

**COMMUNITY DEVELOPMENT SERVICES
STUDY SESSION
MINUTES**

DATE: May 14, 2007

COMMISSIONERS PRESENT: Chairman Alan Crankovich, Vice Chairman David Bowen, Commissioner Mark McClain

CDS STAFF PRESENT: Director Darryl Piercy, Assistant Director Allison Kimball, Office Assistant Trudie Pettit, Scott Turnbull, Joanna Valencia

OTHERS PRESENT: Jeff Slothower, Jeff Harkus, Steve Lathrop, Pat Deneen, Catherine Dunn, Chad Bala, George Hilton, Marty Monnie, Bart Ozland, Gary Kurtz.

TOPIC:	<ol style="list-style-type: none"> 1. Recent SEPA Comments 2. Open Space – Cluster Plats 3. Forest Lands Advisory Committee 4. April Building Permit Report
DISCUSSION:	<ol style="list-style-type: none"> 1. Piercy stated our most recent document from the DOE specifically regarding the water resources includes comments from the Attorney General with reasonable mitigation issues and they are indicating they are going to take responsibility. Scott Turnbull stated this follows a rezone. Commissioner McClain asked about the gallon per day limit. Piercy stated they are going to cap the well at 500 gallons. Commissioner McClain asked if anyone knew Ken Shewster and how are they going to require records. Piercy stated Group B wells are now monitored by a management agency. Commissioner Bowen asked if they are going to require this. Piercy stated yes. Commissioner McClain asked what would happen if we said no and ignored the comment. Pat Deneen stated the Campbell – Gwen case in which each individual well and each lot has to have their own well but can't have four wells with one owner; everybody knows 2000 feet is required to report. Commissioner Bowen asked the cost of a meter. Deneen stated \$600 dollars for a meter. Piercy stated they are sighting an Attorney Generals ideas. Pat Deneen stated they are trying to implement by going around the RCW's and laws. Commissioner Bowen stated he is hesitant to put their comments into a requirement. Commissioner McClain suggested having legal counsel look at it and see what they say. Piercy stated he wanted the Board of County Commissioners to be aware that we are getting comments from the Department of Ecology. Pat Deneen stated they are trying to figure out a way to do this. Commissioner Bowen asked to have legal counsel look at this so we don't have litigation. Piercy stated this puts the County in the middle. Steve Lathrop stated this is a question to what the laws say and let the Department of Ecology pick this fight and get a decision from legal counsel. Commissioner

Bowen asked if having a building permit will require potable water before issuing a certificate of occupancy. Piercy stated this is a different issue. Steve Lathrop asked if any applicant has had this problem. Piercy stated we have had reports of very little water available. Commissioner Bowen stated he has heard of 1-2 gallons a minute. Piercy stated in the past month we have seen 5 gallons a minute. Steve Lathrop stated this is tough for somebody else to defend.

2. Piercy stated a number of cluster subdivisions have an easement running through the BPA and we credit the BPA easement in open space but we have not been awarding points. No structures can be in the BPA easement, no one can live within the easement and the BPA can limit anything in their easement, they have total control of what happens in their easement and we have not been crediting bonus points. Jeff Slothower stated that interferes with the landowner. Piercy stated that is a federal easement and the control is with the BPA. Jeff Slothower stated it specifies in the code uses within the BPA easement. Mark Kirkpatrick asked if that is getting updated in the code. Piercy stated bonus density is not being applied. Commissioner Bowen stated he will have to go back and listen to the tapes. Jeff Slothower asked why should this dictate if you get the bonus points and why penalize them. Commissioner Bowen stated this is not buildable and is protected. Piercy stated this is two issues, public benefit rating system and taking land and restricting development. Steve Lathrop stated development to max densities should be the goal to keep it protected and increasing densities seems to be a real benefit. Piercy stated that was the purpose of clustering, develop three acre lots in the BPA easement would not give you 3 acre lots because of the open space in the BPA, the question is how do you apply the benefits. Steve Lathrop stated he would like to create the most open space. Piercy stated all roads are taken out of open space. Commissioner McClain stated we need to keep the public benefit rating in code. Piercy asked about new code. Commissioner McClain stated he is comfortable with the definition currently. Pat Deneen asked for clarification regarding recreation trails in the BPA easement. Piercy stated amenities under the BPA would get points. Steve Lathrop asked if you could get a letter from the BPA. Jeff Slothower stated after an ordinance is approved you can't go back and change it. Mark Kirkpatrick stated an application has gone through the whole process and this is the first time he has heard about this problem. Commissioner McClain asked to have an application brought to them if one comes through. Piercy stated a mistake has been made and this needs to be applied universally. Commissioner McClain stated when we write code we are stuck with it. Commissioner Bowen stated he is going to back CDS and will go back and read and listen to the minutes. Commissioner McClain asked to add this to the discussion with the Planning Commission. Piercy stated we had no testimony at the public hearing and the planner applied the old code. Commissioners agreed to bring to the next agenda.
3. Commissioner Bowen asked the applicants why they applied to be on the Forest Lands Advisory Committee. George Hilton stated he is the manager of forest lands within the County. Marty Monnie stated he is a

	<p>Forest Practice Manager. Bart Ozland stated he is a Forest Practice Coordinator. Gary Kurtz stated he worked for the Forest Service in college and was asked by people in the real estate industry to apply because they are concerned with the public access to forest lands. Commissioner McClain asked about being a co-equal board and if that will be redundancy. George Hilton stated the department has a concern with having a working forest and development is the biggest issue. Commissioner McClain asked his stance. George Hilton stated we would like to keep large tracts of land to keep track of development and it's critical that forest lands be protected. Commissioner McClain asked how they planned to protect the forest lands. George Hilton stated keeping large tracts of land. Commissioner McClain asked about Kurtz comment and keeping public access to the forest lands. George Hilton stated they are trying to provide public access to the lower tracts of land. Commissioner McClain asked Bart Ausland about his job. Bart Ausland stated he deals with permits in the office.</p> <p>4. Piercy stated April building permits are up 52% from 2006 and the number of applications is consistent with 2006 and the single family residences are a 2 to 1 ratio in Upper County. Commissioner Bowen asked about the amount of permits for Suncadia. Kimball stated she can run a report on Suncadia.</p>
<p>ACTION:</p>	<ol style="list-style-type: none"> 1. None. 2. Add to next study session agenda. 3. None. 4. Run a report on the building permits in Suncadia.