

**BLACK DIAMOND
PLANNING COMMISSION
MINUTES OF JANUARY 10, 2012 MEETING**

CALL TO ORDER

Vice Chair Greg Thesenvitz called the meeting to order at 6:30 p.m. with the introduction of the role and duties of the Planning Commission.

ROLL CALL

Present: Commissioners Darryl Buss, Keith Watson, Sheri Roth, Greg Thesenvitz, Pam Thurmond and Pam McCain
Absent: None
Staff: Community Development Director Steve Pilcher, Associate Planner Stacey Welsh and Natural Resources/Parks Director Aaron Nix

Mayor Olness introduced Pam McCain as the newly appointed member of the Planning Commission filling the position vacated by Bob Kaye. Mayor Olness explained that the City Attorney was unable to attend this evening regarding the Open Public Meetings Act item on the agenda.

ELECTION OF CHAIR, VICE CHAIR

Vice Chair Thesenvitz opened the floor for nominations. Commissioner Roth nominated Commissioner Watson for Chair and Commissioner Thesenvitz for Vice Chair. A consensus of the Planning Commission confirmed the nominations.

APPROVAL OF MINUTES

Moved by Commissioner Buss, seconded by Commissioner Roth, to approve the minutes of the October 18, 2011 meeting as written. Passed 6-0.

Commissioner Thesenvitz noted a correction to the minutes of the November 1, 2011. He stated the motion to re-open the public hearing should reflect a 4-1 vote. **Moved by Commissioner Thurmond, seconded by Commissioner Thesenvitz, to approve the minutes of the November 1, 2011 meeting with the change noted by Commissioner Thesenvitz. Passed 6-0.**

Moved by Commissioner Buss, seconded by Commissioner Roth, to approve the minutes of the December 6, 2011 meeting as written. Passed 6-0.

PUBLIC COMMENTS

None

WORKSESSION ON DRAFT SHORELINES MASTER PROGRAM (SMP)

Mr. Pilcher distributed an e-mail from Mr. Sperry. Mr. Pilcher discussed the tentative schedule, for the Commission to deliver their recommendation to the City Council in April. He explained the Council needs adequate time to be done by the June deadline.

Mr. Nix introduced the city's consultant from AHBL, Gabe Snedeker, and a staff member from the Department of Ecology (DOE), Anthony Boscolo. Mr. Nix provided a history of the SMP process and how the City obtained the services of AHBL. He explained that the City and AHBL worked to develop products required by the shoreline grant from Ecology, including:

1. Preliminary Assessment of the Shoreline Jurisdiction
2. Public Participation Plan

3. Shoreline Inventory Analysis and Characterization
4. Draft SMP
5. Cumulative Impact Analysis
6. Restoration Plan

Mr. Nix discussed the various documents, described the concept of no net loss and provided a history of the Citizen Advisory Committee (CAC) and the Shoreline Visioning Workshop. He explained the SMP establishes goals, policies and regulations for Lake Sawyer area development. He stated the CAC advised staff on the SMP, environmental designations were established, and the CAC's work was completed in early 2011, after which work on the Cumulative Impact Analysis began.

Mr. Nix said the City received comments back from Ecology in August 2011, after which work began on a draft restoration plan, which is still being reviewed by Ecology. He explained the next steps are review by the Planning Commission and then City Council. He noted Council must have the SMP adopted by June 30, 2012. He explained that then the SMP goes to Ecology who will accept or deny it and it would go into effect only after Ecology accepts it.

Mr. Snedeker discussed local discretion in Growth Management Act (GMA) codes and the joint nature of the Shoreline Management Act (SMA) Shoreline Master Program involvement by the Department of Ecology. He discussed work done to establish the baseline, no net loss and the Restoration Plan.

Mr. Boscolo also discussed the GMA/SMA differences and noted the Black Diamond submittal has been good so far. He stated there are some changes that will be required to be made prior to acceptance by Ecology.

Commission members asked a number of questions of both City and DOE staff and the consultant related to timing, comments made by DOE in the SMP document, shoreline setbacks, shoreline variances, review by the CAC, DOE's jurisdiction, existing conditions and septic/sewer systems. The Commission began going through each chapter of the draft SMP, reviewing and discussing comments made by the DOE. Additional items discussed between the Commission and staff included shoreline permitting and shoreline designations.

Commissioner Thurmond stated that under the Urban Conservancy Environment section the phrase "highest priority" should be removed from water-dependent uses. Discussion continued regarding shoreline designations, low impact development techniques, development review and wetland mitigation. Commissioner Buss noted a typo on page 22 that "wherever" should be "whenever". Discussion continued regarding the SMP update cycle, shoreline regulations in effect now, the boat launch, special events, boating hours, mitigation sequencing and the Sensitive Areas Ordinance. Chair Watson stated they would continue with Chapter 4 at their next meeting. Mr. Nix indicated if there are any questions the Commission should send them to Mr. Pilcher.

DEPARTMENT REPORT

Mr. Pilcher explained that the Planning Commission Rules of Procedure contain a list of agenda items, which is why tonight's agenda is lengthier in appearance than normal. He explained it is up to the Planning Commission if they want to change the rules of procedure they can and provide staff direction.

Commissioner Buss asked about the resolution to the question of the Commission members' terms that came up at their meeting in December. Mr. Pilcher reviewed the positions that were reconfirmed by the City Council at their second meeting in December 2011.

