



## Planning Commission Meeting Minutes

1 A meeting of the Okanogan County Regional Planning Commission was held on Monday, April 22,  
2 2013 at 7:00 pm. The meeting was held in the Commissioners' Hearing Room 123 5th Ave N.,  
3 Okanogan, WA.

4 **PLANNING COMMISSION MEMBERS** present included: Vice Chair Phil Dart, Commission  
5 Member Mark Miller, Commission Member Tamara Porter, Commission Member Tim Woolsey, and  
6 Commission Member Dave Schulz.

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

10 **APPLICANTS OR THEIR REPRESENTATIVES:** Clay Brown and Robert Anderson

11 **OTHERS IN ATTENDANCE:** None

12 Vice Chair Dart called the meeting to order at 7:03 pm.

### 13 Approval of April 22, 2013 Agenda

14 Commission Member Schulz moved to approve the April 22, 2013 Planning Commission Meeting  
15 Agenda. Commission Member Porter seconded the motion. Motion passed.

### 16 Approval of March 25, 2013 Meeting Minutes

17 Commission Member Woolsey moved to approve the March 25, 2013 Planning Commission Meeting  
18 Minutes. Commission Member Schulz seconded the motion. Motion passed.

### 19 Public Hearing Item #1

#### 20 ❖ Freeman OST 2013-02

21 Vice Chair Dart requested the summary report on the Freeman OST 2013-02. Natural Resource  
22 Planner II Angela Hubbard requested the Staff Report be placed into the record. Natural Resource  
23 Planner II Hubbard explained:

- 24 • Shelly Freeman owns 12 acres.
- 25 • The applicant is applying for a transfer from Designated Forest to Open Space Timber tax  
26 assessment on 12 timberland acres.

- 27 • The goal of the applicant is to get legal access to the property and enhance the properties  
28 timber value and increase potential dollar returns while making the property more fire  
29 resistant.
- 30 • Robert Anderson, professional forester, has prepared a FMP (Forest Management Plan) for  
31 the property.
- 32 • The FMP inventories the timber stand, soils, and has established a management schedule  
33 for the property.
- 34 • The property is surrounded by private property.
- 35 • The property is located off of Turtle Lake Road, approximately 7 miles southwest of  
36 Tonasket.

37 Planner II Hubbard said the forester is present to answer questions.

38 She asked if there were any questions of Staff.

39 Vice Chair Dart disclosed he personally knows Ms. Freeman and has had business transactions with  
40 the applicant. There was no objection from the Commission Members nor those in the audience to  
41 Vice Chair Dart remaining seated.

42 Addressing the question regarding the comment to get legal access, Director Huston explained the  
43 goal is to get access to carry out timber harvesting and if they do not get access, they may lose their  
44 classification.

45 Addressing the question of grazing being allowed in open space timber classifications, Director  
46 Huston stated he is not aware of any prohibition if property is open to grazing. He noted there are  
47 more reporting requirements for current agriculture designation.

48 There being no further questions of Staff, Vice Chair Dart requested the forester come forward to  
49 address questions from the Commission Members.

50 Robert Anderson, professional forester residing in Tonasket, explained he looks for grazing activity as  
51 part of his evaluation and will note the activity in his report. He said grazing controls underbrush. He  
52 noted if the area is overgrazed, it could cause damage but usually grazing is very compatible in  
53 timber management.

54 Vice Chair Dart asked if there were any other questions from the Commission Members. There  
55 being none, Vice Chair Dart opened the meeting to public testimony. There being no public  
56 testimony, he closed the meeting to public testimony.

57 There being no further questions for Staff, Vice Chair Dart said he would entertain a motion.

58 Commission Member Schulz moved to recommend approval of the tax classification application as  
59 Open Space Timber for **Freeman OST 2013-02** to the Board of County Commissioners subject to the  
60 attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member  
61 Porter seconded the motion. Motion passed.

