

# Lewis County Planning Commission *Public Meeting*

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

## **June 28, 2016 - Meeting Notes**

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

**Planning Commissioners Excused:** Russ Prior, District 3

**Staff Present:** Lee Napier, Community Development Director; Glenn Carter, Prosecuting Attorney's Office; Fred Evander, Senior Planner; Brianna Teitzel, Assistant Planner; Pat Anderson

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

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

- Agenda
- Meeting Notes from May 10, 2016
- Staff Report: Anderson Rezone
- Staff Report: Douglas Rezone
- Staff Report: LCC 17.25 Shoreline Master Program
- Staff Report: Comprehensive Plan Outreach

### **1. Call to Order**

Chair Mahoney called the meeting to order at 6:02 p.m. The Commissioners introduced themselves.

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

There were no changes to the agenda.

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

Chair Mahoney entertained a motion to approve the meeting notes from May 10. Commissioner Rosbach made a motion to approve; Commissioner Whannell seconded. The motion carried.

### **4. New Business**

#### **A. Workshop: Rezone Applications**

Mr. Evander stated there are two rezone applications and that a public hearing would be held on them in July.

The first rezone request (Bowman Rd) is to change from Forest Resource Land (FRL) designation to rural designation in the comprehensive plan, and to change the forest resource land zone to Rural Development District 1 dwelling unit in 5 acres (RDD5). Mr. Evander pointed out on the map that the parcel is between an RDD5 district and a large FRL zone. There are certain comp plan criteria that designate the forest resource land and specific criteria in the zoning code. This forest land is forest land

of long term commercial significance and a block in that designation has to have over 5000 contiguous acres. This is a very large block – approximately 83,000 acres. Based on the criteria and the size of the block, Mr. Evander believes this 40-acre block could be removed from the 5000 contiguous acres. That action would not affect the long term commercial significance. The parcel itself is approximately half forested; the other half is a house site. There are also house sites to the south and to the east and it shares a common road with those houses. It has a potential of being served by Boistfort Valley Water, although it is not within the service area at this time. Staff believes that removing this 40-acre block is not likely to encourage other people to make the same request. To the north of this property is a large forested parcel that is owned by Timber Services, Inc., and Port Blakeley to the west.

Mr. Evander stated staff believes it is appropriate to accept this rezone request. He asked for questions.

Chair Mahoney stated this property is bordered on two sides by RDD-5 zoning; it is less than half wooded; it has one building site on the property now. Rezoning it to RDD-5 does not mean it can be broken into five acre parcels and built on each parcel. It would need to be zoned either FRL and or RDD-5 as there are no other zones to consider and changing it from either of those would create a spot zone, which is not allowed. Chair Mahoney stated a rezone to RDD-5 would be appropriate.

Mr. Evander stated they would still need to comply with critical areas standards, and agreed that it could not be spot zoned.

Commissioner Whannell spoke to cluster developments which would maintain as much land in resource lands as possible. Given the topography of this property where most of it is questionable whether it is buildable, there is a possibility of greater density if the rules were ever changed. He drove to both properties and they seem to be ideally situated for that if provided for. Once a property is subdivided into 5-acre tracts in timber land, the timber values become nonexistent because of the small scale. He has no objection to 5-acre tracts.

Mr. Evander agreed that this would be a good parcel for cluster development. If cluster developments are to be considered then it needs to get into the comprehensive plan.

Mr. Evander stated the second rezone request is more complicated because the standards for Agricultural Resource Land (ARL) are more complicated than the standards for FRL. Some things that are considered for ARL are the presence of prime agricultural soil, predominate acre size of individual parcels (typically 20 acres or greater), and proximity to urban development.

This property is on Brown Road and the request is to change the Comp Plan future land use designation from ARL to rural, and change the zoning map from ARL to RDD-5. The criteria to evaluate this property is in the staff report. The zoning code criteria is what is used to implement the designation. There is criteria to de-designate land if a property owner believes it has been designated ARL in error, or in error due to incorrect mapping of prime soils, the soils are not drained, or an error due to an incorrect assessment of the presence of a commercial, non-soil dependent agricultural use.

This property was evaluated under the first. Staff does not think it was designated in error.

Chair Mahoney asked Mr. Carter if all of this would be revisited. Mr. Carter stated the only out that was left is if it was done in error. If there were a certification saying that these are not prime soils, that would be different; it is his understanding that there is not.

Chair Mahoney stated a few years ago the Board of County Commissioners asked the Planning Commission to designate about 130,000 acres ARL so the county could get out of invalidity and the moratorium could be lifted on development. Chair Mahoney believed that there was a lot of property that was designated ARL in error in order to comply with that mandate. The Technical Advisory Committee came up with between 10,000 and 15,000 acres total that they considered to be prime farm ground, and about 130,000 were designated. He was not ready to say that this particular property was not designated in error.

