

THURSTON COUNTY PLANNING COMMISSION

Minutes May 17, 2023

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

3 Chair Casino called the Thurston County Planning Commission meeting on May 17, 2023, to
4 order at 6:30 P.M. Commissioners provided self-introductions.
5

6 **Attendance:** Eric Casino (Chair), Derek Day (Vice Chair), Scott Nelson, Barry Halverson,
7 Helen Wheatley, Jim Simmons, Joel Hansen.
8

9 **Absent:** Kevin Pestinger
10

11 **Staff:** Jeremy Davis, Amelia Schwartz, Maya Teeple, Andrew Boughan, Ashley Arai
12

13 2. 6:33 P.M. APPROVAL OF AGENDA
14

15 **MOTION: Commissioner Wheatley moved to approve the agenda. Commissioner**
16 **Halverson seconded. The motion carried unanimously.**
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19 3. 6:35 P.M. APPROVAL OF MEETING MINUTES
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21 **MOTION: Commissioner Halverson moved to approve the 5.3.23 meeting minutes.**
22 **Commissioner Hansen seconded. The motion carried unanimously.**
23
24

25 **The audio recording is the official record of the above-dated meetings. The information**
26 **herein is provided as an overview of the meeting and a road map to the audio record-**
27 **ing. Audio is available online on the [Thurston County Planning Commission](#) website.**
28
29

30 4. 6:40 P.M. PUBLIC COMMUNICATIONS (Not associated with topics for which
31 public hearings have been held.)
32

- 33 1. Christy White, Olympia, WA
34 2. Marcy Cleaver, Olympia, WA
35 3. Jeff Van Lierop, Olympia, WA
36

37 New Business
38

39 5. 6:48 P.M. WORK SESSION #1: Pogue Site-Specific Land Use Plan and Rezoning Amend-
40 ment

41 (Staff: Amelia Schwartz, Maya Teeple)
42

1 Ms. Schwartz made a presentation outlining the proposal to rezone the Pogue parcel from
2 Rural Residential Resource 1 unit per 5 acres (RRR 1/5) to Neighborhood Convenience
3 Commercial (NC). Commissioners were shown three options for recommendation.
4

5 Commissioner Wheatley states that question E was not answered in the application. Ms. Tee-
6 ple responds with the location of the applicant's response in an email in the attachments.
7 Commissioner Simmons asked if it is typical for the county to go to the neighboring proper-
8 ties and ask about rezoning. Ms. Teeple says it's not generally standard; however, with the
9 land use plan, it was important to include a block of rezoned land in the comprehensive plan.
10 Commissioner Halverson states that Option 3 has a garage and a coffee stand. He questions
11 why since it is not zoned commercial. Mr. Davis answers that some limited commercial uses
12 could operate under that zoning through a special use or administrative permit. The zoning
13 requirements could also have changed. Mr. Halverson would like staff to bring back the per-
14 mitting history for the property regarding the commercial use.
15

16 Commissioner Halverson asks what mitigation there would be to conserve the oak habitat.
17 Mr. Davis states that would involve a critical area review permit. They would have to get that
18 permit to evaluate the oak habitat prior to cutting any trees down.
19

20 Commissioner Halverson mentioned he heard the commercial property (Neighborhood Con-
21 venience Commercial) must be less than one acre, but that the southern parcel is more than 1
22 acre. Commissioner Halverson then asks if that was designated as (Neighborhood Commer-
23 cial) commercial years ago. Ms. Schwartz states she included those in her staff memo, in-
24 cluding where the commercial convenience zones are in the county and that approximately
25 sixteen parcels zoned Neighborhood Convenience Commercial within Thurston County's ju-
26 risdiction are over 1 acre. Commissioner Halverson also asks about a left turn lane on the
27 road. Commissioner Nelson adds that it already has a left turn lane; however, it does stop
28 right at the bar and grill.
29

30 Commissioner Wheatley also has questions about the acres. She asks if this includes the for-
31 ested part of the parcel map. Ms. Schwartz says yes, they are not proposing to split the par-
32 cel. Commissioner Wheatley then asked how much acreage total would be rezoned. Ms.
33 Schwartz states that it would be a total of 3.68 acres with Option 3.
34
35

