

Lewis County Planning Commission

Public Meeting

In-Person & Virtual Meeting via Zoom

October 11, 2022 - Meeting Notes

Planning Commissioners Present: Lorie Spogen, District 1; Jason Alves, District 1; Gretchen Fritsch, District 3, Corbin Foster, AL; Bob Russell, District 2; Frank Corbin, District 3;

Planning Commissioners Excused: Kathy Chastain, District 2;

Staff Present: Lee Napier, Community Development Director; Mindy Brooks, Senior Long Range Planner; Megan Sathre, Office Assistant Senior; Amber Smith, Prosecuting Attorney; Mike Kroll, Public Works Engineer; Tim Fife, Public Works

Materials Used:

- Agenda
- Draft Meeting Notes – September 13, 2022
- Staff Presentation: LCC 17.12 Public Participation
- Staff Report: Proposed Amendments to LCC 17.12 and 17.05
- Staff Presentation: 2023 Transportation Improvement Program

1. Zoom Guidelines

The clerk dispensed with the Zoom Guidelines.

2. Call to Order

A. Determination of a Quorum

6 Commissioners were present; there was a quorum.

3. Approval of Agenda

The Chair entertained a motion to approve the agenda.

Commissioner Russell made the motion to approve the agenda with the amendment to move item 7A to Good of the Order; second by Commissioner Alves. The motion passed unanimously.

4. Approval of Meeting Notes

The Chair entertained a motion to approve the meeting notes from September 13, 2022. Commissioner Corbin made a motion to approve; second by Commissioner Alves. The motion carried unanimously.

5. Public Comment

There were no members of the public who wished to testify.

6. Public Hearing - Amendment to LCC 17.12 Public Participation

A. Opening Questions

Chair Spogen opened the Public Hearing by asking the following:

Is there anyone in the audience who believes that the public was not notified in a timely manner? *There were no responses.*

Do any of the Commission a disclosure to make? *There were no responses.*

B. Staff Presentation & Questions

Chair Spogen turned the meeting over to Mindy Brooks, Senior Long Range Planner for Lewis County Community Development to give a presentation on amendments to Lewis County Code 17.12 on Public Participation. *See presentation for details.*

Spogen: Do you have a list of how people can be notified?

Mindy: Yes we have a planning commission email list that can be signed up for on our webpage. For Public Hearings, there is additional noticing.

Spogen: I pointed out the calendar days at the last meeting as something that I thought would be helpful. I noticed on page 6 of 12 in the staff report it says just "days" as well. Does the county always use calendar days?

Mindy: Yes, we always use calendar says unless otherwise specified. We can add that to the motion at the end.

Corbin: Is there an option to add a line item that the intent is that all days are considered calendar days?

Amber: It might not be entirely necessary to add calendar days to our county code because it's reflective in the RCWs. The RCW defines in this chapter and in the title that one is being calendar days unless specified. So the default is always when talking about days under the RCWs unless it's enumerated in other ways. So we can add it for clarify, but it is not necessary.

Russell: In preparation for the meeting today I looked at the 39 page document that highlights the changes from the first version. There was a lot of work done by somebody behind the scenes and I have great trust, but it's interesting that we sometimes miss thing, but it's understandable when there's so much materials. Thank you for the summary. I have a lot of trust that it reads better, but would I be able to sit and pick that apart? After spending a couple of hours reviewing the materials it would be pretty hard for me to do that. Anyway, that's just an observation.

Mindy: Myself, Amber, Barb, Lee, and Megan looked over it. There's a lot of staff behind the scenes who go over materials, especially when we're doing code editing, because as we have discussed, words matter. In this case, one word changes the intent of a statement. So we do spend a lot of time reviewing. The reason why this code came back before you, when you edited it just a year ago, is because we don't always get it right. Code cleanup is a very normal process of coming back after a year of implementing something new and recognizing there are a few more fixes to make.

Russell: I wanted to make that comment because were the public to be listening in they may ask why don't they ask hard questions? Why don't they dig into that? It's tough. I'd like them to know what we do. It's a 40 page document with a lot of detail.

C. Public Testimony

There were no members of the public who wished to provide testimony.

D. Commissioner Discussion & Deliberation

Commissioner Corbin made a motion to send a letter of transmittal recommending that the Board of County Commissioners pass an ordinance to adopt the proposed amendments to Lewis County Code 17.05, General Provisions, and 17.12, Public Participation Process, with the correction to Table 17.05-1 that the word "calendar" be added before "days" in the column headings and intent to the commentary that unless otherwise specified day is "calendar days." The motion was seconded by Commissioner Russell. The motion passed unanimously.

7. Transportation Plan Update

Mike Kroll, Transportation Planner for Lewis County Public Works, gave a presentation on transportation in Lewis County. Tim Fife, County Engineer for Public Works, was also present and participated in the Q&A session after the presentation. *See presentation for details.*

The following discussion occurred after the presentation.

Corbin: When you said that you guys do small projects for the Forest Service or other agencies, do you bill them for it and they reimburse you? Is this upfront money to get you going?

