



Planning Commission Special Meeting Minutes

A special meeting of the Okanogan County Regional Planning Commission was held on Monday, November 5, 2012 at 7:00 pm. The meeting was held in the Commissioners' Hearing Room 123 5th Ave N., Okanogan, WA.

PLANNING COMMISSION MEMBERS present included: Chair Albert Roberts, Commission Member Tim Woolsey, Commission Member Mark Miller, Commission Member Marlene Rawley, Commission Member Tamara Porter, and Commission Member Schulz.

OKANOGAN COUNTY STAFF MEMBERS present included: Director of Planning Perry Huston, Natural Resource Senior Planner Angela Hubbard, and Administrative Secretary Sharon McKenzie.

APPLICANTS OR THEIR REPRESENTATIVES: Todd Thorn

OTHERS IN ATTENDANCE: Sandy Mackie and Cindy Mackie

Chair Roberts called the meeting to order at 7:00 pm.

Approval of November 5, 2012 Agenda

Commission Member Rawley moved to approve the November 5, 2012 Planning Commission Special Meeting Agenda. Commission Member Schulz seconded the motion. Motion passed.

Approval of September 24, 2012 Meeting Minutes

Commission Member Schulz moved to approve the September 24, 2011 Planning Commission Meeting Minutes as amended. Commission Member Rawley seconded the motion. Motion passed.

Public Hearing Item #1

- **Spencer OST 2012-08**

Chair Roberts requested the summary report on the **Spencer OST 2012-08**. Natural Resource Planner II Angela Hubbard requested the Staff Report be placed into the record. Natural Resource Planner II Hubbard explained:

- Marjorie and Eugene Spencer own 20 acres.
- The applicant is applying for a transfer from Designated Forest to Open Space Timber tax assessment on 18.5 timberland acres.
- The goal of the applicant is to conduct appropriate and timely timber management treatments as needed to encourage forest health.
- Todd Thorn, professional forester, has prepared a FMP (Forest Management Plan) for the property.
- The FMP inventories the timber stand, soils, and has established a management schedule for the property.
- The property is surrounded by private property.
- The property is located off JH Green Rd, approximately 17 miles northeast of Riverside.

She said the applicant's forester, Mr. Thorn, is present to answer any questions. She asked if there were any questions of Staff. Addressing the question of notification, she said the meeting was noticed in accordance with State law.

Chair Roberts requested the applicant's representative come forward to address questions from the Commission Members.

Todd Thorn, professional forester residing in Okanogan and representing the Spencer's, explained his background. He noted his observations and recommendations are in the management plan. He said certain areas will not produce marketable trees. Addressing the question regarding the stands, he noted there were variations in the stands but nothing of any significance. He noted the area had been logged pretty hard in the 1990s and the trees are coming back. Addressing the question of thinning, he noted the area is not dense and could be logged with machinery or by hand. He noted there is an area that was once a log landing which will be replanted.

Chair Roberts asked if there were any other questions from the Board. There being none, Chair Roberts opened the meeting to public testimony. There being no public testimony, he closed the meeting to public testimony.

There being no further questions for staff, Chair Roberts said he would entertain a motion.

Commission Member Schulz moved to recommend approval of the **Spencer OST 2012-08** to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member Woolsey seconded the motion. Motion passed.

Public Hearing Item #2

- **Deliberations on the Okanogan County Critical Areas Ordinance – Continuance**

Director Huston explained a special meeting was called by Chair Roberts for the consideration of the Resolution which recommended approval of the Critical Areas Ordinance (CAO) to the Board of County Commissioners (BOCC). He noted this meeting is a special meeting and was noticed

accordingly. He also noted it is not open to public comment. He said there were a three or more comments that came in which have been presented to the Commission Members.

A recess was requested by the Commission Members in order to review the material brought before the Planning Commission. Chair Roberts called a 15 minute recess at 7:18 pm for the Planning Commission Members to review the Resolution, comments and the CAO.

Chair Roberts reconvened the meeting at 7:32 pm.

Commission Member Woolsey noted that the Planning Commission Members had been working on the draft CAO for quite some time and noted the final decision is up to the BOCC. He made the motion to recommend approval and adoption of the Resolution and its attached documents to the BOCC. Motion died due to the lack of a second.

Commission Member Rawley said the Planning Commission should be taking citizens input into consideration. She said there should be an ad hoc committee set up to go through the CAO. She said the public should have more time for public comment. She said she wants to know why minimum standards are not in the CAO.

Chair Roberts noted the Commission Members have received and reviewed public comment throughout the process which is now in its third year and have worked many of the comments into the draft CAO fulfilling their responsibility.