36 **MOTION: Commissioner Halverson moved to set a public hearing for June 21, 2023, at**
37 **7:00 P.M. or as soon thereafter as the matter may be heard on Comprehensive Code**
38 **Docket Item CPA-21 Pogue Site-Specific Map, Land Use Plan, and Rezoning Amend-**
39 **ment. Commissioner Nelson seconded. The motion carried unanimously.**
40

41 **Continued Business**

42

- 43 6. **7:11 P.M. WORK SESSION #2: Minor Amendment 2023-28 CIP & Recommendation**
44 **Request.**
45 (Staff: Andrew Boughan)
46

47 Andrew Boughan makes a presentation on the CIP. Commissioner Halverson asks about the
48 three roundabouts discussed at the 5/3 meeting. Mr. Boughan stated that three were talked

1 about, however, the County is only responsible for one. Pierce County and the City of Yelm
2 are accountable for the other two.

3
4 There are no further questions from the Planning Commission.

5
6 **MOTION: Commissioner Halverson moved to recommend approval of Minor Amend-**
7 **ment 2023-2028 Capital Improvement Program to add State Route 507 and Vail Rd SE.**
8 **Commissioner Day seconded. The motion carried unanimously.**
9

10 7. **7:16 P.M. WORK SESSION # 2 Long-Term Agriculture Zoning Update**

11 (Staff: Ashley Arai, Maya Teeple; Stakeholder Guests: Loretta Seppanen,
12 Greg Schoenbachler, Jeff Van Lierop)

13
14 Follow-up questions from the May 3, 2023, planning commission meeting were addressed
15 in the presentation Staff made.

16
17 Ms. Teeple reviewed a draft map displaying where the prime farmland soil types in question
18 are located around the county. She spoke about the discussions that took place in the stake-
19 holder workgroup and the feedback the staff received from those conversations. She also
20 noted a public comment that was made in the room this evening. They gave a great example
21 of how prime if irrigated soils could be used on a rotational and seasonal basis. Ms. Teeple
22 spoke about speaking with the Department of Ecology regarding water rights and how com-
23 plicated it is to track and transfer those rights. Ultimately the stakeholder workgroups de-
24 cided the approach that could work best for Thurston County is to include prime if irri-
25 gated/if drained soils based on language similar counties such as, Lewis County, have writ-
26 ten into their comprehensive plan. Ms. Teeple further added that Thurston County has in-
27 cluded these soil types in Long-Term Agriculture since 1993.

28
29 Ms. Arai presented data regarding nuisance claims and the types of claims that were re-
30 ported from 2003-2023 related to agricultural activities. The data shows, on average, 17
31 claims per year during this period. There are approximately 350 farm-related complaints.
32 About 1/3 are for manure management. Many of the remaining complaints were related to
33 noise or barns that were built without permits. She also notes that nuisance claims about
34 farming are trending downwards. The stakeholder group speculates it could be due to
35 changes in how people farm. This data does not fully reflect environmental health or state
36 agency complaints. Ms. Arai mapped the data and found 4% or 15 cases were found in the
37 LTA or Nisqually Ag zones and 5 of the 15 complaints were on smaller parcels, less than 20
38 acres in size. They pulled those five parcels out, and the remaining ten were on parcels an
39 average of 77 acres in size. They looked at the agritourism overlay district and found 130
40 nuisance cases, which account for 38% of overall cases. There were four parcels over 100
41 acres in size that skewed the data. Once these were removed, Staff calculated the average
42 parcel size to around 11 acres. Similarly, in the UGAs, there were an additional 69 cases.
43 Again, they took out the two parcels over 100 acres as they were skewing the data and found
44 the parcel size average to be about 6 acres. This preliminary data would support community
45 feedback we received that says larger parcel sizes in agricultural blocks do help minimize
46 nuisance complaints; however, there were not as many nuisance complaints related to farms
47 as anticipated.
48

