

*Approved as submitted at the
April 16, 2010 PC Mtg. LG*

SAN JUAN COUNTY PLANNING COMMISSION

MINUTES OF THE MARCH 5, 2010 MEETING

The meeting of the San Juan County Planning Commission was called to order by Chair, Susan Dehlendorf, at 8:31 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

Members Present: Susan Dehlendorf, Barbara Thomas, Brian Ehrmantraut, Bob Gamble, Mike Carlson (in at 8:35 a.m.), John Lackey, Bruce Orchid, Stephen Adams, and Karin Agosta

Community Development
And Planning Department

Staff Present: Shireene Hale, Planning Coordinator and Lynda Guernsey, DAII.

Prosecuting Attorney

Staff Present: Jon Cain, Deputy Prosecutor

Health Department

Staff Present: Vicki Heater

Administrative Items

Update from the Chair – Susan Dehlendorf

1. Sutton Road - This agenda item was moved from the last thing to this spot. The letter that the Chair had submitted to the Planning Commission electronically since the last meeting, was read into the record. Discussion followed and the following motion was made:

Moved by Bob Gamble, seconded by Stephen Adams, to send the letter drafted by Susan Dehlendorf and dated March 5, 2010, to the County Council and those cc'd (Pete Rose, County Administrator, and René Beliveau, Director of Community Development and Planning). Bob Gamble – yes, Barbara Thomas – yes, Bruce Orchid – yes, Stephen Adams – yes, John Lackey – yes, Brian Ehrmantraut – yes, Karin Agosta – yes, Mike Carlson – yes, Susan Dehlendorf – yes. Motion passed unanimously.

After the letter is signed, Lynda will distribute it.

Update from Planning – Shireene Hale

1. Procedural issues need to be clarified and improved. These would include:
 - Exhibits clearly marked.
 - Findings that give the reason for decisions made.
 - Signatures from Chair and Secretary on amendments, transmittal within 14 days to the County Council. These could be signed when the Findings and Recommendations are signed.

Update from Jon Cain –

1. Role of the Planning Commission
 - Communication with the County Council a good idea. The above mentioned letter a good idea.
 - Assisting the Planning portion of the Community Development and Planning Department and making recommendations to the County Council.
 - Perhaps the largest contribution is bringing forth their opinions, public opinions, and facts to the County Council. The Planning Commission hearings draw out the important issues related to the projects and clarifies them.
 - The documents the Planning Commission puts forth, Findings (with reasoning behind them) and Recommendations, the County Council does pay attention to them.

- Minority reports are okay.
- Understands the frustration experienced by the Planning Commission when the County Council receives more information by the time a project goes before them, but that how the process develops some times.
- The suggestion by the Planning Commission to set up a time to meet and discuss issues with the County Council is a good idea.
- In law, after the Planning Commission makes a recommendation and a project goes forward to the County Council, there is no procedure in place to send it back to the Planning Commission.
- A handout was given to the Planning Commission regarding Municipal Research Services site regarding Planning Commissions.

Jon then responded to questions from the Planning Commission. Some items brought forward:

- There is no law that says the County Council can't remand back to the Planning Commission.
- As an individual, a Planning Commissioner could speak at a County Council hearing regarding a project that had been before the Planning Commission, but Jon would advise against that. Minority reports can be part of the packet to the County Council. At the time of the vote in a Planning Commission hearing, a dissenting voting member would state that they would be submitting a minority report. There is no specific time set for turning in a minority report, would suggest doing it as soon as possible. Lynda could distribute the report by email within 14 days.

Return to update from Planning – Shireene Hale

2. She stated that the department does value the opinion of the Planning Commission
3. The Sutton road project is an example of what happens when items are pushed through too fast. The department will be working on doing a more complete and adequate process in the future.

Return to update from Jon Cain –

2. The handout has the link to the Municipal Research Services site and they have good resources and information.

Introduction – René Beliveau

1. René reintroduced himself to the Planning Commission as the new Director of the Community Development and Planning Department. He gave a brief summary of his background and stated that he appreciates the role the Planning Commission.
2. The backlog of building permits is getting smaller. The department is issuing permits for Single Family Residences in about eight weeks.
3. René stated that Shireene Hale is the lead in planning matters but would be happy to speak if requested.

Update from Housing Bank – None.

Update from the EPRC – None.

