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SAN JUAN COUNTY PLANNING COMMISSION

MINUTES OF THE JULY 15, 2011 MEETING

The meeting of the San Juan County Planning Commission was called to order by Chair, Susan Dehlendorf, at 8:30 a.m. at the Grange, 152 First St, Friday Harbor, San Juan Island.

Members Present:	Karin Agosta, Mike Carlson, Susan Dehlendorf, Brian Ehrmantraut, Evelyn Fuchser, Bob Gamble, John Lackey, and Barbara Thomas
Community Development and Planning Department Staff Present:	René Beliveau, Director; Shireene Hale, Deputy Director; Janice Biletnikoff, Planner; Jon Cain, <u>Deputy</u> Prosecuting Attorney; and Lisa Brown, Office Manager <i>LA</i>
Public Works Department Staff Present:	Rachel Dietzman, County Engineer; and Guard Sundstrom, Office Engineer

Administrative Items

Update from Chair – Susan Dehlendorf – No report.

Update from Planning – Shireene Hale and Janice Biletnikoff

Shireene reported the following:

1. Due to Mary Knackstedt’s departure, Janice Biletnikoff will be assuming .5 FTE in MRC work.
2. Julie’s time has been reallocated at full-time to the EPA Grant.
3. Colin’s time is now allocated full-time to the Shoreline Master Program update.
4. The Critical Areas update is still a top priority, but due to planner time constraints, it will progress more slowly.
 - a. Frequently Flooded and Geologically Hazardous Areas will be heard today.
 - b. The General Section and possibly Wetlands will be heard next month.

Janice reviewed upcoming meeting dates and locations as follows:

- Jul 22 Islanders Bank
- Jul 28 San Juan Island Grange
- Aug 10 San Juan Island Grange
- Aug 19 San Juan Island Grange
- Aug 25 San Juan Island Grange
- Sep 19 San Juan Island Grange
- Sep 27 Islanders Bank
- Sep 28 Islanders Bank

Shireene also noted that the Wireless Ordinance would be before the County Council for its first touch on July 26th. Susan Dehlendorf inquired about the Council schedule regarding action on the Transportation Improvement Plan. Shireene said it would be soon. Susan also asked whether the EPA low impact

development (LID) would be incorporated into the code as a requirement. Shireene explained incentives, rather than requirements, are planned.

Update from the Housing Bank – No report.

Update from the EPRC – No report.

Minutes of June 17, 2011 –

Moved by Bob Gamble, seconded by Barbara Thomas, to approve the minutes as presented. Motion passed unanimously.

Commissioner Updates

John Lackey shared his observations regarding the economic downturn and its impact on the housing market, warning that when inflation hits it could be devastating. He asked that his fellow commissioners keep this in mind during deliberations. Susan added that they should keep in mind that growth management doesn't mean prohibiting growth.

8:45 AM Continued public hearing and deliberations on an Ordinance Regarding Critical Area Regulations for Geologically Hazardous Areas and Frequently Flooded Areas; Amending Sections 18.30.120 and 18.30.130 of the San Juan County Code

Janice provided an update on the proposed ordinance, noting that the BAS Synthesis had been adopted by Council resolution and reviewed the proposed changes, indicated in red, on the July 15, 2011 draft ordinance. She provided an overview with color-coded maps showing areas potentially affected by geohazards and reviewed category levels, soil types, slopes, and liquefaction zones. Janice also answered questions from the Commissioners.

Public testimony was opened at 9:07 and nine individuals came forward to provide comments; Janet Alderton, John Evans, Steve Belluomini, Barbara Rosenkotter, Vern Vander Weide, Tina Whitman, Kermit Severin, Stephanie Buffum, and Ed Kilduff. Several of these individuals provided additional testimony after everyone wishing to speak was heard. At 10:01 public testimony was closed and the hearing was recessed for a 30 minute break.

At 10:35 the hearing was back in session. The Commissioners questioned staff regarding issues raised during public testimony and asked for clarification in other areas.

The Commissioners began deliberations at 11:08 and the following action took place:

GEOLOGICALLY HAZARDOUS AREAS

A. Applicability and Classification

Moved by Barbara Thomas, seconded by Brian Ehrmantraut, that Section A be divided into three distinct paragraphs; the first paragraph to include the first four lines ending in "consequences to people and property"; the second paragraph beginning and ending with, "Slope is the vertical . . . to estimate slopes"; and the third being "In regard to the determination of slopes and other geologic factors, conditions in the field shall control." Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan

Dehlendorf – yes. Motion passed unanimously.

Applicability and Classification 1. Category I

Moved by Brian Ehrmantraut, seconded by Karin Agosta, to accept Category I as presented. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Evelyn requested that staff check the definition of slope for consistency as defined in the international code.

