

Critical Area Ordinance Regulatory Reform Task Force Meeting
August 22, 2019 at 5:30 – Tri-Area Community Center – Library Room

AGENDA

- 5:30 Roll Call (for the record); new introduction (Donna Frostholtm); verify Steve Mader is on phone
- 5:35 Introduce Lisa Grueter, Principal, BERK Consulting
- 5:38 Formally accept Minutes of Aug. 8 meeting or advise corrections – See *footnote below
- 5:40 Accept this agenda or request modification
- 5:42 Review the scope of the TF charter, objectives and anticipated product(s) –
Brotherton / Charnas / Grueter / TF member Qs and clarifications
- 6:05 CAO Content topics / **thought Qs** for this discussion:

Agriculture: Alternative Protection Standards (see BERK doc entitled Ag: Alternative Protection Standards / DRAFT August 15, 2019)

Q: How does JC CAO draft update of Sept 2018 compare to TF consensus reached at Aug. 8 meeting?

Q: Do comparison Counties Clallam, Clark, King, Skagit or Whatcom Counties offer better options?

Q: Should Jeff Co. adopt any of these five comparison Counties' CAO/Ag codes in its entirety? Or are there only parts of other Counties' codes applicable to and better than Jeff County's Sept 2018 draft?

Q: If the latter, what parts are better? **Q** for Charnas & Brotherton: Can these selected items be incorporated into the Jeff County CAO update?

Break?

Agriculture: Applicability, Exemptions, Reporting (BERK doc entitled Admin: Applicability, Exemptions, Review Process pages 6-10)

Q: What is meant by "balancing protection and ag vitality"? How should Jeff Co express that balance?

Q: How does climate change affect the requirement to "not cause harm or degrade existing functions"? Should JC recognize that additional challenge in its CAO regs?

Q: Should JC exempt existing ongoing ag? How to account for modern farming procedures?

Q: What is "new ag"? Does Jeff Co. have the definition right?

Q: Is Ag the only land use that should be regulated via *performance* standards?

Q: What is the utility of checklists? Allowing "outer buffer" differences and "working buffers"

If additional time:

"Considerations" re: Review Process & Reporting (CAO 18.22.050 & 18.22.360-4HH/BERK July 31 doc p6)

"Considerations" re: Nonconforming Uses (CAO 18.22.080 / BERK July 31 doc p11)

"Considerations" re: Variances & Reasonable Use Exceptions CAO 18.22.090 / BERK July 31 doc p12)

7:20 Review / affirm group consensus and acknowledge "parking lot" topics

7:25 Process check

* Aug 8 minutes record this Task Force conclusion / acceptance of the minutes will affirm consensus on this point: ***"SUPPORT FOR PERFORMANCE-BASED OVER PRESCRIPTIVE REGULATION -- The Task Force agreed that performance-based requirements should replace prescriptive mandates where possible. The County should clearly describe the beneficial functions and values of areas designated as "critical areas" and should describe the outcomes that need to be maintained for these areas to retain their value and function at an optimal level. Applicants should be encouraged to design their projects and plan their uses so that critical area function is not degraded, and they should be required to demonstrate null effect."***