## **Public Hearing Item #2**

### **❖ Greenwood OST 2013-03**

Vice Chair Dart requested the summary report on the **Greenwood OST 2013-03**. Natural Resource Planner II Angela Hubbard requested the Staff Report be placed into the record. Natural Resource Planner II Hubbard explained:

- Colby & Tamara Greenwood own 19.55 acres.
- The applicant is applying for a transfer from Designated Forest to Open Space Timber tax assessment on 19.55 timberland acres.
- The goal of the applicant is to maintain and improve the growth and health of the existing stand of timber.
- Clay Brown, professional forester, has prepared a FMP (Forest Management Plan) for the property in 2009.
- The FMP inventories the timber stand, soils, and has established a management schedule for the property.
- The property is surrounded by public and private property.
- The property is located off Pebbles Road, approximately 5 miles northwest of Conconully.

Planner II Hubbard said the forester is present to answer questions.

She asked if there were any questions of Staff.

Addressing the question of holding out an acre for a building site in the future and whether the applicant would have to reapply, she stated the Assessor will remove the acre and reassess the parcel accordingly.

Director Huston explained an applicant may have applied for and received the designated forest classification but later the Assessor finds that the parcel was less due to a new survey or calculations that trigger the application for the Open Space Timber classification.

There being no further questions of Staff, Vice Chair Dart called the forester forward to address questions from the Commission Members.

Clay Brown residing in Omak came forward. He said he first noted 20 acres on the original information provided. He said while going through the information at Assessor's office and the information from the title report, he found less than 20 acres

He said there was a lot of overstory as noted in the pictures and the reprod is two to six feet tall. He noted the reprod does not show well on the photos. Mr. Brown stated the parcel includes four species. Mr. Brown said most rotten logs and spruce were taken out in the mid-80s, and most of the trees are considered second growth.

Mr. Brown addressed the question of thinning explaining if thinning occurs too soon, some trees will tip over under the weight of snow. He said when the trees are tall enough, they should be thinned. He explained later the larger trees should be harvested.

He addressed the question of mistletoe noting it had been taken out in the last harvest.

Vice Chair Dart asked if there were any other questions from the Commission Members. There being none, Vice Chair Dart 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, Vice Chair Dart said he would entertain a motion.

Commission Member Schulz moved to recommend approval of the tax classification application as Open Space Timber for **Greenwood OST 2013-02** 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 #3**

#### **❖ Moore OST 2013-04**

Vice Chair Dart requested the summary report on the **Moore OST 2013-04**. Natural Resource Planner II Angela Hubbard requested the Staff Report be placed into the record. Natural Resource Planner II Hubbard explained:

- Tamara Moore owns 20.38 acres.
- The applicant is applying for a transfer from Designated Forest to Open Space Timber tax assessment on 19.38 timberland acres.
- The goal of the applicant is enhance the timber value and reduce fire risk.
- Robert J. Anderson, 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 Turtle Lake Rd, approximately 7.13 miles southwest of Tonasket.

Planner II Hubbard said the forester is present to answer questions. .

She asked if there were any questions of Staff.

There being no questions of Staff, Vice Chair Dart called the forester forward to address questions from the Commission Members.

Robert Anderson, professional forester residing in Tonasket, explained during the thinning process, the use of the material harvested would depend on the individual doing the work. He said the fiber would go to the forester. He noted the advanced reprod on this parcel was in thickets and that there was not a lot due to the dryness of the area. He confirmed the area was grazed by horses. He note there was plenty of older timber.

Vice Chair Dart asked if there were any other questions from the Board. Vice Chair Dart opened the meeting to public testimony. There being no public testimony, he closed the meeting to public testimony.

The Commission Members noted the tree spacing on recent applications was 20 to 30 feet apart as opposed to 16 feet. Mr. Brown and Mr. Anderson explained the change depends on species,

moisture and site noting the spacing is for the roots of trees. It was stated that as the stand grows and there are fewer trees, the spacing is wider.

There being no further questions for Staff, Vice Chair Dart said he would entertain a motion.

Commission Member Schulz moved to recommend approval of the tax classification application as Open Space Timber for **Moore OST 2013-02** to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member Porter seconded the motion. Motion passed.

#### **Public Hearing Item #4**

##### **❖ Deliberations on the Okanogan County Critical Area Ordinance (CAO) – Continuance**

Director Huston introduced Resolution 2013-01, the Findings of Fact, and the Conclusions of Law to be reviewed and considered for approval as directed by the Planning Commission

The Commission Member requested to go over the documents for any corrections or changes.

