



THURSTON COUNTY PLANNING COMMISSION

Minutes May 4, 2022

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

3 Chair Casino called the May 4, 2022, meeting of the Thurston County Planning
4 Commission to order at 6:30 p.m. Commissioners provided self-introductions.

5
6 **Attendance:** Commissioners Eric Casino, Doug Karman, Kevin Pestinger, Barry
7 Halverson, Scott Nelson, Helen Wheatley, and Jim Simmons

8
9 **Absent:** Joel Hansen

10
11 **Staff:** Christina Chaput, Andrew Deffobis, and Kaitlyn Nelson.

12
13 **2. 6:30 P.M. APPROVAL OF AGENDA**

14
15 **MOTION: Commissioner Halverson moved to approve the agenda. Commissioner**
16 **Karman seconded. Motion carried.**

17
18 **3. 6:34 P.M. APPROVAL OF MINUTES**

19
20 **MOTION: Commissioner Karman moved to approve the April 20, 2022, meeting**
21 **minutes. Commissioner Nelson seconded. Motion carried.**

22
23 The audio recording is the official record of the above-dated meeting. The information
24 herein is provided as an overview of the meeting and a road map to the audio recording.
25 Audio is available online at:

26 [http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.h](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)
27 [tml](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)

28
29 **4. 6:36 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which**
30 **public hearings have been held.)**

- 31
32 1. Peggy Smith
33 2. Phyllis Ferrell
34 3. Christy White

35
36 **New Business**

37
38 None.
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40

1 **Continued Business**

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3 5. **6:41 P.M. WORK SESSION: WIRELESS CODE UPDATE**

4 *(Staff: Kaitlyn Nelson; Consultant: Colleen McCroskey)*

5
6 Ms. Nelson provided an update on the process and previously discussed items. Language
7 is forthcoming on a few different items. Part of the delay is the amount of research and
8 coordination involved related to the legal issues. Design standards for facilities in the
9 rights-of-way belong in the road standards or as part of an agreement with public works.
10 The Planning Commission's recommendation to the Board of County Commissioners
11 could include a request to update the road standards. Macro facilities would also be better
12 addressed in the road standards. RF testing is an option; however, it cannot go beyond the
13 limits of FCC standards. The impact would involve additional staff time, training, and fees,
14 and would be another decision for the Board of County Commissioners. An example of
15 graphics was requested at a prior meeting. Staff would like to develop a fact sheet for
16 implementing this code instead of putting it in the code itself.

17
18 Some of the outstanding items were Allowed Zones and Priority Areas. This leaves the
19 considerations for the code being what zones different facilities are allowed in and
20 language proposed for priority areas. There have been other minor changes to the code
21 which the Planning Commission can review prior to the next worksession which will be in
22 the updated draft.

23
24 Ms. Nelson requested staff would like Planning Commission to review the updated draft,
25 go over options for language in the allowed zones and priority areas and ask for a
26 recommendation from Planning Commission to the Board of County Commissioners at the
27 next worksession.

28
29 There were questions and comments by the Planning Commission which Ms. Nelson and
30 Ms. McCroskey answered. A discussion followed.

31
32 Commissioner Karman questioned whether examples that were previously discussed were
33 being considered. Ms. Nelson responded staff would review internally. Commissioner
34 Karman also voiced concerns on the testing and whether this was being studied elsewhere.
35 Ms. Nelson responded this is outside the scope. Commissioner Wheatley has looked at
36 King County code which provides information and includes extensive information in their
37 code. Ms. Nelson will review King County code.

38
39 Commissioner Simmons voiced concerns regarding rights-of-way and setbacks. There are
40 stakeholder concerns. Commissioner Casino asked if public works has any kind of
41 standards. Ms. Nelson responded they use standards associated with site and safety
42 standards; the same standards used for general utility poles.

43
44 Commissioner Wheatley had a question on definition of Alternative Support Structures
45 (page 2, section 3.7 of the 3/30/2022 draft). It states the County will have to make a policy
46 decision; has this been discussed or do we need to consider? Ms. McCroskey provided
47 additional information on the definition. Ms. Nelson will double check that this definition
48 still fits the way it was intended considering limitations on facilities in the rights-of-way.

