

**GRANT COUNTY
PLANNING COMMISSION**

Chairman: Bill Bailey
Vice Chairman: Ollie Click
Board Members: Carol Dawson, Terry Dorsing, Ann Drader, Jim Fleming, Blair Fuglie, Lee Graham, and Kevin Richards
Secretary: Doris Long

COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON

**PLANNING COMMISSION
SHORELINE MASTER PROGRAM - PUBLIC MEETING
JANUARY 8, 2014 @ 7:00 P.M.**

Members Present: Bill Bailey, Ollie Click, Carol Dawson, Terry Dorsing, Jim Fleming, Blair Fuglie, Lee Graham and Kevin Richards

Members Absent: Ann Drader

Chairman, Bill Bailey, opens the meeting.

Board Action

Approval of October 2, 2013 Planning Commission Shoreline Master Program Workshop Minutes. Mr. Click motions to approve the meeting minutes as presented. Mr. Fleming seconds the motion. Voted on and passes unanimously.

Election of 2014 Planning Commission Officers and Re-appointment of Secretary.

Mr. Click nominates Mr. Bailey as Planning Commission Chairman. Mr. Fleming seconds the nomination. **ACTION: Ollie Click nominates Bill Bailey to retain his position as Planning Commission Chairman for the year 2014. Jim Fleming seconds the nomination. The nomination is voted on and passes unanimously.**

Mr. Fleming motions for Mr. Click to continue as Vice-Chairman. Mr. Richards seconds the motion. **ACTION: Jim Fleming nominates Ollie Click to retain his position as Planning Commission Vice-Chairman for the year 2014. Kevin Richards seconds the nomination. The nomination is voted on and passes unanimously.**

Mr. Dorsing moves for Doris Long to continue as Secretary. Mr. Click seconds the motion. **ACTION: Terry Dorsing motions Doris Long retain her position as Planning Commission Secretary for the year 2014. Ollie Click seconds the motion. The nomination is voted on and passes unanimously.**

Mr. Ben Floyd, Anchor QEA, conducts the meeting.
Mr. Floyd reports he will be covering four different documents. The first being a table which summarizes

the comment letter from the Washington State Department of Fish and Wildlife (WDFW). The second document contains proposed updates relating to riparian buffers and flexibility provisions. The third document is proposed updates relating to trails, and the fourth is proposed updates to the cumulative impacts and the tracking of net loss.

Comments from the Washington State Department of Fish and Wildlife

The first WDFW comment pertains to applying protective standards to all riparian areas as defined in their guidance document. Mr. Floyd states they believe they have achieved this with the protective standards that are in the draft SMP. They have considered all riparian habitat areas and applied standards for all of the varieties of functions.

There are no changes being proposed to the SMP based on this first comment.

Mr. Bailey asks if the WDFW comments are referring to all property, both public and private.

Mr. Floyd replies yes, except for federal property, and federal activity on federal property. The shoreline code is property neutral. The recommendations being made are focusing on future development of State land, private land and County land.

Ms. Dawson asks if the comment responses shown on the table were from Mr. Floyd.

Mr. Floyd explains they are his responses, but he is representing collectively the Department of Ecology (DOE), Grant County and Grant County's Consultants.

Jaime Short, Department of Ecology, reports that some of WDFW's recommendations are not allowed under master program planning. They appreciate their perspective, took it into consideration, and this is the response for the written record.

As a result of WDFW's second comment regarding not introducing new land uses which may impact existing vegetation it is being *proposed that new agricultural uses on lands with slopes 15 percent or greater be located outside of a 130' buffer*. This is addressed more specifically under the response to the third comment.

WDFW's third comment recommends providing buffers that are sufficiently wide to remove nitrogen, phosphorus and other pollutants from waterways. This is to focus on water quality protection. Mr. Floyd explains they think the buffers are protective of water quality for all land uses except for some unique conditions; such as areas that contain steep slopes. This condition was not addressed specifically. Therefore, to provide an increased level of water quality protection for new agricultural uses on lands with slopes 15 percent or greater the 130' buffer is being proposed.

There is discussion, which includes how to apply the 130' proposed buffer, and WDFW's letter in general.