Commissioner Rosbach asked if the land owner had to prove that they did not have prime soils. Chair Mahoney stated that was asked to be written in and it was. It was known that the NRCS maps were in error. A property owner was given the option of hiring a soils scientist to say that the maps were in error for his property.

Mr. Carter stated that was correct. Some day if there is tremendous growth in Lewis County then that area might be surrounded by urban growth and if that happens then it might be appropriate to rezone that property.

Mr. Evander stated staff is evaluating this property under the criteria that it has. The soils, according to NRCS, are prime farm soils. The applicant argued that this parcel is too small to be ARL. The parcel is 37.22 acres and within the zone there are a number of parcels that are less than 20 acres. The zone itself was designed to look for 20 acres. The map shows the area that was designated ARL by parcel acreage.

Chairman Mahoney did not think the area shown as prime soil was accurate. He believed it was too large.

Mr. Evander stated you can't say that long term commercial significance is the only reason to keep this out of ARL. Based on all of the criteria, staff does not think that this can be evaluated in error by itself.

Chair Mahoney stated one of the criteria to get enough property to suit the Growth Management Hearings Board was parcelization. The parcel being discussed is bordered by smaller parcels on three sides and they were not changed from RDD-5. He believes the subject property should also be included in the RDD-5 zone because it is now a spot zone; he doubts that most of it is prime soil.

Mr. Evander stated based on the criteria, he would have mapped prime farm land and then found large blocks of 20+ parcels and then draw a sensible line around it. The reason this parcel is surrounded is because of the parcelization – that does not make it a spot zone. Tax designation is another criteria and this parcel is designated for agricultural land for tax purposes. Mr. Evander does not think there is an argument that this was designated in error. If there is a good argument, he asked to have it brought to the next meeting.

Chairman Mahoney agreed that there is not a good argument and the property owners did not bring an appropriate argument to get it changed. Mr. Evander stated a soils scientist needs to say that this is not prime farm land. He sent the staff report to the property owner requesting a soils report and there has not been a response.

Chairman Mahoney entertained a motion to set a public hearing for both rezone requests for July 26. Commissioner Rosbach made the motion; Commissioner Whannell seconded. The motion carried.

## **5. Old Business**

### **A. Workshop: Changes to Chapter 17.25 Shoreline Master Program**

Mr. Evander stated Chapter 17.25 did not get included in the public hearing packet for the Shoreline Master Program (SMP). Chapter 17.25 is a housekeeping measure to clean up the Code. Rather than duplicating anything in the large SMP, the Code says "for information about the Shoreline Master Program refer to the Shoreline Master Program." That is what 17.25 is trying to do. The SMP will be a stand-alone document and should not be tied up in the Code. This has gone to the Prosecuting Attorney's office. Eric Eisenberg suggested a change to 18.05.120, which is also included. The change to 18.05.120 is strictly housekeeping, and that is to eliminate the codifier's note and formally refer to the section. If these changes are acceptable to the Planning Commission, they can be moved to a public hearing on July 26.

The Chair entertained a motion to hold a public hearing on LCC 17.25 and LCC 18.05.120 on July 26. The motion was made by Commissioner Millman, seconded by Commissioner Rosbach. The motion carried.

### **B. Workshop: 2017 Comprehensive Plan Update**

Mr. Evander stated the meeting materials includes a summary of comments he has received on the Comp Plan. The first several pages are responses based on group discussions. The second includes key words from the survey responses and how many of those key words were repeated. There is a survey on Survey Monkey, the results of which will be included in the future.

To move the comp plan forward, Mr. Evander suggests moving on three tracks. The first track is development of the Onalaska Urban Growth Area. Mr. Evander has spoken with the facility district and it does have the capacity. He will be speaking to the Onalaska Alliance on July 5.

The second track is development of the Packwood Urban Growth Area.

The third track is taking public input and trying to identify key issues and using focus groups. There are three issues: promoting vital small towns. This has been an important topic. The focus group would meet perhaps three times, talk about issues and get some ideas and determine key priorities. Ultimately those would be folded into the comprehensive plan.

Topics for vital small towns: developing a sense of place. How to do that? There are some small communities doing it already: Onalaska and Carlisle Lake; Toledo and its Vision group. How can we learn from what others are doing and spread it throughout the county?

Another topic is entrepreneurship. Recruiting industry is not as easy in a small community compared to along I-5.

