



# THURSTON COUNTY PLANNING COMMISSION

Minutes September 20, 2023

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2 **1. 6:30 P.M. CALL TO ORDER**

3 Chair Casino called the Thurston County Planning Commission meeting on September 20,  
4 2023, to order at 6:32 P.M. Commissioners provided self-introductions.  
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6 **Attendance:** Eric Casino (Chair), Helen Wheatley, Jim Simmons, Kevin Pestinger, Scott  
7 Nelson, Barry Halverson. Joel Hansen  
8

9 **Absent:** Derek Day (Excused)  
10

11 **Thurston Staff:** Andrew Boughan, Dana Bowers, Ashely Arai, Theresa Parson, Joe Pla-  
12 huta, Nathan Ensley  
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14 **2. 6:32 P.M. APPROVAL OF AGENDA**

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16 **MOTION: Commissioner Halverson moved to approve the agenda. Commissioner**  
17 **Simmons seconded. The motion passed unanimously.**  
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19 **3. 6:33 P.M. APPROVAL OF MINUTES**

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21 **MOTION: Commissioner Halverson moved to approve the August 16, 2023 & August**  
22 **23, 2023 meeting minutes. Commissioner Simmons seconded. The motion passed with**  
23 **a vote of 7-1 one abstaining.**  
24

25 The audio recording is the official record of the above-dated meeting. The infor-  
26 mation herein is provided as an overview of the meeting and a road map to the au-  
27 dio recording. Audio is available online on the [Thurston County Planning Commis-](#)  
28 [sion](#) website.  
29

30 **4. 6:33 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which**  
31 **public hearings have been held.)**  
32

33 1. Lynn Fitz Hughes  
34

35 **New Business**

36  
37 None  
38

39 **Continued Business**

40  
41 **5. 6:38 P.M. WORK SESSION #2: A-25 – Update Forest Conversion Ordinance Title**  
42 **17.25**  
43 **(Staff: Dana Bowers)**

Ms. Bower presented an update on the forest land conversion ordinance addressing public comments received and feedback from the previous planning commission work session. A portion of the presentation focused on the updated language surrounding exemptions from the tree conservation plan requirements. Ms. Bower stated that a parcel could be exempt from having a conservation tree plan if the developer kept 80% of the parcel's trees. Commissioner Halverson asked how the 80% was calculated. Ms. Bower replied that the calculation was based on gross tree area. Commissioner Wheatley questioned how the 80% was chosen. Ms. Bower replied that the number of 80% is the ratio of trees to parcel acres. Commissioner Halverson clarified that the topic related to the development of a parcel and not forested agricultural land. Ms. Bower agreed.

The work session was put on hold to have a public hearing start on the 2024-2029 CIP.

**6. 7:03 P.M.: PUBLIC HEARING: CPA4 – 2024 - 2029 Capital Improvement Project**  
*(Staff: Andrew Boughan)*

Chair Casino opened the public hearing and provided instructions for public testimony.

With no public comments, Chair Casino closed the public hearing at 7:04 P.M.

**7. 7:04 P.M.: WORK SESSION #2: CPA4 – 2024 - 2029 Capital Improvement Project**  
*(Staff: Andrew Boughan)*

Mr. Boughan quickly reviewed the Capital Improvement Project 2024-2029. Commissioner Pestinger asked about a public comment received regarding fish passage barriers, wastewater, stormwater, and the future. Mr. Ensley replied that the industry in Western WA is starting to think and converse about regional stormwater facilities. Commissioner Pestinger asked where the threshold of impervious service was at. Mr. Ensley was unsure. He referred to Ms. Bowers. She stated that the tree canopy study has not been completed. Therefore, the data is unavailable. Ms. Parson addressed the portion of the question regarding fish passage barriers. She stated that the County has used REET funds to upgrade multiple fish barriers. She continued that at a high level, there is a list of all coverts and stream crossings of all the roads, and the County relies heavily on the Washington Department of Fish and Wildlife (WDFW) database to know where the fish pass. The Salmon Enhancement Group has extensively researched the Y RAW 13 area, and the research gets uploaded to the WDFW database. The County selects the projects that require the lowest cost upgrades with the most return on investment. Some reach barriers under roads need millions of dollars in upgrades. The Country Club Road was updated due to a failure at the location. That culver will be replaced next year with a bridge. There is grant funding and partnering with other entities with resources to share when the County continues to do an upgrade. When a road project is started, they must get an HPA permit with WDFW to approve the opening size.

