

From: Commissioner Karman
To: Thurston County Planning Commission
Re: Public Hearing/Comment Recommendations

1. Three years ago, plus or minus, Brad Murphy informed the Planning Commission that the SMP was to be the word on shorelines and wetlands associated with shorelines. That if the SMP was less or more restrictive than the CAO the CAO would need to be changed to match the SMP. If this is true, then we do not need Appendix E and we can set the Setbacks where we feel appropriate. That should include wetlands.
2. **19.150.446 Letter of Exemption** - Need to add this definition?
3. **19.150.592 (Legally) nonconforming** – We will be discussing this in chapter 400. Prefer we delete this term. Anything that is legally nonconforming is conforming.
4. **19.150.612 - Overwater Structures** -The Legislature defined overwater structures as houseboat in 2011. This definition needs to be changed to be in line with the Legislatures direction. It does not include piers and docks as stated.
5. **19.150.695 Setback** – This may be revised/eliminated by later chapters?
6. **Table 19.200.107B** Change “Stream Name” to “Lake Name”
7. **19.200.120 Urban Conservancy**. I do not understand this category. “and are generally not suited for water dependent uses”. The definition, as written does not paint a picture in my mind.
8. **19.300.100.E Policy SH5** – There should be allowance for pervious paving to accommodate the handicapped.
9. **19.300.100.F Policy SH6** – If there are existing development in the zone a provision should be made for continued use by the property owner.
10. **19.300.110.A Policy SH 15** – If shading of the shoreline is beneficial, why is the shading provided by a pier or float not beneficial. They can provide the same function.
11. **19.300.110.B Policy SH 16** – Delete the last sentence of this paragraph. While native plants are preferred, there is no documentation that says nonnative plants do not serve the same purpose. The state county and cities use non native plants all the time on their projects. Also, native plants are difficult to locate and limited in selection.
12. **19.300.115.G Policy SH 21.7**– Change the first sentence to read: “Stormwater outfalls and stormwater drainage from roadways into
13. **19.300.130.G Policy SH31** – I thought we were adding a goal to reduce the use of plastics in Aquaculture. This should be added here or in another policy.

14. **19.300.145.C Policy SH53** – Add C.4. Be designed in a way to prevent stormwater from entering the aquifer, inlet, outlet or waterbody without first entering a settling pond designed to filter out pollutants, solids and nutrients.

15. **General Comment:** With the increase in population in Urban areas there is a corresponding increase in stormwater runoff that makes its way to our rivers, lakes and marine environment. We need to include additional requirements for stormwater handling up to maybe 1000 ft from the shoreline.

16. **19.400.100** - Lawfully established existing development should be called **conforming**. The other terms are not relevant and the terms have no bearing on the development. Ecology and State Government does not have a preference.

17. **19.400.100.A.3** – Why state that it may require a CUP? It could be a letter of exemption, Admin this or SDP that. This is in the existing development section

18. **19.400.115. Critical Areas** – Are all of these incorporations required by law? Or do they need to be changed if we use a different standard in the SMP as Brad Murphy told us in 2017?

19. **19.400.120.B Buffer Widths** – I recommend the following as more realistic minimum buffers for both Marine and fresh water lakes:

Shoreline Residential:	50Ft
Urban Conservancy:	100 ft
Rural Conservancy:	125Ft
Natural	200 ft

Where are the buffers for Rivers?

There should be a setback requirement for agricultural land use for grazing animals. According to the internet, one cow eliminates 150 lbs. of poop per day which is over 200 times more than a human. Since septic tanks must be at least 100 ft from a potable well or the shoreline, this should also be the setback for farm animals.

20. **19.400.120.B.4 Setback** - We recommend removing the 15-foot setback to the buffer. It is not required by law and creates confusion with remodels and maintenance of existing structures. A requirement to repair/replace any damage to a natural buffer. Damage to grass is a non-issue.

21. **19.400.120.D.1.B Decks and Viewing Platforms** – These should be allowed in the buffer up to the high-water mark and not limited by size. If they are replacing native vegetation mitigation would be required. If replacing grass, no mitigation would be required as long as the requirements of the option in Appendix B section B.2.C are adhered to.

22. **19.400.120.D.1.c Water Oriented Storage Structures** – They should be allowed in the shoreline residential and public park.