Minutes of February 19, 2010 –

The approval of these minutes is deferred to the next meeting.

Continued public hearing for deliberations only on the updated Water Resources element of the San Juan County Comprehensive Plan

Karin Agosta read into the record and brought forward for discussion, the introduction language she had volunteered to come up with at the last meeting. After discussion, it was agreed to take a break so that Karin could incorporate the ideas from the Planning Commission into her draft and have it come back for further discussion.

Section B Element 4 Water Resources

4.1 Introduction

Moved by Mike Carlson, seconded by John Lackey, to adopt the most recently edited version of Karin Agosta's introduction. The introduction would now read: The goals and policies in this section will guide the people of San Juan County over the next 20 years, assuring fresh, clean water for current and future citizens of all species. They necessarily recognize four conditions. The first is rainfall that generally measures between eighteen to twenty-two inches per year, relatively little in the Pacific Northwest. The second is precipitation that is concentrated between November and March. The third is a geologic profile dominated by bedrock domes and cemented glacial till. The fourth is the unique multiplicity of island based disconnected watersheds. These goals and policies set out the ways in which San Juan County will manage precious fresh water resources clearly and fairly for the benefit of our citizens, our fish and wildlife and native plant communities for the next 20 years. Bob Gamble – no, Barbara Thomas – no, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – no, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with six yes votes and three no votes (Gamble, Thomas, and Adams).

Finding

Moved by Karin Agosta, seconded by Brian Ehrmantraut, the Planning Commission finds that the narrative introductions to the Water Element contain statements which are not verifiable facts and which will not provide useful policy guidance as part of the Comprehensive Plan. The editorial changes, principally deletions, proposed by the Planning Commission reflect our belief that the important language of the Comprehensive Plan is in the actual Policies and Goals themselves and that narrative sections of the Water Element should be minimized. Bob Gamble – no, Barbara Thomas – no, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – no, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with six yes votes and three no votes (Gamble, Thomas, and Adams).

4.2 Goals and Policies

4.2.A General Goals and Policies

Goal 1.

Moved by Mike Carlson, seconded Bob Gamble, to delete “accordance with the” and replace with “consideration of”; delete the comma after the word “protect” and replace with the word “and”; delete “and when possible enhance”; change the word “relies” to “rely”. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

For a new Policy

Moved by Mike Carlson, seconded by Bob Gamble, to add a new policy that would state: Encourage voluntary enhancement such as rain water catchment, stormwater retention & other technologies that will benefit water quality and quantity related to this element. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Goal 2.

By consensus, insert the words “drinking water” between “land use” and “wastewater treatment”.

Goals 3. and 4. – No Change

Policy 1.

By consensus, hyphenate gray-water.

Policy 2.

Moved by Bob Gamble, seconded by Stephen Adams, to leave it as written. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – no, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – no, Susan Dehlendorf – yes. Motion failed with four yes votes and five no votes (Orchid, Lackey, Ehrmantraut, Agosta, and Carlson).

Moved by Karin Agosta, seconded by John Lackey, in the first sentence, to delete the word “Promote” and replace with “Encourage”; place a period after “forest cover”; newly created second sentence, delete “and minimize the conversion of land to impervious and less pervious land covers.” and replace with “Encourage preservation and increased infiltration of fresh water.”; delete the third sentence. Bob Gamble – no, Barbara Thomas – no, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with seven yes votes and two no votes (Gamble and Thomas).

Policies 3. and 4. – No Change

Policy 5.

By consensus, delete and renumber.

Policy 6. – No Change

Policy 7.

Moved by Bob Gamble, seconded by Barbara Thomas, in the first sentence, delete “and” before “associated habitat” and replace with “as they apply to”. Bob Gamble – no, Barbara Thomas – no, John Lackey – no, Bruce Orchid – no, Stephen Adams – no, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – no, Susan Dehlendorf – no. Motion failed, all no.

Moved by Bob Gamble, seconded by Barbara Thomas, in the first sentence, delete “associated habitat” and replace with “the habitat dependent there on.”; delete the second sentence. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Moved by Stephen Adams, seconded by Bob Gamble, to modify the second sentence into a new policy which would state: Assess and manage cumulative impacts so that predevelopment water quality, quantity, infiltration and runoff rates can be protected. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with eight yes votes and one no vote (Lackey).

Policy 8.