1 Commissioner Wheatley had a question about horse manure. Does that tend to be older data
2 that has dropped off over time? Ms. Arai offered to confirm what the trend has been. Com-
3 missioner Wheatley asked her to do that. Ms. Arai also says that this data captures what was
4 reported, not whether the claim is valid. The right-to-farm ordinance the county has protects
5 a lot of the agricultural activities referenced in these complaints. However, people still call
6 when they see a farmer spreading manure with a waterway nearby even if the farming activ-
7 ity is protected under the County's Voluntary Stewardship Program (VSP).
8

9 Ms. Teeple addressed density bonuses and how those provisions phased out over time. This
10 was partly due to the impact on rural character. So, cluster developments are allowed under
11 state law, but the county and other jurisdictions must ensure a density that is rural and
12 doesn't result in a pattern of development that relies on urban governmental services, or pro-
13 jects without size limits that could be considered urban. Thurston County's code meets these
14 standards currently.
15

16 Ms. Teeple noted that staff would like to look at how density bonuses can be integrated into
17 the Housing Element periodic update with Thurston 2045. This would give staff time to do
18 more research into legal requirements and explore how these fits in with other changes to
19 housing provisions in both the rural areas and UGA.
20

21 Ms. Arai spoke about food security and noted there is no magic number the state gives the
22 county to maintain economic viability for the farming sector over the long term. Zoning isn't
23 the only way to protect food security. There are several other efforts to support farmers, like
24 the Southwest WA Food Hub- a local farmers co-op. There is also a FEMA Study underway
25 to better understand regional food resources and gaps as related to natural disaster prepared-
26 ness. Ms. Arai indicated she would be happy to bring that data to the planning commission
27 when it is available, probably closer to Fall 2023. She shared food security policies can also
28 be found in the Comp plan under Chapter 11. Commissioner Casino would like to know
29 how much food is consumed and how much food is produced in the county. Ms. Arai does
30 not have that data currently but will try to find some.
31

32 Commissioner Simmons sought clarification on what soil types they are trying to change
33 within the map Ms. Arai showed earlier. She explained that there are many different soil
34 types, and the map is used to visualize where the kind of soil is located within the county
35 with the current soil survey. In terms of how much of the current Ag zoned land is being
36 farmed, it's about 70% that's enrolled in the tax assessors' current use agriculture program.
37 Wheatley asked how much land would be taken off the table if prime if irrigated/drain-
38 ed were excluded. Ms. Arai indicated that hopefully the stakeholders would be able to help an-
39 swer any additional soils questions.
40

41 Ms. Arai wanted to also check in on equity and public outreach. She said they did try to pull
42 together diverse groups to represent the voices of underrepresented people in the Ag com-
43 munity. They included Sam Payne, leader of a veteran's organization focused on market gar-
44 dening, and Joy, a woman who owns and operates a fruits and veggie farm out on Delphi
45 Road. Neither of these citizens participated in a Thurston County process previously and
46 brought a fresh perspective.
47

1 Ms. Arai invited stakeholder workgroup members to the table and asked them to introduce
2 themselves. Loretta Seppanen is a community member who is representing the Community
3 Farmland Trust. She was on the board for nine years. However, at this current time, she is
4 volunteering to represent the group. She is also interested in this topic due to her family his-
5 tory in agriculture.

6
7 Jeff Van Lierop introduced himself during the public comment period of the meeting as he
8 had a few comments to share before the work session getting started.
9

10 Greg Schoenbachler is on the Agricultural Advisory Committee and the Solid Waste Advi-
11 sory Committee. However, he participated in this work group and discussion to represent his
12 own land. He owns Silver Springs cattle ranch. Within his 1200-acre farm, there is just
13 about every soil type you can find on the maps he has been shown. They have a few hun-
14 dred acres currently zoned as Long-Term Agriculture.

