

Lewis County Planning Commission

Public Meeting

Lewis County Courthouse, 2nd Floor
Commissioners' Hearing Room
351 NW North Street
Chehalis, WA 98532

January 22, 2008 @ 7:00 P.M.

AGENDA

- I. Call to Order**
 - A. Introduction of Planning Commissioners (roll call)

- II. Old Business**
 - A. Approval of meeting notes from November 27, 2007 and December 11, 2007 and January 8, 2008
 - B. Public Works Re: Birchfield Road Standards
 - C. Workshop on Birchfield FCC Development Regulations

- III. Calendar**
 - A. Next meeting February 12, 2008: Workshop: Rezones outside of Invalidation Order
 - (i) Set Public Hearing
 - B. Update on ARL Compliance
 - C. Workshop: Housing and Economic Development Elements of the 7-year Comp Plan Update

- IV. Good of the Order**

- V. Adjourn**

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**Meeting Notes from Lewis County Planning Commission
Public Meeting
January 22, 2008
Lewis County Courthouse
351 NW North St.
Chehalis, WA 98532**

Planning Commissioners Present: Bob Guenther, Rachael Jennings, Larry Hewitt, Mike Mahoney, Arny Davis

Planning Commissioners Excused: Richard Tausch, Bill Russell

Staff Present: Rod Lakey, Phillip Rupp, Kernen Lien, Pat Anderson

Handouts/Materials Used:

- Agenda
- Meeting notes from January 8, 2008
- Staff Report from Kernen Lien re: Birchfield FCC
- Birchfield Development Regulations
- Birchfield Zoning Map
- Birchfield Open Space and Parks Plan
- Map: Park and Open Space Plan Figure 1
- Map: Trail and Sidewalk Plan Figure 2
- Memo from Rod Lakey re: Birchfield Road Standards
- Birchfield Traffic Mitigation Summary
- Birchfield Parkway, Major Arterial

I. Call to Order

Chairman Guenther called the meeting to order at 7:02 p.m. Commissioners introduced themselves.

II. Old Business

A. Approval of Meeting Notes

Chairman Guenther entertained a motion to approve the meeting notes from November 27 and December 11, 2007, and January 8, 2008. Commissioner Hewitt moved to approve all; Commissioner Jennings seconded. Motion carried unanimously.

B. Birchfield Road Standards

Mr. Lien stated Mr. Lakey, Lewis County Public Works Assistant Engineer, had reviewed the proposed Birchfield Road Standards as well as cost estimates that were put forth by the applicant. Since that memo was written Mr. Lakey has met with the applicant's consultant and some changes have been made. Those materials were distributed before the meeting. Mr. Lien introduced Mr. Lakey.

Mr. Lakey began with Exhibit BF-3, Local Access which is for less than 750 average daily traffic. This is consistent with county standards for an urban-type setting which includes gutter, sidewalk, 14' lanes, with the exception of number 6 which should read curb width as 38' rather than 30'.

Exhibit BF-2, Birchfield Collector, is a street designed for 750 to 2000 average daily traffic and the cross section is consistent with current AASHTO (American Association of State Highway Transportation Officials) and County standards with the same change for number 6 as above.

Exhibit BF-1, Major Arterial, is based on need and ultimate build-out. As the development progresses, it may be one lane each way until two lanes are needed – if two lanes are needed at ultimate build-out. Sidewalks, curbs and gutters would be laid out as shown but with one lane of traffic. This is a major arterial and with the traffic patterns that are projected, it will be consistent with AASHTO and County standards.

Chairman Guenther asked if this is the arterial across the development, running north and south.

Mr. Lien stated that is correct.

Mr. Lakey stated there is a 90' right of way for the road and 10' utility easement on each side, outside of the right of way. The consultants are keeping the utility outside of the right of way for dedication to the County once the road is accepted by the County.

Chairman Guenther asked if the County will take over the road half-built or at full build-out.

Mr. Lakey stated it would be at full build-out.

Mr. Lakey stated the estimate was also revised from the Parkway to the freeway. The consultants indicated some portions would be done with private contract and the major sections would be through the County so it would be consistent with other County projects, such as widening on Middle Fork and Forest Napavine Roads.

