

MINUTES
PLANNING COMMISSION MEETING
Monday, October 08, 2018
6:00 PM

Planning Commission Members Present: Valerie Hoy-Rhodehamel, Karen Ashley, Shawn Van Pelt, Auguste Zettler

Excused Absence: Matthew Knudsen

Staff Present: Community Development Director Ben Shumaker

Community Members Present: Bernard Versari, Mary Repar

Guest: None

Call to Order: 6:02 p.m.

Preliminary Matters

1. Chair Selects Public Comment Option #2

2. Minutes August Meeting Minutes:

Repar noted a spelling error on page 2 number 26 second sentence “the most redless” and Shumaker clarified that it should read “the most redlines”.

MOTION: ZETTLER moved to approve the minutes with the notation of the redlines spelling error. VAN PELT seconded. All approved. Motion carried.

3. Public Comment Period

Attached letter to be discussed under staff reports.

New Business

4. Conditional Use Permit Reviews Review of 2016-2017 Conditional Use Permits

The only conditional use permit to be reviewed was issued in 2014 for a B&B. The 2016 review period showed that it hadn't started operation so the permit and review period was extended until today. There have been no complaints and they have been in compliance. There is an option to take a more in-depth look and schedule a public hearing for next meeting, although staff suggest it is not necessary. The Commission determined consensus for no additional action.

Old Business

5. Shoreline Management Program Planning Commission Review Drafts of ICR, SMP, RP & CIA

Shumaker noted the two page memo, which highlights the biggest redline changes made and the responsiveness summary details items yet to be addressed or items that required additional discussion. Overall, by section: The red cover had no change since what was presented at the September meeting; the blue cover and green cover reached a Commission agreement at the last meeting and Shumaker made a few copy edits; as expected, the cumulative impact analysis/no net loss report had the most updates that are new to the Commission as of tonight, because changes in other documents need to be reflected in the analysis/report. The Commission had twelve comments to address tonight, going by color of document.

Red: Inventory & Characterization Report

61 describes the minor edits and 62 shows the map inventory- The minor edits outlined were suggested by the Department of Ecology (DOE). The edits were referenced previously but not added until now.

Repar asked for the word palustrine to be added to definitions. Shumaker explained that there is a

statewide definition, in reference to wetlands, that can be added. Consensus by the Commission to add the definition. Versari confirmed that the pages currently in review highlight changes and the pages not included indicate no changes have occurred since the last review. Versari suggested updating the acknowledgement page to note the city's new Commissioner Zettler and Shumaker confirmed yes. Repar asked if there is a resource which explains the different types of soils and Shumaker noted a general reference to the US Geological Survey and the National Resource Conservation Service within the document. Hoy-Rhodehamel suggested a document or online reference that explains soil types more specifically. The current document does include text describing soil qualities and Shumaker will clarify that those references are part of sources material. Repar added further that indicating soil types in connection to buildability is helpful. The definition for liquefaction will also be added. The Commission reached consensus to make the four changes noted. Consensus to move forward with 61 and 62 given changes discussed.

Blue: Shoreline Master Program

Shumaker noted that small copy edits made to this section may not have been printed out on tonight's documents (small edits such as adding an s). The changes to the permit process is included in chapter 2 so it's consistent with other changes made in other sections as well as the critical areas ordinance. No change in intent of regulations, which have been previously reviewed. There are changes to nonconforming use and the development section to be consistent with other areas of the document. Shumaker noted that he does not anticipate coordination problems between all documents and there is a process to make sure all documents communicate with each other if they come up for amendment in the future. Page 22 explained the avoidance and mitigation for avoiding unknown historical and archaeological sites and the addition of the text is the same as it appeared at the last meeting. Zettler asked who the Shoreline Administrator will be and Shumaker noted that it was added to the definitions in the same way it was done in the zoning code on page 79.

Hoy-Rhodehamel noted confusion about exemptions vs. required permits, questioning whether exemptions require a discussion with staff or necessitate filling something out. Shumaker confirmed that something would need to be filled out. He explained further that, for instance, a house built in shoreline area is exempt from the required permit but still has to meet a number of regulations. These regulations will be coordinated with the CAO and only involve one permit progress rather than two. The exemption only means the application doesn't go through the Planning Commission. Hoy-Rhodehamel suggested instances where paperwork doesn't need to be filed and could be unnecessary. Allowing this instance could promote activities we want residents to do without red tape. Shumaker highlighted 6b in the middle of page 10 and explained that the statement of exception concept, the legitimacy and verification it provides owners, and that it is not a requirement but is strongly recommended by the DOE. Commission needs more information and Shumaker will look into it further. Consensus to not move forward at this time.

14 Cultural resource - Consensus to move forward as drafted.

28 Dredging - It was supported to keep the requirement for notice and analysis of downstream, adding to proposals within channel migration zone. Shumaker noted that the suggestions have been drafted on page 65 and 66. Model Toxics Control Act and Comprehensive Environmental Response, Compensation, and Liability Act are both defined. Commission consensus to move forward.