15
16 Commissioner Simmons asked if Mr. Schoenbachler is interested in putting more of his land
17 into the LTA zoning and how that would affect his farm? No, he is not- He believes this ex-
18 ercise is to preserve prime farmland soils. He says the USDA has a specific definition of
19 Prime soil. All his prime soils are already zoned LTA. The remaining 85% property is some
20 of the worst soil for farming which doesn't meet that definition. He believes that when look-
21 ing at maps and what is and is not prime soil, a person must think about the definition of
22 Prime Soil. Some maps have shown his property 100% zoned under LTA; however, he
23 knows for sure most of his soil does not meet the criteria. Those other soils suit a purpose
24 even though they are not prime soil. If you look at the rocky or prairie soils, preservation
25 measures are directly built into the HCP. The same applies to wetlands and their regulations.
26 The level of redundancy affects the property owner from a value perspective.
27

28 Ms. Seppanen included her new understanding of soil variability on a property. Currently
29 50% of any given parcel must be prime soil to qualify it for LTA. They came out of the
30 workgroup with a higher threshold which helps landowners in similar positions as Mr.
31 Schoenbachler to still be able to have only part of his land designated in long-term agricul-
32 ture zoning. The workgroup helped her visualize the concept of parcels vs. a whole farm.
33 That is how they came up with the threshold that 75% of the land must be designated as
34 prime soil to qualify for LTA zoning. She also mentions budgeting and knowing the Plan-
35 ning Commission does not handle that. However, the stakeholders do want to see compensa-
36 tion for the downzoning. She had been under the impression that Thurston County had bad
37 land for agriculture. However, through this process, she has learned how much more land
38 meets the prime soil requirements.
39

40 Commissioner Wheatley sought clarification about raising the bar to 75%, is the county try-
41 ing to do a better job of targeting the soil that genuinely needs to be put into LTA. Ms. Sep-
42 panen agreed and says nothing is perfect; however, what their work group found was that
43 75% is a better number for the standard.
44

45 Chair Casino asked for Mr. Van Lierop to explain how much of his land is in LTA or how
46 LTA designation would affect him. Mr. Van Lierop stated that none of his property is zoned
47 as LTA, as the original rule was that if it had to be irrigated, it was not prime. Under the
48 new criteria, most of his acreage wouldn't be affected because of the aquifer. He is not

1 speaking from a personal standpoint. He loves agriculture, and he thinks zoning land is the
2 least imaginative way to encourage agriculture. He can build all the sports courts, but if no-
3 body wants to play, then it doesn't do anything. He applauds other counties that have gotten
4 involved. Compensation is essential, and the money is better spent on processing and creat-
5 ing markets. That is why ag is diminishing except for the direct market to customer ap-
6 proach.

7
8 Commissioner Halverson hears what he is saying and asked Mr. Schoenbachler if designat-
9 ing his land LTA reduced property values. He replied that it puts it into a category where
10 you can't do anything else with-it long term. Commissioner Halverson followed up with, so
11 is that why you chose to have only 200 acres in LTA, perhaps because of the 75% or 50%
12 property being prime. Mr. Schoenbachler stated that, no, he did not choose to have his land
13 zoned that way. That was something done before his time. Yes, it does lower the value if it
14 isn't zoned 1-5, but that doesn't mean that is what you will do with the land. It establishes a
15 base value. Commissioner Halverson asks, so your property minus the few hundred acres
16 could be subdivided into 5 acres. Is that correct? Mr. Schoenbachler's response is yes, with
17 the Triple R 1-5 zoning that has more uses than LTA.

18
19 Commissioner Halverson asked if all the property listed prime if irrigated, drained, or pro-
20 tected from flood could be designated for LTA. Ms. Arai stated yes, because, under state
21 law, the County is required to use the soil survey that identifies those as prime farmlands.