Mike: Not so much for the Forest Service, that would be county funds that would be used. We've used them before to do pavement for them on our dime. Most of the work we do for other entities we have Interlocal agreements that allow us to get reimbursed.

Corbin: What determines whether you seek reimbursement or grant them your services?

Tim: According to statute we can spend money on service roads if there's a county benefit. For example, the last time we spent money was on Skate Creek Road, the forest service portion of that, which if you've been over know it's been pretty bad shape. It does benefit the residents of Lewis County. The Commissioners are willing to spend money on something that does provide a benefit to any residents. Some of the forest service roads actually provide access to private property as well so that's why we have an agreement with them.

Corbin: If an automobile runs into a guardrail and damages it, do we bill insurance to cover the costs of the repairs of those is that just something that has to wait until the next cycle?

Mike: We have been pretty good at collecting lately, but often time we don't because there's no accident report. My department processes all the accident reports. On a lot of accident reports the driver is unknown – when they react they just bale. They leave the car and get the heck out of there. That's a big problem, but it happens quite a bit. We do try to recover those funds. We'll calculate how much it costs us to fix it and hopefully they have insurance and we can send the insurance company a bill.

Russell: Thank you for your presentation, it was very thorough and interesting. I know that Senn Road area has a fish pipe. Priority 2 on fish passages means a lot to me. I want to spend my time touting Ann Weckbacks's work, she does awesome work and has been instrumental in getting funding for those fish passages. I've been out to those sites. There's all this money coming down for fish pipes. It's very hard to write those grants, as you know, and they're very time consuming, and having scored those grants, they have to be done correctly or she doesn't get that money and she's awesome. It'd be great to hire her somebody for the next 5-6 years or somebody to help in that area because that's what we need to do. I'm really delighted in how much funding we bring home to Lewis County to fix some of these fish pipes. What is also beautiful is that the technical resources that the Planning Department has now at their fingertips have allowed the prevention of continued destruction so keep up the good work. The last thing I wanted to mention is 6 years. I need to be looking at 15-20 years in Lewis County, but 6 years because you have to spend it operationally.

Fritsch: I am curious about the countywide paths and trails. Are these paved trails that are right alongside roads? What kind of trails are you talking about?

Tim: They can't be a sidewalk along the highway because that's part of a normal highway process, but they can follow a highway. The reality is they have to have a transportation link to them. The Swafford pond is one easy example of an overall plan to go through

the park and then over to the city down there in Mossyrock. If you can create some kind of destination, start to finish, that would serve a transportation need, not just recreational need, it could be done. That one at Swafford pond was kind of a pet project of Gary Stamper. He's the one that started it and pushed for it and that's why we are doing it.

Fritsch: So it's more for transportation purposes, not recreation purposes?

Tim: Right, so it can have a recreation element to it. That's why the Swafford pond kind of does, because there's a lot of fishing. The biggest reason we picked that one was if you've ever been out there during opening day of fishing season, there's a lot of people walking along the shoulder road and there's not much shoulder there. It's a matter of time before somebody got hurt so we would like to take care of that before it happens.

Spogen: I noticed on one of the latter lists that you had Rush Road improvements. Are you referring to Rush Road or the intersection?

Tim: It's the unimproved section between Napavine and where we did the work for the Port.

Spogen: I noticed Ploughman and Coat Road on there, which are short roads with only one house on it. How do you make a decision on which roads to improve? Do you use that criteria for roads such as the number of houses accessed through the road? How did something like those roads get on your list?

Mike: We still want to chip seal all the little dead-end roads throughout the county. In fact, we have 1,042 miles of roads and we have over 1,100 roads so a lot of them are just little short roads. We do chip seal them so they don't disintegrate and then become a major cost to rebuilt them. We have an obligation to provide drivable roads to the public.

Tim: The industry standard is that you want to do chip seal every 7 years before your road gets bad. If you wait until it gets bad then you're spending a lot of money to either overlay it or reconstruct it. We used to do it about every 10 years, but we've put extra money into in the last 3 years and we're trying to get it below 10 years. We're probably about 9 years now and even those dead end roads you want to do them before they disintegrate because we would be spending a lot of money on a road that's probably not worthy of trying to keep it. People think that roads get chip sealed before they need it, but we have to do that so we can maintain them in good condition. It's like taking care of your roof. You want to replace your roof and make repairs before it starts leaking and causing damage to other parts of your home.

Russell: When does the county own a road? When I am short platting and building a county road, when does it become the county's? Who's going to chip seal it? When do you accept roads or push back?

Tim: The standard for a private road versus a public road is the same, except for the public road has to be paved. When it's subdivided, it's the developer who decides whether it's going to be public or private, provided that it's not urban, because our statute doesn't allow urban roads to be unpaved and so they have to be paved.

Russell: What is Glacier Peak?

Tim: It's not urban. We do allow private roads in rural areas if it meets the character, which is large lots, rural character, that type of thing.