Chairman Guenther asked if the Middle Fork reconstruction would be done by the County.

Mr. Lakey stated that is in the 6-year transportation plan and developer funded: they would fund it and the County would construct it, or the contractor could bring it up to current standards. Mr. Lakey stated this would most likely be a County project.

Chairman Guenther asked what the total right of way would be.

Mr. Lakey stated it would most likely be an 80' right of way when completed and the current right of way is 60'. He stated in some areas it could be wider. There is also a bridge and some fairly good sized culverts that will need work.

Mr. Lakey stated there will be a 14' minimum height clearance and although it is not in the consultants' standards, it is in the County's. The bicycle lanes and the sidewalk would have to be designed per AASHTO and there are special manuals for this.

Chairman Guenther thanked Mr. Lakey for his attendance and information.

C. Birchfield FCC Development Regulations

Mr. Lien stated the copy of the Development Regulations is the underline-strikeout version of the copy the Planning Commission saw about a month ago. One of the changes the Planning Commission recommended was to take things that were common to various zones and move them to the front rather than repeating them in various sections.

Another change made by Mr. Lien is the insertion of 17.22.211, Birchfield Land Use Zoning Summary. This is equivalent to the County's Code 17.42, which lists the different zones and uses within those zones. This table tells whether the use is permitted, an accessory use, not permitted or would require a special use permit.

A major change was the phasing on the zoning map. The old Birchfield zoning map showed bubbles for the various zones. If the boundaries changed at all during the different phases, it would require a comp plan amendment. The spaces between the bubbles were open space buffers and buffers on critical areas, etc, and those are still going to need to be in place, but to keep from having to do a comp plan amendment if they move those buffers around, they expanded the zoning out to bump into each other.

Mr. Steepy stated the bubble diagram provided with the EIS showed approximately where the edges of critical areas and buffers might be located. It was a concern that if this map became the precise zoning map, and those critical areas did not exist in those exact locations, then any time we wanted to proceed with the project, we would be faced with a comp plan amendment on an annual basis. Instead, we expanded the development zoning boundaries recognizing when we do the detailed EIS for each phase, it will identify the critical area and the necessary buffers and those areas will continue to be preserved.

Commissioner Hewitt asked if this is consistent with Growth Management hearing decisions.

Mr. Steepy stated the county-wide zoning maps zone everything residential, commercial, industrial and sometimes agricultural. They don't identify site specific critical areas and zone them open space. You do your environmental work and decide where that open space should be located based on the environmental analysis.

Mr. Steepy stated in the EIS the project had been broken into five primary phases. The earlier phases, 1, 2, and 3, were fairly well established as to what would be done in those areas. Those were specific geographic areas. Phase 4 and 5 were much larger because there was less certainty in 15 or 20 years what would be done with those. As we worked through further environmental analysis for these phases, it made sense to take those larger phases and break them into smaller groups. For example, phases 1 and 2 are done and it becomes necessary to go to the north end of the property (Phase 5-a) because we need to connect infrastructure. Instead of being forced to an environmental analysis on an 800-acre parcel, we can focus that analysis on the particular phase that is appropriate for that

infrastructure. The intent was to narrow down the geographic areas to focus the environmental assessments specifically within those areas.

Mr. Lien stated these phases are numbered 1 through 5 but that does not mean they will be developed in that order. It is just a way of identifying them.

Chairman Guenther asked how many acres the employment center will include.

Mr. Steepy stated in the land use map provided for the EIS, the employment center would be approximately 33 acres.

Mr. Mahoney referred to the residential zoning and asked if SR-4 could be four individual homes per acre, and could it also include duplexes.

Mr. Steepy stated that is correct. With each of the zoning districts there is a density range: a minimum and a maximum, the minimum is four and he believes the maximum is 8.

Mr. Mahoney stated the MDR-6 and 12 the minimums are different but anything that is permitted in the 12 is also permitted in the 6, so you could have an apartment house or a multi-family residential.