Moved by Barbara Thomas, seconded by Brian Ehrmantraut, add the word “harmful” between “of” and “chemicals” and the words “petroleum based” between “and” and “fertilizers”. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Policy 9. – No Change

Policy 10. a.

By consensus, to add the words “such as desalination and rainwater catchment,” between the words “sources” and “and”.

Policy 11.

By consensus, to delete the words “Maintain a partnership” and replace with “Work cooperatively”.

Policy 12. – No Change

Policy 13.

By consensus, delete “When feasible,”.

Policy 14. – No Change

Policy 15.

By consensus, put a period after “issues” and delete the remainder of the sentence.

Policy 16.

By consensus, add the words “should lead by example and model good water protections practices”.

Policy 17. – No Change

Policy 18.

By consensus, to rephrase and modify to read: In decision making, utilize locally adopted policies and water resource analysis meeting the Best Available Science standard.

4.2.B Public Water Supply Goals and Policies

Introduction

By consensus, to return to the introduction after lunch to tease out goals out of the introduction.

By consensus, to move the following to a new policy in 4.1 General Goals and Policies that would read: “Manage water policy in accordance with the following existing and future amended plans.” Also, include the CARA Best Available Science document to the list of plans.

Water Supply Development Policies

Policy 1.

By consensus, change “Development” to “Develop”; delete “for must”; change “meet” to “meeting”; change “Code” to “codes”; delete “8.06, Critical Water Supply Areas, and Coordinated Water System Plan, including” and replace with “relating to:”

Policy 2.

Moved by Mike Carlson, seconded by Barbara Thomas, to modify the text prior to the bulleted list to say “Work cooperatively with State agencies to base future water allocations on capacity by watershed and recognizing priorities including:”; and to add “domestic supply” to the list of priorities. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Return to Administrative Items

Discussion of how to proceed with lunch and the Personal Wireless Facilities hearing, etc. It was decided to table the Water Resource Element hearing, proceed onto the Personal Wireless Facilities hearing to take public testimony, go to lunch, then return to Personal Wireless hearing to finish, and then return to the tabled Water Resource Element hearing to finish.

Public hearing and deliberations on the Personal Wireless Facilities Ordinance

Shireene Hale updated the Planning Commission on the process to-date, addressed concerns and questions, and submitted handouts from Bob Myhr (CC-1) and a suitability map (S-3). Shireene also handed out draft Findings (S-2) to the Planning Commission for their consideration.

Public testimony was opened and the following spoke:

Larry Hendel, Lopez Island Dave Cable, San Juan Island Jack Cory, San Juan Island
Beth Anderson, Emergency Response

Lunch break – 12:11 p.m. to 12:45 p.m.

Public testimony closed.

Deliberations

Moved by Brian Ehrmantraut, seconded by Stephen Adams to recommend adoption of the February 2, 2010 draft of the proposed amendments to regulations for wireless communication service facilities ordinance as modified by deleting the underlined sentence in Section 4. Official Map – Potentially suitable personal wireless facility locations. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Moved by Brian Ehrmantraut, seconded by Bob Gamble, to adopt exhibit S-2 Draft Findings, items 1-6. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Return to tabled public hearing for deliberations only on the updated Water Resources element of the San Juan County Comprehensive Plan

Water Supply Conservation Policies

Policy 3.

By consensus, add an “s” to the end of “demand”; delete “environmental protection” and replace with “fish and wildlife habitat”.

Policy 4, 5, and 6. – No Change

Water allocation policies and exempt wells

Policy 7. – No Change

Policy 8.

By consensus, delete.

Policy 9. – No change

New Policy

By consensus, to add a new policy to be placed between policies 3. and 4. that would read: Educate the public, including seasonal visitors and tourists, about the benefits of water conservation.

Return to 4.2.B Public Water Supply Goals and Policies –

Develop four goals out of the introduction.

By consensus, the four goals will be:

- Goal 1. Manage water resources in San Juan County carefully with ongoing assessment of the availability of fresh water.
- Goal 2. Conduct long term monitoring of streams and wells.
- Goal 3. Cooperate with State agencies and local water users to effectively manage water resources.
- Goal 4. Conserve water to meet the demands of population growth, sustainable agriculture and fish and wildlife habitat.

Introduction

By consensus, keep first paragraph as the introduction, then proceed to list the four goals, and have no other narrative.