Russell: I was up on Glacier Peak today and there's the half mile extension going in there and it gorgeous. They brought in some 5,000 tons of rock and they're planning on paving it. Should they sell them all and drop this? I know they make us write a road maintenance agreement when we're doing short plats now, but it doesn't have to say that it's paved so somebody's going to get stuck with a half mile of potholes.

Tim: There's a section that's going to be paved because it's created in 12% grade, which we require if they want to go steeper than that. We have terrain that sometimes you have to go deeper than 12% in order for an emergency vehicle, like a fire truck or something, so it needs to be paved.

Russell: We should just make somebody pave it or put on the front of the plat that the county is not going to assume responsibility until it's been paved.

Tim: There is a statement that says that.

7. Good of the Order:

A. Staff

Mindy displayed a graph of Community Development's quarterly development reports issued. The amount of permits issued and the type of permits issued is similar to previous years.

Corbin: What is the timeframe that it takes to get a permit approved?

Mindy: It depends on the type of permit. The Master Site Review process is currently around 1-2 weeks, but can take up to 6 weeks during the busy times.

Corbin: How long would a simple pole barn or carport take?

Lee: We process the building permits in the order they are received. We do not differentiate between pole barns and single family residence or commercial structures.

Mindy – BOCC Process

As you know, you all did a lot of work on the seven amendments to the Comprehensive Plan map and associated zone changes – the Mining Opt-In, Adna Grocery, De Goede, YMCA, and the three UGA proposals. The Board of County Commissioners will be holding a public hearing for these seven amendments on November 1st. The official notice of hearing will go out and the public can start providing written comments on October 18th. There will be a Wednesday workshop on the 26th where staff will provide a presentation to the BOCC. If any of the Planning Commissioners would like to come to the Wednesday workshop, to share the Planning Commission's opinions in more depth you are welcome to do so. If you choose to do this, you are representing the whole Planning Commission opinions. After the hearing on November 1st, the written testimony will stay open and the BOCC will hold a continued hearing on the 8th to deliberate.

Corbin: If I can change my calendar, I would like to represent the Planning Commission on Oct 26.

Russell: I would also be available.

Mindy: I will coordinate with both of you as we prepare for the Oct 26 presentation. Thank you for volunteering.

B. Planning Commissioners

Corbin: I will be leaving for a trip out of the country on October 30th.

Russell: I got to go on a field trip with a Planning Department employee, Preston Pinkston. We had an incredible field trip working through a problem and it was awesome. Preston is a fantastic planner and problem solver and the way he dealt with me was so mature. I also got to go to Boistfort Valley. I thought the questions about how far the chip seal should go for roads is interesting. There is somebody who is going to build their dream house, and I honor the fact that they're building their dream house in the floodplain, but they're raising it up. We've created this situation where the economics make that possible. We have planning that allows simple segregations and now we got to clean up these floodplain buildings. I am watching so much dirt being moved in Lewis County. On my hill there are three projects going on with homes going in. It's awesome. We're doing housing, and we're doing it in urban areas and when I think of somebody going out to the floodplain versus good construction being done in the urban areas, I think it's a good thing. We need to figure out a way to keep costs down. The City of Chehalis has been doing a project below my house that is a big project. It could in the hundreds, I think, of apartments and condos, but the construction is really awesome. I called the city on this personally about 6 months ago because I wanted to make sure there was traffic studies and

wetland reviews and all that stuff. I was delighted when Tammy told me it was all online and I was able to see it and read it all. Then I got to watch the construction company deal with it and see the loops closed right. That is my rave. My rant is the fact that we still protect streams really well in the rural areas and up in the hills and forests, but when land gets broken down to small lot sizes people are doing crazy stuff. They are mowing right up to the edge of creeks that are Type F streams with 150 foot setbacks.

Commissioner Russell asked what became of the proposed amendments to LCC 17.30 relating to Resource Lands. Mindy responded that the Board of County Commissioners scheduled a hearing, but then decided to remove it from the agenda and not hold the hearing. This action essentially means the ordinance is dead – there is no hearing, testimony, vote, or decision. The Planning Commissioners, in response, expressed some concern and frustration over the level of information they received during the process and after. Staff acknowledged the constructive criticism and discussed with the Commissioners how to best proceed next time.

8. Calendar

The next meeting of the Planning Commission will occur on December 13, 2022 and the agenda items will be an update on the Packwood Subarea Plan and review of the 2023 docket. There will be no meetings during November.

Mindy: On October 25th we will be having a commissioner training. This is not a public meeting. We won't be discussing any business at that meeting. Amber and I will be leading the training on topics relating to defining public interest, looking at real-world examples, procedural items, campaigning, and refreshers on the Public Records Act. This is an opportunity to talk through the technical side of Planning Commission. The meeting will be at 6:00pm at 2025 NE Kresky Avenue, Chehalis, in the large conference room.

9. Adjourn

Commissioner Russell made a motion to adjourn. The meeting adjourned at 7:56 p.m.