Mr. Steepy stated in the MDR-6 for any project area with that zoning district, it would have to propose and maintain a minimum of 6 units per acre. Those 6 units could be a mix of residential types and densities, as long as the overall average is no less than 6.

Mr. Lien stated the density in the various zones is on page 14.

Commissioner Hewitt asked if the density referred to the actual platted lots and not the build-out. Is there something to preclude someone from buying the contiguous plots next to theirs and not build on them. Would that affect the maximum or minimum density?

Mr. Steepy stated a subdivision proposal would have to plat legal lots of record that maintain the minimum density of four units per acre so it is consistent with urban standards. Someone could buy a lot and not build on it; we only have to provide the opportunity to build on it.

Mr. Lien referred to page 3, 17.22.070, phasing plan, and went through the changes. If the Planning Commission recommends approval of this, it would include the zoning map and the development regs. Community Development would work with the applicant for a phase and the applicant would need to do its detailed analysis, identify the critical areas, and the general mix of what it expect to have in the area. Community Development will look at it to make sure it fits in with the overall plan of what Birchfield has presented to the Planning Commission and Hearing Examiner and eventually the BOCC. Community Development will approve the phases as long as there has not been a change to any of the zoning boundaries.

Chairman Guenther stated phasing may not necessarily go in the order as numbered. If Phase 1 starts and the decision is made to move to Phase 3, does Phase 1 have to be built out before Phase 3 is started.

Mr. Lien stated it does not necessarily have to be built out.

Chairman Guenther stated we could potentially end up with all the phases started but not built out.

Mr. Lien stated he does not see all phases started. He sees phases wrapping up while other phases are being started. You don't want one phase completely built out before starting on another. Phasing will not be haphazard. Community Development will review the phases coming in, to ensure it fits with the overall plan. The commercial area will need to go concurrently with everything else.

Commissioner Jennings asked if impact fees have been determined.

Mr. Lien stated they will be noted; the County does not have impact fees adopted yet.

Commissioner Jennings asked if we are setting this in the regulations for something that is non-existent at this time.

Mr. Lien stated that is correct.

Chairman Guenther asked if the impact fees are for Birchfield or for the whole county.

Mr. Lien stated it depends on what impact fees are adopted by the County.

Commissioner Jennings asked if this will be addressed before it goes to the BOCC. She does not believe it should be included if it is not defined at this time.

Mr. Lien stated voluntary agreements were to be considered between the applicant and various service providers. Impact fees shall be adopted before we can approve this. If we are looking at Birchfield as a package to the Planning Commission, impact fees do not need to be spelled out. Impact fee regulations adopted by the County will have all the formulas that are involved with whatever that fee is going to be. Before the County approves Birchfield, impact fees will have to be in place. If everything else is recommended by the Planning Commission, and separate impact fees have not been adopted by the County yet, it can be part of the PC recommendation to the Board.

Mr. Steepy stated the applicant will request the PC, Hearing Examiner and the BOCC approve the master plan community conditioned upon impact fees being adopted by the BOCC. That way we have an approval pending that last piece of legislation that has to be adopted. If it does not get adopted, then Birchfield can't do anything. State law is quite clear that impact fees in some form or another have to be in place in order for the County to approve a fully contained community.

Chairman Guenther asked if impact fees have not been adopted by the time Birchfield goes to the BOCC, is it necessary to have a mechanism to come back to this Planning Commission with proposed impact fees so the public has the opportunity for input.

Mr. Rupp stated the Planning Commission will have the opportunity to hold hearings on impact fee legislation that will be incorporated into the code, and as it applies to Birchfield, that is the purpose of the phasing review by Community Development.

Commissioner Mahoney asked if the impact fees need to be applied county-wide.

Mr. Rupp stated there are various ways of applying impact fees to specific areas or specific projects. The BOCC is looking at those options and it is considering how to apply them in Lewis County.

Commissioner Hewitt stated expediting the process, making the contingency agreement makes perfect sense. A conditional recommendation is something he is favor of going forward with because it provides the safeguards that we will look at the impact fees at the appropriate time and they will be applied prior to development.

Mr. Lien stated those are the major changes made to the development regs.