22
23 Commissioner Halverson asked if they can set restriction levels at, say, 75% or 50% on the
24 parcel to make the decision. What the stakeholder group recommended was that instead of
25 50%, it would be 75%, so fewer parcels will fall under the LTA zoning. Ms. Arai agreed.
26 The Commissioner then stated, which benefits the farmer, so it has a smaller impact. Mrs.
27 Seppanen mentions Commissioner Wheatley's previous comments about targeting the par-
28 cels that should have LTA designation or which should not. Commissioner Halverson wants
29 to know how much of the property in each of the soil categories displayed on the maps
30 could be designated to LTA. Ms. Arai answered by stating that all the land in the scenarios
31 falls into one of the soil categories prime if drained or irrigated. The baseline scenario adds
32 an additional 22,000 acres to the LTA designation, with >50% being prime soils with a pre-
33 dominant parcel size of 20 acres and an agricultural diversity of 320 acres or 200 if near
34 other agriculture. Scenarios 1 and 2 both have the higher soil qualification at >75%. The dif-
35 ference is that Scenario 1 adds 12,000 acres of LTA-designated land, and the predominant
36 parcel size stays the same as the baseline scenario at 20 acres; however, the agricultural di-
37 versity drops to 100 or more acres. Scenario 2 adds an additional 19,000 acres to LTA.
38 However, the predominant parcel size drops to 15 acres, and the agricultural diversity also
39 drops to 40 acres. Commissioner Halverson wanted to know if the parcels identified for
40 these scenarios have been notified by the county.

41
42 Ms. Teeple responded with the intent is to provide the mailing showing the three scenarios
43 once a hearing date is scheduled. That is why there are some work sessions scheduled after
44 the public hearing. The staff has done some public outreach via open houses and internet
45 outreach; however, the mailing is budgeted only once, and staff wants to ensure they have
46 gathered all the information, so the staff knows whom to send the mailings to. Approxi-
47 mately 1300 parcels are included across all three options. Some fall under the same land-
48 owner. In total, there will be around 400 postcards that need mailing.

Commissioner Halverson asked how much of the prime if irrigated land has water rights? Ms. Arai stated she contacted the Department of Ecology, and the map that they use is only about 70% accurate. She mentioned it being complicated as they don't know if the rights have been transferred or how they are being used. Commissioner Halverson questioned if we are saying prime lands if irrigated; how can they be prime lands if the parcels don't have water rights?

Ms. Teeple explained that Lewis County assumed the parcel had adequate water rights or ditches dug if the land is designated prime with or without irrigation unless otherwise proven. Staff could explore setting up a process so landowners could reach out and let them know if there are issues with a property specifically not having what it needs to meet the LTA requirements. Mr. Davis mentioned the soil survey opt-out that back in 2010 was approved by the then-county board. Maya stated two public comment periods are left and would be happy to investigate an opt-out strategy.

Commissioner Halverson asked if the county's long-term goal is to protect these lands, so they don't get sold off into smaller parcels for development's sake. Ms. Arai stated it is the goal of the county to preserve the lands as LTA land.

MOTION: Commissioner Halverson moved to recommend a motion to set a public hearing on June 21 at 7 P.M. or soon thereafter on the Long-Term Agriculture Zoning Update, which is part of Docket Item CPA-16, Community Driven Review of Agriculture. Commissioner Nelson seconded. The motion carried unanimously.

Other Business

8. 8:41 P.M. STAFF UPDATES

Mr. Davis shared that the SMP public hearing happened on May 16, 2023. It was well attended, and Andrew Deffobis is compiling a briefing to summarize comments for the board. There was a board briefing on the Grand Mound Sub Area Plan Update as well as the Olympia Joint Plan. Mr. Davis confirmed the Planning Commissions meeting with the board, is scheduled on June 21, 2023, at 9:00 A.M.

9. 8:43 P.M. CALENDAR UPDATES

June 7, 2023: Work Session # 1 Forest Conversion Ordinance Title 17.25
Planning Commission Prep for the Board of County Commissioners
meeting being held June 21, 2023, at 9:00 A.M.

June 21, 2023: Conservation Futures Board Briefing
Pogue Land Use Amendment Public Hearing
Agriculture Zoning Amendment Public Hearing

10. 8:44 P.M. GOOD OF THE ORDER

Commissioner Pestinger was not present to update the Planning Commissioners and staff about

1 the subcommittee for Thurston 2045.

2
3 Chair Casino would like to add 15-20 minutes at the next Planning Commission Meeting to go
4 over the board briefing documents.

5
6 11. 8:50 P.M. **ADJOURN**

7
8 With no further business, Chair Casino adjourned the meeting at 8:50 P.M.

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Eric Casino, Chair

Prepared by Tosha Knight