4.2.C Stormwater Goals and Policies

Introduction

By consensus, modify the introduction to read: Stormwater runoff poses a widespread risk to the health of our island watersheds. Forests produce the least runoff, the greatest amount of infiltration, and the best water quality.

Soil compaction, altering drainage patterns, and replacing forest with pasture, lawn, driveways, and structures results in less infiltration, more surface runoff, and if not controlled, the discharge of warm, polluted water. As the amount of runoff increases, less water is available for beneficial uses including drinking water.

Increasing surface runoff also increases the quantity of pollutants that are swept into the water during storms. The removal of riparian vegetation and over grazing by livestock destroys nature's filtration system, which can result in runoff, sediment, and nutrients flowing unimpeded into the water. Developing an area can expose more pollutants to stormwater.

Goal 1.

By consensus, divide Goal 1. into three separate goals that now would look like:

1. Prevent flooding and property damage.
2. Promote groundwater recharge.
3. Protect the quality of ground and surface water.

Policy 1. – No Change

Policy 2. – Changed at February 19, 2010 hearing.

Policy 3. – No Change

Policy 4.d.

Moved by Bob Gamble, seconded by Barbara Thomas, to delete "Require" and replace with "Incentivize"; put a period at the end of "techniques" and delete the remainder of the sentence. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Policy 4.e.

By consensus, delete “Documents that may be used as” and start sentence with “Guidance”; and insert the word “documents” between the words “Guidance” and “in”.

Policies 5, 6, 7, and 8. – No Change

Policy 9.

By consensus, insert the words “systems that implement” between the words “management” and “Best”.

4.2.D Fish, Wildlife and Native Habitat – Goals and Policies

Introduction

By consensus, in the first sentence, add an “s” to the word “Juan” and delete the words “-Gulf Island Archipelago”. Combine the second and third sentences to now read: Our habitats are small, disconnected, and often rocky, and for many of them protection is either recommended or is required by State of Federal law. Delete the fourth sentence.

Goal 1.

By consensus, delete the words “accordance with” and replace with “consideration of”; insert the words “function and value of” between the words “of” and “wetlands”; put small case letters on the words “Fish and Wildlife habitat Conservation Areas”.

Goal 2.

By consensus, add the word “currently” between the words “Implement” and “adopted”; put small case letters on the words “Salmon Recovery”.

Policy 1.

By consensus, add the words “and other mitigation measures” between the words “buffers” and “are”.

Policy 2. – No Change

Policy 3.

By consensus, add the word “can” between the words “they” and “disrupt”.

Policy 4. – No Change

Policy 5. - Changed at February 19, 2010 hearing.

Policy 6. – No Change

4.2.E Agricultural Water Use Goals and Policies

Introduction

By consensus, in the first paragraph, delete the first sentence. In the second sentence, delete the comma after the word “filtration” and replace with the word “and” also, put a period after the word “habitat” and delete the remainder of the sentence.

By consensus, in the second paragraph, second sentence, delete the words “Though irrigation from wells is not common,” and capitalize the word “the”.

By consensus, combine the third and fourth paragraphs, and in the fourth paragraph, start the first sentence with "In fact." Have the newly combined paragraph be moved to become the first paragraph of the introduction.

Goals 1. and 2. – No Changes

Policies 1, 2, and 3. – No Changes

4.2.F Data Collection Goals and Policies

Goal 1. – No Change

Policy 1. through 9. – No Change

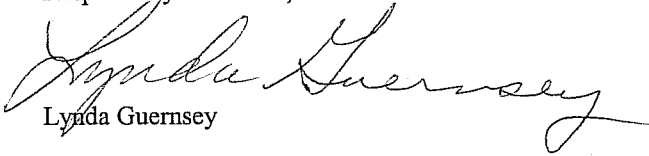
Section B Element 4 Water Resources

Moved by Brian Ehrmantraut, seconded by Bruce Orchid, to recommend adoption of the Water Resource Element, November 3rd draft, including the draft Findings of Fact, items 1. – 7. (Exhibit S-19) , as revised by motion and consensus. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

Adjournment

The meeting was adjourned at 2:29 p.m., the next meeting will be on April 16th, 2010 at 8:30 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

Respectfully submitted,



Lynda Guernsey

U:Lynda:Planning Commission: 3.5.10 min.doc