- Item 38 – Add March 25, 2013
- Item 1 – Regarding critical recharge areas map, it was noted there is no science available to identify those areas in Okanogan County at this time. It was noted the areas suggested in public comment do not meet the state requirements for critical recharge areas. It was suggested to make reference to the fact the Planning Commission will review and rely on public health regulation in place until such time as maps are available.
- It was noted the EIS is still to be done. Reference to the EIS will be corrected to reflect the threshold determination.
- Item 6 – The final EIS will be issued prior to the adoption of the Critical Areas Ordinance (CAO) by The Board of County Commissioners (BOCC).
- Item 14 - Delete
- Item 15 – It was noted the listing includes the significant items used for considering a project but the “including” shows the list is not all inclusive.
- Item 16 – Delete
- Move Item 22 under 15
- Item 31 – Remove first sentence.
- Item 37 – Add ”to the waterward edge” after “high water mark”.
- Include new language in item 39 – “The Planning Commission finds the aquatic recharge areas cannot be designated at this time as no detailed analysis of aquifer recharge areas exist. The Planning Commission believes the reliance on public health regulation regarding well head protection and onsite sewage treatment are sufficient until resources for detailed aquifer studies are available.

Reviewing the Conclusions of Law, the following changes were made.

- Item 3 – delete
- Spell out “Critical Areas Ordinance” throughout document.
- Flip order of Item 7 and Item 8

Director Huston stated the decision is up to the Planning Commission to:

- Wait to May to approve and sign the Resolution.
- The Planning Commission could approve Resolution tonight and authorize Chair Roberts to sign when modifications were complete.

Vice Chair Dart noted the changes made tonight were not significant but important. He asked if the Commission members were comfortable to have changes made and authorize Chair Roberts to sign the Resolution.

The Commission Members discussed the options. It was suggested to pass the Draft CAO on and noted that BOCC may choose to send it back.

Vice Chair Dart said he would entertain a motion.

Commission Member Woolsey made the motion to adopt Resolution 2013 -01 with the changes made as directed of Staff, and authorize Chair Albert Roberts signature. Commission Member Schulz seconded the motion. Motion passed.

There was a call for division:

- Miller – Schulz – Dart – Woolsey – yeh
- Porter - ney

### **Old Business**

Director Huston estimated the BOCC would consider the CAO possibly in August.

He noted the Comprehensive Plan would be to the Planning Commission at the June meeting. He said it would come back with some guidance from the BOCC and there would be a Resolution directing the Planning Commission to develop Findings of Fact and Conclusions of Law. He reminded the Commission Members there will be a public hearing open to public testimony and then the Comprehensive Plan will go back to the BOCC with a Resolution along with Finds of Fact and Conclusions of Law.

### **New Business**

Director Huston said Staff is working on several code changes including changes in the appeal process.

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

Chair Roberts adjourned the meeting at 9:29 p.m.

### **SUMMARY OF MOTIONS**

***Commission Member Schulz moved to approve the April 22, 2013 Planning Commission Meeting Agenda. Commission Member Porter seconded the motion. Motion passed.***

***Commission Member Woolsey moved to approve the March 25, 2013 Planning Commission Meeting Minutes. Commission Member Schulz seconded the motion. Motion passed.***

***Commission Member Schulz moved to recommend approval of the tax classification application as Open Space Timber for Freeman OST 2013-02 to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member Porter seconded the motion. Motion passed***

***Commission Member Schulz moved to recommend approval of the tax classification application as Open Space Timber for Greenwood OST 2013-02 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 Schulz moved to recommend approval of the tax classification application as Open Space Timber for Moore OST 2013-02 to the Board of County Commissioners subject to the attached Findings of Fact, Conclusions of Law and the Conditions of Approval. Commission Member Porter seconded the motion. Motion passed.***

***Commission Member Woolsey made the motion to adopt Resolution 2013 -01 with the changes made as directed of Staff, and authorize Chair Albert Roberts signature. Commission Member Schulz seconded the motion. Motion passed.***

Prepared by Sharon McKenzie  
Administrative Secretary