated in the document. He asked if there would be a clean copy provided with all the consolidated comments for the public hearing. Mr. Wagoner stated yes.

Chairman Jennings asked if there were any other questions or comments. There were none and Mr. Johnson stated a motion was needed to move this to public hearing on November 9. Commissioner Russell made the motion, Commissioner Lowery seconded. The motion carried with Commissioner Guenther abstaining.

Chairman Jennings stated the Commission approved the transmittal of the rezones to the BOCC but the Toledo UGA had not been discussed and that is included in that transmittal letter.

Mr. Johnson stated the city of Toledo UGA proposal is not part of the subarea plan. It is a request that has gone through the PGC and was approved by that committee consistent with a needs analysis done by Toledo to increase their existing UGA by 149 acres for residential development. The map shows the area on the northwest side of the city. Mr. Johnson stated the people who testified against the proposed subarea UGA, which is a county UGA on Jackson Hwy, do not have land in this proposal. This is a distinct and separate request. The staff recommendation and the recommendation of the PGC is to move this forward to the BOCC.

Commissioner Russell asked if anyone had testified against the city UGA and Commissioner Lowery stated one person spoke against it.

Commissioner Russell referred to a letter from a resident on Sky Lane and asked if that fell within the UGA boundary. A gentleman in the audience stated it is off Jackson Hwy, it is not in the proposed city UGA.

Mr. Johnson stated the Jackson Hwy UGA would be considered in 2011, that the BOCC has determined there is still work that needs to be done on that proposal.

Mr. Paul Oberg asked if the landowners within the proposed city UGA would be informed or asked their opinion of this proposal.

Mr. Johnson stated they will be notified because there will be a hearing before the BOCC. He explained that the urban growth expansion request is a city request and the city has its own process for doing that. It holds public meetings and public hearings and has its own process for notifying property owners within the UGA boundary. Once it goes through that process, it goes to the Planned Growth Committee which is made up of the other cities and the county officials who review the request. It then goes to the Planning Commission. Typically UGAs are requested by property owners and the city has its own notification process.

Chairman Jennings stated there has been a public hearing before the Planning Commission when people had the opportunity to speak about the proposal and there will be a workshop and public hearing before the BOCC as well.

Mr. Johnson explained the difference between a rezone and a UGA, stating that the city would put its own zoning on the UGA.

Commissioner Lowery moved to forward the letter of transmittal with the Toledo UGA recommendation to the BOCC. Commissioner Guenther seconded. The motion carried.

III. New Business

A. Comments on IPAT DEIS

Mr. Deitrick stated this is a non-project environmental impact statement. It has been noticed for the availability of the DEIS which has a 30-day comment period. We are taking comments and when the 30 days are up the comments will be incorporated into the final EIS.

Commissioner Russell asked if the land owners around the IPAT area have been notified so that they are aware of the process.

Mr. Deitrick stated it has been notified in the usual public places since it is part of the changes to the comp plan and development regulations.

Commissioner Lowery stated there was a scoping meeting and people who lived in the area attended that meeting and testified. One brought up the diesel trains and another brought up traffic issues.

Mr. Johnson stated there is a notification process for property owners within a specific distance. That is not an exhaustive mailing to all property owners. General rezones of this type are done through media notices. The county does not have the staff or the money to send a notice to every property owner on all land use actions.

Commissioner Lowery stated a frustration of the Planning Commission is we specifically asked that the people in the subarea plan be notified and the people said they did not know about the meetings. Communication is very important in this process and we must figure out a way to improve that.

Commissioner Russell stated when the discussion is about agricultural or forest resource lands countywide, that is a tremendous amount of people to notify. When you are talking about a subarea or IPAT you are talking about 15 or 20 landowners and that is a big difference.

There was discussion about notification and Mr. Johnson stated he would take all comments under advisement.

IV. Calendar

A special meeting had been planned for November 3 for another workshop on the comp plan amendments and comments on DEIS if it was needed. After discussion it was decided that this special meeting was not necessary.

The next meeting will be on November 9, a public hearing on the Comprehensive Plan and IPAT recommendations.

V. Good of the Order

Mr. Mike Talent cautioned the Planning Commission to read what has been promoted by the county for development in the county. They feel that Lewis County is going to have industrial development above

the national average and that the population is going to increase by 60%. He asked the Planning Commission to look at what is being purported as good data. He does not like what is being proposed today with industrial development. Read this with the idea that these are estimates and they may be from experts but he believes the estimates are inflated. If an individual wants to have his land rezoned to industrial he would support that, but he does not support his property being rezoned and not being notified for over 2 years.

There was no other public comment.

VI. Adjourn

A motion was made and seconded to adjourn. Adjournment was at 9:42 p.m.