33 & 63 SED map - Shumaker explained that the newest proposal is slightly different than last reviewed and is based on DOE suggestions. It also includes the move of the two cemeteries into urban conservancy designation, city sewer plant area is now high intensity designation, Rock Creek

Drive bridge has been changed to high intensity designation, causeways for Highway 14 and the railroad within city limits east of Rock Creek are high intensity designation, the Interpretive Center and Fairgrounds remain in urban conservancy designation, and the old Hegewald site vacant land that is county owned is high intensity designation. The current map will need to have downstream changes to parcel numbers and references to how much the shoreline percentages listing each designation. Commission consensus to move forward and with permission for Shumaker to move forward with other required changes based on this decision.

43 View platforms - The discussion led to a more comprehensive look at boating facilities and overwater structures. Pages 40 and 41 note changes related to this discussion. Shumaker confirmed boating facilities in the red areas are permitted uses. The Commission highlighted and confirmed that current wording states public use facilities are preferred over private docks. Versari sees docks as more friendly than buoys. The Commission discussed that this doesn't prohibit docks but limits clutter on the shoreline. Docks and buoys both need to go through the same process but buoys are cheaper and less obstructive than docks. The Commission doesn't see it as their job to prohibit what people permit for but, staying true to what's best for the ecological impacts of the shoreline in this document, state what the shoreline preference is. Commission consensus to leave as is and move forward.

44 Public access - Shumaker noted the comment in chapter 5 regarding regulations and confirmed that the topic was already covered in chapter 4 page 29 regarding public institution use therefore it should be required to include public access. Shumaker also added what public funding means. Commission consensus to move forward.

Green: Shoreline Restoration Plan

Shumaker noted cleaning up the table to list all the projects it's related to, including final clean ups. Commission consensus to move forward.

Gray Cumulative Impacts Analysis

54 CIA - Shumaker noted minor edits made throughout. Commission consensus to move forward.

55 Other programs - Shumaker noted page 22 and the recommendations to coordinate. Commission consensus to move forward.

56 57 CIA - Shumaker noted impacts in sections 2.2 and 2.3 with most changes regarding net effect or net loss as described below:

2.2 added discussion about a. urban conservancy designation, b. separated out designations individually and setbacks individually, which allows for talking about the system of conditional use. Tables all changed to be more informative. Commission consensus to move forward.

2.3 not a lot of detail added but does include what was requested and the recommendations. Commission consensus to move forward.

Shumaker directed attention to the executive summary on page 1, an addition to no net loss statement on page 29. Shumaker explained that the next steps include all the edits from tonight's feedback and completing the SEPA threshold determination. The determination will then be published in the paper for a two week period and future action will depend on comments received. There is a possible City Council public hearing for the November meeting. The Council have been handed the public release draft and have time to review the draft and notice that this big effort is

coming. The Commission consensus is to review comments at the Planning Commission meeting in November before going to City Council and holding a public hearing.

Discussion

6. Staff & Commission Reports Broadband, CAO Adoption (change), Sewer Happenings

Shumaker noted that the broadband draft has been handed over to him. He also mentioned that the CAO was adopted at City Council with one change regarding a buffer to fish bearing streams. Shumaker added that the Commission had considered decreasing and did not and then property owners came forward and suggested the change. The Council and Shumaker were in support of this from 125 to 100 feet. Shumaker also noted that a value planning session with the beverage industries was held in regards to sewer use and was successful. Staff and Council are in process of evaluating different strategies that came out of the meeting in hopes of reducing the overall cash budget to the sewer upgrade. Shumaker explained that both the collection system and the sewer plant will cost approximately \$15 million in the next five years.

The boundary review board for Skamania County sent Repar to a workshop and she recommended the Commissioners participate.

Shumaker noted that the shipping container moratorium has two months left. The current plan is to be determined for how to continue the moratorium and the Commission suggests the Council determine the process. In general, the Commission does want to deal with design standards that would only apply to shipping containers. This topic will be on the next Commission agenda. The Council will have a retreat soon and has extended the offer to attend to all Commissioners. Knudsen may attend.

The Commission closed with a discussion regarding the recent Council decision to move forward with a city marijuana buffer change. Hoy-Rhodehamel explained some previous topics that come before the Commission first while the Council already have strong opinions and questioned whether the Council should take it up without going through Commission first. She noted a cumulative concern and not just related to the recent marijuana buffer. Zettler described the Commission as the committee that looks at details and that the Commission still should be considered and have a say in the decision making process. Previous letters considered, Ashley and Van Pelt don't want to create more animosity. Hoy-Rhodehamel explained that Council decisions can come back on the Commission and reflect on them, as they are doing the deep look into details. Hoy Rhodehamel suggested more presentation of reason and research around these tougher topics. Commission consensus not to send a letter and continue thoughts moving forward with controversial issues being discussed at joint meetings.

7. Thought of the Month None.

Adjournment at 7:51 p.m.

Approved _____; Approved with revisions _____

Name _____ Date _____

Minutes by Claire Baylor