Commissioner Hewitt stated on page 4, section (D), sub (c), "equitably" is misspelled.

Commissioner Mahoney asked if this map is adopted as is, who controls the permitting within the different zones.

Mr. Lien stated it would be Lewis County Planning Department. We would apply the development regulations to these various zones as well as Lewis County's critical areas ordinance.

Commissioner Mahoney asked if some years down the road the developer wants to change some of the zoning, would it be a change to the comprehensive plan.

Mr. Lien stated that is correct. All zoning changes come before the Planning Commission for a comp plan amendment.

Chairman Guenther asked if there is an estimate of how many jobs will be created on the 33-acre employment center.

Mr. Steepy stated some research had gone into this and it depends on the type of uses that locate there. We did not apply that data because the range was too broad.

Commissioner Hewitt stated ultimately the market will drive that. If there is not a business that chooses to locate there, you cannot fault the developer for wanting to create this. It is a risk the developer takes. Part of this project is to plan for the ability for it to be there, the need to market it, but ultimately other people make the decision.

Chairman Guenther stated he does not believe the employment center is going to have enough employees to sustain this community. A large percentage of the residents will leave the community to go to work, and that impacts the traffic.

Mr. Steepy stated it is not the FCC's mission to provide 100% of the jobs of the residents that might locate there, but it should provide the opportunity for some percentage of those residents to live close to their employment.

Commissioner Mahoney stated it is not just the 33 acres that is the employment center that will be providing jobs. The neighborhood commercial, public services area, cultural center and conference center are all employment areas.

Chairman Guenther stressed that not all the job opportunities will be filled by people living in Birchfield, so there will be traffic impacts involved.

Commissioner Hewitt stated that as a result of [the flooding] in December, this will put a strong notation on a critical factor, that people who dream up Birchfield and other things that are beginning to happen around the County, are vindicated in their faith that we need to begin to develop away from the flood zone in Centralia and Chehalis. We have the responsibility develop in South County and East County; we have to change the way Lewis County thinks about what Lewis County is, if we are going to survive as a community. He applauds the people at Birchfield for their vision in going forward, and believes this is the right direction to go.

Mr. Lien stated the Birchfield Parks Plan is the last item for discussion.

Chairman Guenther called for a brief recess before beginning discussion on the Parks Plan.

Chairman Guenther reconvened the meeting at 8:15.

Mr. Steepy stated at the back of the Parks Plan are two figures: Figure 1 is the Open Space and Parks Plan and Figure 2 is the Trail and Sidewalk Plan.

The Parks Plan came forward as a result of the Hearing Examiner analysis of the Birchfield Proposal. The Hearing Examiner determined a parks and recreation plan was needed to help comply with the growth management goals and policies. Mr. Steepy has identified the different types of parks: neighborhood parks (small parks serving a specific geographic location), community parks (contain an array of recreation activities and serve larger communities), natural areas and open space (corridors that preserve environmentally sensitive areas, trails and pathways), and special facilities (unique recreational amenities such as a club house, swimming pool, skate park, etc).

He explained the parks in more detail.

Chairman Guenther asked how many acres are included in the Birchfield Community Park.

Mr. Steepy stated there are 269 acres in that park and includes the entire valley area of the Middle Fork River.

Chairman Guenther stated that is half the size of Lewis and Clark Park.

Mr. Steepy stated that over 25% of the entire Birchfield project is dedicated to open space and parks.

Commissioner Mahoney asked if there are concerns about environmental impacts of having nature and riding trails along the buffer area.

Mr. Lien stated the critical areas ordinance addresses that. There are buffers that are required along streams and wetlands, but there are low impact type uses that are allowed within buffers.

Mr. Steepy stated these uses are not only allowed, but the code encourages public access to these natural areas. We had originally expected this valley would be a golf course, but there are many environmental problems associated with that, so we removed the golf course proposal and decided a better use of the area would be to leave it more natural but put pedestrian trails and picnic areas there. The vast majority of this area will remain in its natural condition.

Commissioner Mahoney asked the approximate size of the sports area.

Mr. Steepy stated the active facility will be between 20 and 40 acres.