Commission Member Rawley said she is not comfortable with the draft CAO and feels the Planning Commission has not done enough work to make sure the draft is requiring the minimum standards. She said she could not vote to send it on to the BOCC.

There was discussion amongst the Commission Members on whether enough work was done by the Planning Commission on the CAO.

Director Huston, addressing a question from the Planning Commission, said there is a current CAO in place which in his opinion is more restrictive than the draft CAO being proposed. He noted the current CAO is more difficult to enforce due to items which were never completed when the current CAO was adopted.

Discussion continued amongst the Commission Members regarding consideration of public input.

Director Huston explained the difference and overlap of the CAO and the Shoreline Master Program (SMP). He explained the process of adoption. He noted that the Planning Commission cannot form an ad hoc committee. He said formation of an ad hoc committee is under the authority of BOCC. He noted the Planning Commission can continue public hearings for public testimony but cannot pick and choose who can speak.

Discussion continued amongst the Commission Members regarding continued public hearings.

Director Huston explained Staff needs direction and asked the following questions:

- Do you want additional public hearings?
- Do you want the BOCC to form an ad hoc committee?

Discussion continued amongst the Commission Members regarding an ad hoc committee.

Director Huston explained in the Comprehensive Plan process, the BOCC did not form an ad hoc committee. He said groups submitted information to the BOCC upon which the BOCC incorporated some their suggestions.

Discussion continued amongst the Commission Members on the next step.

Chair Roberts said he would entertain a motion to continue deliberations on the Critical Areas Ordinance which will not be open to public comment at the special meeting scheduled on December 3, 2012 at 7:00 pm in the Commissioners Hearing Room. Motion died for lack of a second.

Director Huston noted there is not enough time to notice for a public hearing open for public testimony by the December 3, 2012 special meeting. He suggested looking at the December meeting as a time to review the information presented and any further information that may be received. He said if the Planning Commission so desires after this review at the December meeting, a motion can be made to have a public hearing with public testimony at the regularly scheduled meeting on January 28, 2013. He suggested the Planning Commission Members think about what they want to do and be prepared to give Staff direction at the December 3rd meeting.

Director Huston said at any public hearing set for public testimony, the Planning Commission should give everyone a level playing field. He said they can set a time limit, whatever it may be, but all those testifying will receive the same consideration whether they use the time or not. He emphasized Staff must have enough time to notice the public so the Planning Commission should be prepared to give specific direction to Staff on December 3rd.

Chair Roberts asked the Planning Commission Members to take time before the December 3rd meeting to read and cross reference the information presented tonight and be prepared to discuss that information with Staff. He said to bring specific questions, decide what standards they wish to apply, and inform Staff accordingly.

Commission Member Woolsey made the motion to continue deliberations on the Critical Areas Ordinance to consider the final Draft of the Okanogan County Critical Areas Ordinance and Resolution at the special meeting on December 3, 2012 at 7:00 pm in the Commissioners Hearing Room. This meeting will not be open to public testimony. Planning Commission Member Rawley seconded the motion. Motion passed.

An individual in the audience made a procedural suggestion that at meetings open for public comment, the public should have enough time to bring issues before the Planning Commission and time for the Planning Commission to ask questions.

Director Huston reminded the Planning Commission to pick one time limit for all who wish to testify to avoid the appearance of special interest. He cautioned the Commission Members to not engage in chatty discussion with the commenter but ask specific, concise and unbiased questions of the commenter to avoid the appearance of favoritism. Director Huston noted the Planning Commission is not looking at anything new as they have been working with the CAO for several years.

Old Business

There was none.

New Business

There was none.

Commission Member Woolsey moved to adjourn the meeting. Commission Member Rawley seconded the motion. Motion passed.

Chair Roberts adjourned the meeting at 8:37 p.m.

Summary of Motions

Commission Member Rawley moved to approve the November 5, 2012 Planning Commission Special Meeting Agenda. Commission Member Schulz seconded the motion. Motion passed.

Commission Member Schulz moved to amend the September 24, 2011 Planning Commission Meeting Minutes as amended. Commission Member Rawley seconded the motion. Motion passed.

Commission Member Schulz moved to recommend approval of the Spencer OST 2012-08 to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member Woolsey seconded the motion. Motion passed.

Commission Member Woolsey made the motion to continue deliberations on the Critical Areas Ordinance to consider the final Draft of the Okanogan County Critical Areas Ordinance and Resolution at the special meeting on December 3, 2012 at 7:00 pm in the Commissioners Hearing Room. This meeting will not be open to public testimony. Planning Commission Member Rawley seconded the motion. Motion passed.

Prepared by Sharon McKenzie
Administrative Secretary