Applicability and Classification 2. Category II

Moved by Bob Gamble, seconded by Karin Agosta, to accept Category II as presented in the draft. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – abstain, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed with seven yes votes and one abstention.

Applicability and Classification 3. Category III

Moved by Brian Ehrmantraut, seconded by Bob Gamble, to accept Category III as presented. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

B. Protection Standards 1. Category I

Additional questions were posed of staff regarding run-off and the following motion was made:

Moved by Karin Agosta, seconded by Brian Ehrmantraut, to approve Protection Standards Category I with the change of including Option Two and including therein the change of the addition of the definition of concentrated runoff and reference to the Stormwater Management Manual. A friendly amendment was offered by Barbara Thomas to read at the top of page 3, “within 50 feet of the boundary of a landslide . . .”, which was accepted by the maker of the motion. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Moved by Barbara Thomas, seconded by Bob Gamble, to add sections e., f., and g. [as d., e., and f.] from Category II, Option Two, to Category I. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Protection Standards 2. Category II

Moved by Brian Ehrmantraut, seconded by Mike Carlson, to adopt Category II as written in the version presented, with Section c. as listed in Option Two and with the reference to Subsection C in Subsection b. and in new Subsection c. [the reference to Subsection C] changed to Subsection d. with the inclusion of the boundary language and concentrated run-off language to match Category I. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Protection Standards 3. Category III

Moved by Mike Carlson, seconded by Evelyn Fuchser, to adopt 3. Category III. as presented. After some discussion, the motion was withdrawn and the following motion was made:

Moved by Mike Carlson, seconded by Brian Ehrmantraut, to adopt 3. Category III, as presented. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Protection Standards 4.

Moved by Bob Gamble, seconded by Barbara Thomas, to accept Option Two with a friendly amendment to include after the last sentence, “Other provisions in this chapter relating to functions and values of other critical areas may also apply.” The friendly amendment was accepted by Bob. Discussion on the motion took place and another friendly amendment was offered by Karin Agosta, to add the subsection title, “Geotechnical Reports” in both places the reference to subsection C appears in this section. The friendly amendment was accepted by the maker and seconder of the motion. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – abstain, Evelyn Fuchser – yes, John Lackey – no, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed with six yes votes, one abstention, and one no vote.

Protection Standards 5.

Moved by Brian Ehrmantraut, seconded by John Lackey, to adopt Option One. Barbara Thomas – no, Bob Gamble – no, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed with six yes votes and two no votes.

Brian interjected commentary on public reaction and questions regarding safety measures during a tsunami warning and suggested a public education campaign. Susan suggested writing a finding on this after the conclusion of the hearing.

C. Geotechnical Reports & D. Qualified Professional

Moved by Barbara Thomas, seconded by Karin Agosta, to accept C. Geotechnical Reports & D. Qualified Professional, as written. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

FREQUENTLY FLOODED AREAS

A. Applicability & B. Protection Standards

Susan inquired about the Staff note regarding sea level rise and suggested a finding be written on this as well.

Moved by Brian Ehrmantraut, seconded by Karin Agosta, to adopt A. Applicability & B. Protection Standards, as presented. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn

Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

STAFF REPORT OF JUNE 30, 2011

Staff Report Findings

Moved by Brian Ehrmantraut, seconded by Mike Carlson, to adopt findings as changed by adding “and Category III” after Category II, and adding, “. . . if required by the building official” to the end of the last bullet point on page 4; and eliminating the 4th from the last bullet point on page 5. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

Recommendations

Moved by Karin Agosta, seconded by Susan Dehlendorf, to recommend that the County undertake citizen education efforts with respect to bulkheads, tsunamis, sea level rise, and climate change. Barbara Thomas – yes, Bob Gamble – yes, Mike Carlson – yes, Evelyn Fuchser – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, and Susan Dehlendorf – yes. Motion passed unanimously.

COUNCIL RECOMMENDATION

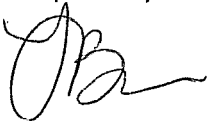
Following review of the proposed ordinance and Staff Report, the following action took place:

Moved by Barbara Thomas, seconded by Bob Gamble, to recommend adoption of the ordinance as amended, along with the [amended] findings and recommendations. Motion passed unanimously.

Adjournment

The public hearing concluded and the meeting was adjourned at 1:04 p.m. The next meeting of the Planning Commission will be held on July 22nd, 2011 at 8:30 a.m. at Islander’s Bank, 225 Blair Avenue, Downstairs, Friday Harbor, San Juan Island. [It was also noted that due to the conclusion of the public hearing the meeting scheduled for July 28, 2011 will not take place.]

Respectfully submitted,



Lisa Brown