Commissioner Hewitt stated he has discovered that people outside our area have looked at our abilities to take some of the sensitive areas and turn them into amenities such as this and it can be a major selling point for the end user and therefore a major economic driver for people bringing capital projects. This is a new concept for people who own property and are looking to develop it, and think of having critical areas as hurting them, when in reality, it can be turned into a very strong marketable amenity. It also preserves and protects the environment.

Mr. Steepy stated Section 4, Future Needs, has a series of tables and calculations, which are intended to provide information showing we are providing far in excess the amount of open space and recreational facilities that national parks and recreation standards would normally allow for most cities. Those standards provide for 10-15 acres for every 1000 residents. Birchfield's current plan is for over 46 acres of open space for every 1000 residents.

Commissioner Jennings asked what is the percentage mandated by CAOs. Of the 46 acres, is 30% protected critical areas?

Mr. Lien stated that will not be known until the detail analysis for the particular phase is completed.

Commissioner Jennings asked if the proposed buffers are based on current or proposed CAO standards.

Mr. Lien used the Middle Fork River as an example. It is a type 3 stream. High intensity use on both sides of that would be 100' on either side, or a 200' wide strip along the Middle Fork.

Commissioner Jennings stated the new proposed CAO would expand that more.

Mr. Lien stated the new CAO has not been adopted, but for type 3 streams it is about the same. It depends on the width of a type 3 (greater than 10'), if there are trees along the stream or trees at a certain density it would be 100'. If there is no vegetation, it would be 150'.

Mr. Steepy stated the buffer shown is easily 300-400' on either side of the river, as we are taking into account the riparian zone, the buffers and some steep slope issues.

Chairman Guenther compared the sports park to Stan Hedwall Park. He stated there are seven or eight baseball fields at that park and there is only one shown for Birchfield.

Mr. Steepy stated Chehalis serves a regional population. Birchfield, because of its confined area and space, is going to be serving the recreational needs for this specific community.

Chairman Guenther suggested if there are baseball leagues in Birchfield, there may be a need for more facilities.

Mr. Steepy stated if the demand for the facilities is there, it is in the developer's best interest to try to provide those facilities as a way to market their future land development proposals.

Mr. Lien stated another consolidated hearing will need to be scheduled because of the new material received since last May. Mr. Lien will try to get this scheduled as soon as possible. A clean copy of the development regs will be taken forward to the consolidated hearings and he will make the change on page 4, and add a section about when this comes back for a comp plan amendment. Page 9 says any modification to a zone boundary will require a Lewis County comp plan amendment. He will elaborate on changes to densities.

That concluded the presentation on Birchfield.

III. Calendar

February 12 is the next scheduled meeting of the Planning Commission.

Mr. Rupp stated there will be a workshop on rezones outside the moratorium and invalidity order. There are approximately 60 properties.

Commissioner Mahoney asked about the Planning Commissions' attendance at the Sub Area Plan meeting.

Mr. Rupp stated the agenda could be sent out to the Commissioners and they could make a determination whether or not they wish to attend.

The ARL remand hearing date has been changed from January 24 to March 12 in Olympia.

Mr. Rupp stated Andre Stone would brief the Commission on the 7-year Comp Plan update, concerning Economic Development and Housing.

Mr. Rupp stated a new calendar would be brought before the Commission and will include Master Plan Code and will likely require extra meetings.

Commissioner Mahoney asked when the CAO would be completed.

Mr. Rupp stated the CAO is part of the comp plan update and will all be brought to a close in 2008.

Mr. Lien stated the public hearings for CAO is scheduled for September.

IV. Good of the Order

Commissioner Hewitt stated we have had a tremendous amount of support for Lewis County in the wake of December's disaster from our own legislative delegation, but from virtually every committee chair, Lewis County has come up and the question asked: what will be done to help Lewis County. We all need to stay in touch with our representatives and thank them and give them the support as they go forward. We are going to see some activity in a lot of areas coming out of this legislative session that not a lot of other places in the state will see. He is encouraged by that.

There were no other comments.

V. Adjourn

Motion made and seconded to adjourn. Adjournment was at 8:47 P.M.