In most cases, the required opening for fish passage is larger than the prior opening. Commissioner Pestinger replied he supports the increased funding and speed with which the County moves forward with passage. Mr. Plahuta answered the wastewater portion of the constituent question, which was based on concern with how many Thurston County treatment plants are meeting the permit requirement of The Department of Ecology. Mr. Plahuta replied all of Thurston County's facilities meet those requirements. Thurston



County has initiated the facility planning process for the Grand Mound Treatment facility. This is because it currently sits at 85% of the permitted limit for total suspended solids. The Grand Mound facility is the only project for wastewater in the CIP. Commissioner Pestinger asked how many treatment facilities are within the Thurston County limits. Mr. Plahuta replied with three. One is in the Boston Harbor area, one in Tamoshan, and one in Grand Mound.

**MOTION: Commissioner Halverson motioned to recommend approval of the amendment to Appendix Section G of the Thurston County Comprehensive Plan 2024-2029 Capital Improvement Program by repealing and replacing the 2023-2028 CIP in its entirety. Commissioner Pestinger seconded the motion. The motion passed unanimously.**

8. **7:22 P.M CONTINUED WORK SESSION #2: A-25-Update Forest Conversion Ordinance Title 17.25**  
(Staff: Dana Bowers)

Returning to the forest ordinance conversation, Ms. Bowers continued with her presentation after the public hearing. She spoke of subdivision removal from the allowed moratorium. The action allows for single-home development due to the affordable housing crisis. Single-family homes are a priority. Commissioner Pestinger wanted clarification on the language surrounding a moratorium. When an applicant has a DNR permit class 2 or class three, a moratorium is flagged, and no development permits will be approved for that parcel, with some exceptions. Subdivision was an exception. Once the fee study is complete, the fee structure for permits will be revisited. Commissioner Halverson asked about the fee structure and what it will look like. Ms. Arai reminded and encouraged the Commission to make a separate recommendation to the BoCC addressing ideas that may not have come up to staff.

The language surrounding the Conversion Option Harvest Plan (COHP) includes reviewed options for increasing the retained tree percentage. Next, Ms. Bowers addressed concerns over the WUI code. Commissioner Halverson asked what the most extreme number was. Ms. Bowers answered it is changing to 100ft versus 30 ft. Further discussion ensued about the risk and cutting percentages. Ultimately, the Planning Commission decided to follow the state recommendation.

Commissioner Pestinger asked about the health of trees and dying from lack of water. He did not see anything about the health of trees in the memo. He wondered if there should be clarity about the length of time a dying tree is allowed to stand. Commissioner Wheatley expressed a similar concern. Ms. Bowers replied that one of the places is mentioned in the COHP. Since these are not being reviewed by a forester, one of the standards for the COHP permit is that a layperson or landowner can fill it out. Commissioner Pestinger questioned if Aspen trees are considered differently in the code update. Ms. Bowers replied that Aspen trees are not explicitly called out, and the consideration of tree diameter in rare species differs from what is under consideration now. Madrona and The Pacific yew are rare trees in this area.

1 Staff will consult the same firm that worked with the City of Tumwater, which just fin-  
2 ished its forest update to keep consistency across the board in each jurisdiction.  
3

4 Chair Casino asked the Planning Commission if they were ready to move with a vote that  
5 included staff changing language in the project. Commissioner Nelson stated he had diffi-  
6 culty with staff knowing what language to use precisely. Ms. Arai mentioned that subsec-  
7 tion E of the conversion code could be an excellent place to add that language, as it al-  
8 ready addresses replacement trees. Staff will add language around the diversity and resili-  
9 ency of trees. That way, there is not one tree type that is being planted but a diversity of  
10 tree types. This is located on page 20 - part E of the staff report. Commissioner Pestinger  
11 pointed out that the COHP definition on page 19, section C7, has a definition of replace-  
12 ment tree language. Commissioner Nelson agreed with that definition.  
13

14 Commissioner Wheatley wanted an explanation of the definition of shorelines. Page 5 of  
15 the staff report referenced RCW 90.58.3030 changes to shorelines of statewide signifi-  
16 cance as defined in the SMP. Ms. Bowers apologized and responded that the new code  
17 should read all shorelines as well as shorelines with statewide significance. Commis-  
18 sioner Wheatley is satisfied with this addition.  
19