1 Commissioner Pestinger questioned safety measures code 20.33.170b. Ms. Nelson
2 provided background and further discussion followed. The next version of the code will
3 show comments intended to address some of the legal issues. Ms. Nelson will bring back
4 an updated draft for review and recommendation.

5
6 Commissioner Pestinger requested clarification on prioritizations. Ms. Nelson will provide
7 at the next meeting. Commissioner Wheatley commented on Pierce County's approach to
8 this topic and a possible flow chart. Commissioner Pestinger stated a big priority is to keep
9 away from residential areas. He also asked whether setbacks are included in prioritizations
10 which is a significant concern of the stakeholders. Ms. Nelson responded it is not being
11 looked at currently. Discussion followed.

12
13 Rights-of-way and setbacks were discussed further. There are concerns on tree removal to
14 meet setback requirements and for rural areas not having adequate 911 access.
15 Commissioner Wheatley expressed concern more on denser housing and multi-family
16 housing than on property and the choice on where to place the site while considering
17 resident safety. The County should consider the future as well as the current housing
18 situation and have some prioritization. There is concern on the setback distance. Ms.
19 Nelson has discussed with the legal team and clarified their discussions on setbacks. The
20 legal recommendation is not to increase those setbacks at this time.

21
22 Commissioner Halverson asked where these priority areas are located within the county.
23 There are additional concerns on safety and location of towers. Ms. Nelson will include
24 this information in the draft to be presented at the next worksession for the Planning
25 Commission's recommendation. Ms. Nelson responded that the Planning Commission
26 could request the Board of County Commissioners update the road standards.
27 Commissioner Halverson stated this should be written into the code and further discussion
28 ensued on the process. Commissioner Wheatley stated that if it is written into the code that
29 public works has to bring their code into compliance. Ms. Nelson stated County code is not
30 formatted that way and there are specific sections for different types of code. The County
31 does not keep rights-of-way standards in the Zoning code.

32
33 Commissioner Wheatley has concern on what the legal department says versus what she is
34 seeing in other codes about setbacks. Other jurisdictions do have other rules. Has there
35 been push back in other jurisdictions? Ms. Nelson responded there are several reasons as
36 some codes are outdated, differing elected officials, and the size of the jurisdiction. Ms.
37 McCroskey spoke to various challenges other jurisdictions may be having and FCC
38 standards. Commissioner Wheatley is formally asking to have more information on this to
39 ensure we are making the right recommendation. Ms. Nelson stated more case law may be
40 provided to Commissioners, but also reminded them of the Board's direction to draft the
41 code within federal law, which is determined by the County's legal counsel. Only the Board
42 may decide to consider legal risk. Additional discussion ensued for clarification.

43
44 Commissioner Wheatley commented on viewing this from the vendor side. What are the
45 standards we have for the vendor and is there anything built in for the review process should
46 the vendor claim we are being too restrictive and what is required of them to prove this?
47 Ms. McCroskey is not certain having standards built into the code is something she has
48 seen but most likely the vendor would be required to show where they already have

1 infrastructure in the County. The entities would most likely be able to come to a resolution.
2 There were additional questions and comments by the Planning Commission on setbacks
3 which Ms. Nelson answered.

4
5 Commissioner Casino directed the commission to wait for staff to provide the additional
6 information before discussing further.

7
8 **6. 7:40 P.M. WORK SESSION: SHORELINE MASTER PROGRAM**
9 *(Staff: Andrew Deffobis)*

10
11 The Planning Commission was provided updates on previously discussed items. Mr.
12 Deffobis presented a Power Point reviewing stormwater management outside SMP
13 jurisdiction, hazard trees, and permitting language for existing development. Mr. Deffobis
14 is putting together Planning Commission recommendations to the Board of County
15 Commissioners for consideration which will be presented next meeting.

16
17 Stormwater management outside SMP jurisdiction was discussed first. The SMP requires
18 new development to provide stormwater management consistent with current standards.
19 SMP defers to the County's Drainage Design and Erosion Control Manual and other
20 applicable regulations. Staff was previously asked to review authority to require
21 stormwater management outside SMP jurisdiction. Chapter 10 of Ecology's SMP
22 Handbook discusses policy options to support an SMP achieving the No Net Loss standard.