Infrastructure, such as a sewer in Packwood, is a key issue and needs to be discussed. Mr. Evander asked if the Planning Commission agreed that these things are an appropriate focus. Chair Mahoney stated the big challenges are people. While a lot of people in small communities want opportunities, they don't necessarily want an influx of outside people. Packwood needs to become a small community; Morton could use a little revitalization. If there could be a string of small communities with retail areas so people don't have to drive to Chehalis or Centralia, then that allows for entrepreneurship. There has to be infrastructure. Agritourism is a potential for attracting outside dollars without significantly changing the appearance and feel of the small communities.

Chair Mahoney stated he thinks Mr. Evander is going in the right direction, but he did not want him to forget about the timber industry. It is still there and there are still things that support it, such as rustic furniture and chain saw carvings. Lewis County is still a major resource county, and that should be promoted: the volcanoes, the river basin, and the forests.

Regarding the third focus group, Harnessing the Power of the People, Chair Mahoney stated that would rely on a lot of volunteers. There are many small town festivals that are lucrative for the community. He thinks Mr. Evander is heading in the right direction.

Commissioner Hueffed mentioned the Fat Tire ride the past weekend. It was a modest start but a great example of non-profit and local businesses working together. His farm was at the tail end of the ride and he had more than 100 people stop by. It was a great example of government and private citizens coming together.

Mr. Evander stated that rather than writing a draft and asking people to review the draft, he would like to ask people what issues they want resolved; have a discussion about those issues and based on that the ideas would be folded into the comp plan.

Chairman Mahoney would like to look more closely at the incidental uses of resource lands. An example is for someone to put a produce stand on their property for next year's Fat Tire ride. One weekend a year for that type of use should not be discouraged.

Mr. Evander explained what students are doing at Carlisle Lake with monitoring water temperatures. Nearly every school in Lewis County could do something similar.

Commissioner Rosbach asked if the Planning Commission could tell the schools what to do. Mr. Evander stated no, but what you can do is get people together in a room and talk about how to accomplish some things. How can we partner? How can we get vocational training for all kids?

Chair Mahoney stated the comp plan review is a good chance for the Planning Commission to have a long-term impact. Most of what the Commission does is a couple of rezones, or reaction to demands of the State. It has never had input of where we want to be 30 years from now. Perhaps some barriers can be lifted or barriers put up to improve our county. The comp plan is a map of where our county wants to be in the future so it needs to have good input.

## **6. Calendar**

The next meeting will be on June 12, a tour of portions of East Lewis County. Mr. Evander stated the Planning Commission would meet at the Courthouse at 6:00, traveling to Salkum, Morton and Randle. After discussion, it was decided to meet at 5:00. Planning Commissioners may not have more than three members in the same vehicle.

On July 5 Mr. Evander will be in Onalaska talking about that community. That meeting will be at the high school starting at 7:00 p.m.

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

Commissioner Whannell asked about the decision-makers' tours that the Extension agents were sponsoring and if those were still being held. It was instrumental getting Mr. Whannell involved in Centralia College Foundation Board, etc. It was a good way to get business people out meeting with different segments of the economy.

Commissioner Hueffed spoke about the Short Course and stated one of the unfunded mandates was the issue of economic development for Planning Commissions. That is at the heart of what we are talking about and would like to hear if and when that might be involved. How does government fit in, get involved versus facilitating. Mr. Hueffed's son has been looking at rural development grants which require an agency or a non-profit organizations to sponsor. He wondered if the County could step into that role or facilitate the training of the local communities to create those entities.

Another program was to fix failed septic systems. A loan would carry with a house and when the house was sold the loan would be paid off. That would allow people to rebuild a septic if they did not have the financial resources to do so. He does not know if the program exists any more but it might be worth looking into.

How do we partner and support the small communities?

Mr. Evander stated there is an economic development element and he is holding off on that until the EDC goes through its strategic plan. We can pull in what they are doing and it will be addressed at some point. Regarding the coordination between jurisdictions, we could create one blanket comprehensive plan for the entire county. The small jurisdictions don't trust the County enough right now so it may not happen for a long time.

Ms. Napier stated on Wednesday evening in the Commissioner's Hearing room there would be a meeting on recreational and medical marijuana. There are regulations coming from Solid Waste and Building. This is the second meeting – the first being in Morton two weeks ago. There may be some changes made to the rules. The BOCC has indicated there would be no more moratoriums on this topic so they will need regulations brought to them within the next six months for them to consider.

## **8. Adjourn**

The business before the Planning Commission concluded. Commissioner Myers made a motion to adjourn; Commissioner Whannell seconded. The motion carried. Adjournment was at 7:41 p.m.