20 The County notifies the public about current projects via SEPA (State Environmental  
21 Policy Act). If the parcel is in the Urban Growth Area, the notification requirement is  
22 300ft out from the project area. If it is in unincorporated Thurston County, the require-  
23 ment is 500ft from the project area. All the conversions qualify for SEPA because they  
24 are a type 3 permit review. All the projects that go through the forest conversion permit  
25 must do SEPA and have the noticing the 300ft and 500ft for the County. Commissioner  
26 Halverson stated that the notification process will be expensive for both the constituent  
27 and the County. Ms. Bowers brings up the concern with other jurisdiction permits. DNR  
28 is the other jurisdiction that may provide a permit. They may not have the same sign noti-  
29 fications as the County. Thurston County will have a specific sign given to the applicant  
30 with detailed instructions on how, when, and where the sign can be posted on-site. Chair  
31 Casino asked when a constituent calls to complain about unpermitted work, how does the  
32 County determine if the project is properly permitted? Ms. Bower stated that the first  
33 thing that staff does is check the DNR website for a possible permit through that agency  
34 or any other agency and report back to the complainant. Commissioner Simmons asked  
35 what the penalty is for not being appropriately permitted. Ms. Bowers stated the repercus-  
36 sions could be halting the project to fix the damaged critical area. The County has no  
37 hard and fast fees as each situation is different. However, getting people up to compliance  
38 is what the County focuses on.  
39

40 Commissioner Pestinger wanted clarification on the public comment regarding changes  
41 in percentages allowed to retain or cut. Ms. Bowers stated she meant to explain that in the  
42 first slide. However, she indicated legacy, culturally modified, and historical landmark  
43 trees must have a diameter of 40" or greater. Due to the housing shortage and feedback  
44 received by the development community, keeping 100% of those trees would be arduous  
45 due to the way parcels are divided and the stormwater requirements. That is why some-  
46 times you see the whole lot cleared. The developers are terraforming the lots to meet  
47 other standards. Commissioner Pestinger stated he would like to see that at 80%. Ms.

Bowers replied that the decision was in the Planning Commission's purview. Chair Casino asked for input from the other members of the Commission. The current proposal is 70%. These are the percentages that Pierce County uses.

**MOTION: Commissioner Pestinger moved to change the 17.27.404 tree conservation substandard from 30% to 40%. Commissioner Wheatley seconded the motion. The motion failed with a vote of 4-3, with one commissioner abstaining.**

**MOTION: Commissioner Nelson moved to recommend approval of the forest land conversion ordinance as amended. Commissioner Simmons seconds the motion. The motion passed with a 5-2 vote.**

**MOTION: A second motion was made by Commissioner Halverson recommending the BoCC to create an incentive for people who are correctly applying for permits and a deterrent for permit violations, including but not limited to fee and fine structure. Commissioner Simmons seconded the motion. The motion passed with a vote of 6-1.**

#### **Other Business**

**9. 8:42 P.M. STAFF UPDATES**

*(Staff: Dana Bowers, Ashely Arai)*

Staff went to the Back-To-School bash put on by the Rochester School District. It had over 645 attendees. Twenty-nine citizens completed a survey in one hour. The staff had direct contact with over 100 people. Ms. Arai updated the planning commission on the Pogue site-specific land use project. She stated it is now at the BoCC public hearing stage. Ms. Arai explained the BoCC decided to put one option in front of the public after deliberating what staff initially presented to the Planning Commission.

**10. 8:54 P.M. CALENDAR**

*September 27, 2023: Public Hearing – The City of Lacey & TC Joint Plan*

*October 04, 2023: Work Session #3 A-25 Update Forest Conversion Ordinance Title*

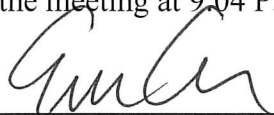
*17.2 with a possible recommendation. Commissioner Day*

**11. 8:57 P.M. GOOD OF THE ORDER**

Chair Casino gave an update on the proposed ordinance for the new planning commission structure presented during the public hearing on September 19, 2023,

**12. 9:04 P.M. ADJOURN**

With no further business, Chair Casino adjourned the meeting at 9:04 P.M.

  
Eric Casino, Chair

Prepared by Tosha Knight