23
24 Commissioner Karman voiced concern on the increased rain in our area compared to what
25 we have experienced, and the concern the current stormwater ponds are inadequate to hold
26 the increased amount. This causes an overflow in the aquifers, for example. Current
27 housing effects the amount of run off as well. Commissioner Casino added that if the water
28 is coming from outside the SMP, we should have a say over where it is coming from. The
29 main factor is that this stormwater is being imported into the SMP and now being addressed
30 by the SMP.

31
32 Discussion ensued and there were additional questions and comments by the Planning
33 Commission which Mr. Deffobis answered. Commissioner Casino requested a policy
34 recommendation for stormwater runoff outside the SMP. Further clarification on
35 prioritizing the recommendation to be important but not top priority. Mr. Deffobis reported
36 the County SMP implementation guide will be completed once the SMP is done.

37
38 Hazard trees were discussed next. The Planning Commission had questions on how the
39 rules for hazard trees are currently implemented. Mr. Deffobis responded that
40 unfortunately, there are no statistics kept that would answer the questions the Planning
41 Commission had. Staff is working to update the draft SMP to address the questions and
42 looking to clarify when downed trees would be left in the buffer and how the review process
43 works. Commissioner Casino voiced concern on a consideration for emergency situations.
44 There were additional questions and comments on urgent situations and the process
45 required for approval to remove hazard trees which Mr. Deffobis answered.

46
47 Permitting language for existing development was discussed last. The Planning
48 Commission had questions regarding CUP requirements for changes to existing uses. After

1 review, staff have generalized the language to increase clarity. The Planning Commission
2 recommendation draft will also use “conforming” language vs. “nonconforming”, per
3 Planning Commission recommendation and public comments on this topic. Language has
4 been generalized and “nonconforming” has been removed. Mr. Deffobis will provide the
5 draft recommendation in May/June 2022. The Planning Commission can then review and
6 refine the draft before being issued to the Board of County Commissioners. There were
7 additional questions and comments by the Planning Commission that Mr. Deffobis
8 answered.
9

10 **Other Business**

11 12 7. **8:05 P.M. STAFF UPDATES**

13 *(Staff: Christina Chaput)*
14

15 Ms. Chaput shared those tentative dates have been identified for the upcoming joint dinner
16 for the Board of County Commissioners and the Planning Commission. The dates are
17 Thursday, June 23; Tuesday, July 12; and Thursday, July 14. A Doodle Poll will be sent to
18 the Planning Commission to reflect which dates each Commissioner will be available.
19

20 Commissioner Casino inquired on current staffing. Ms. Chaput provided a summary of
21 CPED staffing. This includes 2 planner positions that have active recruitments and a project
22 manager position to open soon.
23

24 Commissioner Wheatley requested a discussion and review of how the meeting minutes
25 are currently being summarized and that the current summary is not capturing the full
26 context of the question and answers when captured in the summaries. Discussion ensued
27 on the audio being the official meeting record. Ms. Chaput provided information from the
28 Rules of Procedure supporting the official meeting record. Discussion continued between
29 the Commissioners and staff. Ms. Chaput responded that staff will work together to review
30 and ensure better context is provided where needed.
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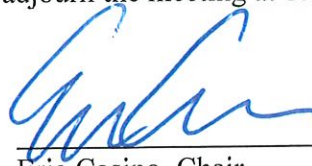
32 Further discussion followed on approving meeting minutes and the official meeting record
33 being the audio version. Language will be included in the motion to approve the minutes
34 to add that the audio is the official meeting minutes.
35

36 8. **8:07 P.M. CALENDAR**

37
38 May 18, 2022: All plan on attending.
39 June 1, 2022: All plan on attending.
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1 9. 8:17 P.M. ADJOURN

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3 With there being no further business, Chair Casino adjourn the meeting at 8:17 p.m.
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8 Eric Casino, Chair

9 Prepared by Dina Christensen