23. **19.400.120.D.4.c** Why would you have to leave a fallen tree where one didn't exist or the stump of the tree? You are required to plant a new tree and maintain it. The fallen tree would be a safety hazard and attract termites and ants.
24. **19.400.125 Water Quantity and Quality** – According to the Stream Team, 75% of the pollution in our lakes, rivers and marine environment is caused by stormwater. Therefore, addressing stormwater as suggested in policy SH-21.7 would be appropriate here. Current standards are inadequate. They address solids not pollutants.
25. **19.500.100.B Substantial Development Permit** - Allow for an administrative SDP, either Type I or Type II, per later chapters. A definition is required.
26. **19.500.100.C.4. Bulkhead exemption** - Need to add the exemption for eutrophic lakes referenced in 19.300.115.F, Policy SH-21.6
27. **19.500.100 Letter of exemption** – when is this required or has it been eliminated due to 19.500.100.F.6 de-minus exemption and the \$\$\$ exemption in 19.500.100. of \$7045?
28. **19.600.120.1 General Shoreline Modification Principals** – Please include the shoreline of eutrophic lakes as an exemption as provided for in chapter 300.
29. **19.600.105 Industrial** – there should be a footnote stating “where zoned industrial”.
30. **19.600.105 Shoreline Stabilization** – This should require an AdP. No hearing examiner should be required.
31. **19.600.110** – There should be a setback requirement for agricultural land use for grazing animals. According to the internet, one cow eliminates 150 lbs. of poop per day which is over 200 times more than a human. Since septic tanks must be at least 100 ft from a potable well or the shoreline, this should also be the setback for farm animals.
32. **19.600.110.B.1.b** Expansion of agricultural activities on existing agricultural land shall be “required” (rather than encouraged) to comply... This is new activity, new development if vegetation within the standard buffer is removed. It would be like saying on shoreline residential land the property owner is encouraged not to remove the native vegetation in the buffer.
33. **19.600.115.A.1 Environment Designation Permit Requirement** – There is a discrepancy between the chart in 19.600.105 and this section. Chart says CUP and this section says SDP. It should be a CUP without exemption.
34. **19.600.115.A.3.b Delete this paragraph as it is not applicable.** See comment above and the chart in 105.
35. **19.600.125.C.2.e.v** – The men's restroom should require a minimum of 2 sinks as specified for the women's restroom.

36. **19.600.125 General Comment** – Why are we designing docks and piers in this section. Don't the standards already exist elsewhere in the various codes?

37. **19.600.160.A.1 – Public Hearing option** - Docks and mooring structures/buoys should be allowed in the natural environment. They are used to access the water in one specific place. If not allowed, the shoreline will see greater usage and shoreline environmental function will be reduced because the beach will be used for water toys and water access.

38. **19.600.160.B.8 – Application Requirements** – Strike the requirement to consider alternative moorage on lakes, B.6 prior to allowing piers or docks. The requirement for the marine environment, B.7. is ok.

39. **19.600.160.C.** - Same comment as B.8 above for alternative moorage. Also, covered storage should be allowed. Regarding accumulative impact. The cover is no larger than the water craft so the cover does not increase the impact.

40. **19.600.160.C.1.r – Grating on piers** – Implement public hearing option to eliminate the requirement for grating on non-Salmon bearing lakes.

41. **19.600.160. C.3.b - Pilings** - The spacing of pilings should be based on engineering with all of the other requirements the SMP places on the piers and docks. I can find no requirements for this in the Ecology Handbook. Spacing should be deleted from the SMP. If required by RCW then allow spacing of 8 ft for lakes.

42. **19.600.160.C.4.a – Piers** – Allow 6 ft standard with an allowance to go to 8” with demonstrated need. 4 ft is too narrow and dangerous. Even 6 ft is too narrow for ADA needs. How do you know if you will need a wider pier/float down the road due to an injury? Or, the next owner needs it?

43. **19.600.160.C.4.e – Ramp width** – Allow 6 ft standard with an allowance to go to 8” with demonstrated need. 4 ft is too narrow and dangerous. Even 6 ft is too narrow for ADA needs. Also, strike the grating requirement for non-salmon bearing lakes.

44. **Figure 19.600.160(1) & (2)** – Mooring Structure and recreational float dimensions - Dimensions are established elsewhere relative to adjacent structures or a maximum length. There should be no need for these figures with dimensions. If required by law, why are single use floats in lakes limited to 15 ft and the structure/pier limited to 20 ft with an overall 25 ft plus ramp length? Same comment for figure 2.

45. **19.600.170.A – Residential Development** – Permit requirement should be changed as follows:

1. Natural – Single family Residential and ADU should be AdP not an Ad for single family and Cup for ADU.
2. Rural and Urban Conservancy – ADU should be an AdP

46. **19.600.175 – Shoreline Stabilization** – A Substantial Development permit should not be required for shoreline stabilization. It should be an AdP with no Hearing Examiner required unless requested by the applicant.

47. **19.600.175.B.2. WAC 173-26-231** - States a bulkhead is “to protect an allowed primary structure or legally existing use in danger of loss or damage.”

48. **19.600.175.C.2.c.i.1** – Why was “and their primary appurtenant structures or uses” deleted from this paragraph. WAC 173-26-231 includes legally existing uses in danger of loss or damage. Perhaps this should be added as C.2.c.vi.

49. **19.600.180.B – Transportation Development Standards** – An additional paragraph should be added for Stormwater handling. All stormwater from roadways, parking lots, overpasses and underpasses shall not be allowed to drain directly into streams, rivers, lakes and marine waters without first being deposited into an approved settling pond. Also insert appropriate statements in 180.C & D.

50. **Appendix B.2.A** – Native vegetation should not be the only mitigation plant. Native vegetation is not easy to find in nurseries. Also, there are nonnative species that can perform the same function at maybe a higher price but they are usually more attractive, and readily available.

51. **Appendix B.2.C.1** – The Public Hearing option to consider decks to be pervious if constructed properly should be included in the SMP.

52. **Figure B.2.3** – This example uses a deck as a 1:1 replacement for an impervious surface. The example should be for an addition, not a deck. We will be changing decks to be pervious. Therefore, you should be able to replace grass on a 1:1 ratio with a deck as long as the ground under the deck has the proper gradients/drainage.

53. **Appendix B.3 & 4** - These are very confusing and rife with potential for misunderstanding. Some even looks like it conflicts with prior chapters.