The fourth comment recommends protecting all occurrences of PHS habitats and species by designating them as Fish and Wildlife Habitat Conservation Areas. Mr. Floyd states they believe they have provided adequate protection for the PHS habitat and species. No changes are proposed based on the comment, although there were provisions identified with specific references to those provisions added.

There is discussion regarding meetings held with WDFW, and their role in the rewriting of the SMP.

Document #2 - Riparian Buffers

Mr. Floyd reviews the proposed changes pertaining to riparian buffer widths.

Ms. Short asks Mr. Floyd about item (7) *Administrative Buffer Width Averaging* and the requirement for the

submittal of a habitat management plan or mitigation plan.

Mr. Floyd states that it should be included under this section and he will make it explicit. He explains that buffer width averaging still requires information that describes what exists, what the functions are and how the new development is going to protect those functions. This is done through a mitigation plan or a habitat management plan.

Mr. Richards asks regarding item (D) *The minimum buffer width at its narrowest point shall not be less than thirty five (35) percent of the buffer width established under this SMP*, is this consistent across the State.

Mr. Floyd answers it is, and most of them only allow the buffer to be brought in 25 percent; item D is allowing a little more flexibility.

Mr. Floyd reviews the proposed language for buffers pertaining to the facilitation of in-fill development in approved plats. (A) *Where there are single family residences within 150 feet on either side of the proposed residence in an existing plat, the buffer shall be determined as the greater of a common line drawn between the nearest corners of the nearest residence, a common line calculated by the average of the nearest residences' existing buffer or a 50 percent reduction of the standard buffer.*

(B) *Where there is only a residence located within 150 feet on one side of the proposed residence in an existing plat.....*

Mr. Richards is concerned that the 150 feet may not be enough when it comes to larger lots, in a rural area, that are still part of a previous established development.

Ms. Short explains there has been a lot of conversation about this. In-fill is a tool designed to protect views. An issue of view is created in situations of existing development being located closer to the shoreline than a new buffer would allow. This is a compromise that addresses view and access; it is not the tool to use when seeking a change in the buffer for a larger rural lot. In that situation, because there is more space, buffer averaging is an easier provision to pursue.

Document #3 - Trails

Mr. Floyd reviews the proposed changes pertaining to trails.

Ms. Short questions item (8) *Trails on private properties and not open for public use shall be at least 5 feet wide or as required by Americans with Disabilities Act (ADA) regulations.* Should this read "at least" 5 feet or "a maximum" of 5 feet?

Mr. Floyd states that he will look into this and the proposed language.

There is discussion regarding item (3) concerning public access and the dedication of public access easements. (This is not a part of the new proposed language.)

Document #4 - Cumulative Effects of Shoreline Developments

Mr. Floyd reviews the proposed changes pertaining to cumulative effects.

The new language being proposed pertains to the County periodically evaluating the effectiveness of the Shoreline Master Program update for achieving no net loss of shoreline ecological functions with respect to shoreline permitting and exemptions. *At the end of 2015 and of every other year thereafter the Shoreline Administrative Official shall prepare a report of shoreline development permits, conditional permits and variances including the exempt use activity approvals and the locations and effects of each, by type and classifications.*

Mr. Dorsing asks what if the report should come back negative.

Damien Hooper, Planning Director, explains that would be an indication and guide as to what would need to be changed in the future.

Mr. Fleming asks who would be responsible for repairing riparian habitat if it were to be damaged by an act of nature. Would the property owner be responsible or would it be left natural?

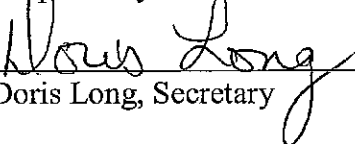
Ms. Short explains if a major event occurs it should be documented in the County's report. Then 8 years from now, when the County is required to do their update, it can be explained why there is a need for the restart of riparian vegetation in a certain area.

Mr. Floyd points out that the habitat does need to be allowed to recover over time.

The Planning Commission, Mr. Floyd and Staff discuss the timeline for completing the update process. The final version of the Draft Shoreline Master Program will be provided to the Commissioners within a couple of weeks hoping this will allow enough time for review before the next meeting to be held in March.

Meeting adjourned at 8:39 PM.

Respectfully submitted:


Doris Long, Secretary

Approved by:


Bill Bailey, Chairman