

PLANNING ADVISORY COMMISSION

AGENDA

July 19, 2021

Mason County Building 1 - Commission Chambers via [ZOOM](#)

411 N. 5th Street, Shelton, WA 98584

1. 6:00pm - Call to Order

- a. Roll Call
- b. Approval of Meeting Summary- June 21, 2021 Regular Meeting Minutes
- c. Approval of Changes to Agenda by Commissioners or Staff (if any)
- d. Conflict of Interest Inquiry
- e. Next Meeting Date – August 16, 2021
- f. Committee/Staff Updates
- g. Other Business

2. Public Comment on topics associated with the mission of the Planning Commission for which a public hearing is not being held. Please limit comments to 3 minutes.

3. PUBLIC HEARINGS:

- Proposed Rezone of 1 acre, Parcel 32026-10-90021, from Rural Natural Resource to Rural Residential 5. Seven (7) acre parcel was subdivided prior to zoning implementation in Mason County. Result was a six (6) acre portion used according to Rural Natural Resource permitted uses and one (1) acre undeveloped but also zoned Rural Natural Resource.
- Request to rezone three parcels, 32007-14-90024, 32007-14-90021, & 32007-14-90034, in Shelton UGA from Neighborhood Residential (NR) to Commercial Industrial (CI), for eventual expansion of business that is on adjacent Commercial Industrial zoned property.
- CONTINUED - Mason County Shoreline Master Program - Periodic Review and Update 2021 (RCW 90.58. and WAC 173-26.090). Hearing to consider amendments to Shoreline Master Program Title 17.50, Resource Ordinance Title 8.52, and Development Code Title 15; purpose of amendments is to revise code as necessary to incorporate updates to the Shoreline Management Act as prescribed by the Washington State Department of Ecology, to assure consistency of the SMP with Comprehensive Plan and development regulations, and to provide clarifications to improve implementation and accessibility of the Shoreline Master Program. Also, for consideration is a citizen request to amend the shoreline environmental designation along parcels 32010-42-00010 & 32010-44-00020 from conservancy to rural.

What is the Planning Commission?

The Mason County Planning Commission is a citizen advisory commission that is appointed by and advisory to the Mason County Commission on the preparation and amendment of land use plans and implementing ordinances such as zoning.

- The actions tonight are not final decisions; they are Commission recommendations to the Board of County Commissioners who must ultimately make the final decision. If you have any questions or suggestions on ways the Planning Commission can serve you better, please contact the Planning Office at 360-427-9670.

Americans with Disabilities Act (ADA) accommodations will be provided upon request, with reasonable, adequate notice.

For information on how to attend this virtual public meeting, please contact Mariah Frazier at mfrazier@co.mason.wa.us or at (360)427-9670 x365

Agendas are subject to change, please contact the Planning Office for the most recent version. The agenda was last printed on 7/12/2021 2:33 PM

MAP CORRECTION – PROPOSED CORRECTION OF THE OFFICIAL DEVELOPMENT AREAS (ZONING) MAP PANEL 8 OF 10 FOR PARCEL 32026-10-90021 FROM RURAL NATURAL RESOURCE (RNR) TO RURAL RESIDENTIAL 5 (RR5).

STAFF CONTACT

Marissa Watson, Senior Planner
Ext #367

APPLICANT

Department of Community Development
615 W. Alder St.
Shelton, Wa 98584

PROPERTY OWNER

Karen Randall
3550 SE Arcadia Rd
Shelton, Wa 98584

SUMMARY OF PROPOSAL

Originally this request was thought to be an official rezone for parcel 32026-10-90021 from Rural Natural Resource (RNR) to Rural Residential 5 (RR5). But on further research of the working maps from the mid 90s, the excel spreadsheets for all the County parcels, and a short plat recorded in 1989 (#1856), it was found that the request qualified as a correction to the development areas (zoning) maps. This parcel is in the Rural Development Areas. This does not require an amendment to the Future Land Use Map. The intention of the applicant is to build a single family residence on the 1 acre.

PARCEL INFORMATION

Parcel No. 32026-10-90021: Originally a seven (7) acre parcel, under the parcel number of 32026-10-00020, was subdivided into a six (6) acre lot and a one (1) acre lot; this subdivision was completed and recorded in 1989 prior to implementation of zoning in Mason County. The short plat information didn't get transferred to the working maps used in the mid 90s to designate parcels, thus the original parcel number, ending in -00020, got transferred to the excel spreadsheets and then onto GIS where both the six acre parcel and the one acre parcel continued to be represented as Rural Natural Resource. The one acre parcel should have been designated Rural Residential 5 like the surrounding parcels because it did not meet the size requirements for Rural Natural Resource which is at least 5 acres.

ZONING INFORMATION

CURRENT ZONING DESIGNATION:

Rural Natural Resource (RNR)

The rural natural resource (RNR) district provides for isolated areas of resource based industry outside of the designated resource lands. Uses include processing of native natural materials, including forest products, mining, aquaculture, agriculture. Accessory uses of storage of finished products, retail sales of products up to ten percent of building area. Density and Lot Size. Five acres or greater dependent on subject property location.

PROPOSED ZONING DESIGNATION:

Rural Residential 5 (RR5)

This district provides for residential development on parcels of five acres or more.

BACKGROUND

The applicant submitted a complete rezone application, with fees, to the Permit Assistance Center on 5/25/2021. The applicant and parcel owner, Karen Randall is intending to build a single family residence on the lot. She initially made a building permit submittal appointment. It was during this time that she found out she had to apply for a rezone of the 1 acre in order to place a residential structure. After further research by staff a correction rather than a rezone was found to be appropriate.

ANALYSIS

The subject parcel is not developed and has been cleared of trees and currently acts as an open field for horses. The parcel 32026-10-90021 did not meet the required size for Rural Natural Resource in the past but the existence of the short plat was unfortunately missed when the designation of parcels took place and the error perpetuated in the GIS mapping and within the Department of Community Development map panels for the Development Areas (zoning).

Under Section 17.05.080(a) MCC are eight rezone criteria used in review of rezone proposals which would be entered into written findings. These criteria are not addressed because a mapping correction does not constitute a rezone.

STATE ENVIRONMENT PROTECTION ACT (SEPA)

Though mapping corrections are exempt from SEPA per WAC 197-11-800(6), a SEPA checklist was prepared for this project in the belief that it was a rezone request. A formal SEPA Determination of Non-Significance was made on June 8, 2021. Comment period for this determination closed on June 22, 2021. No comments received during the comment period.

PUBLIC NOTIFICATION

All property owners within 300 feet of the subject parcel were notified by mail informing them of the proposal to rezone the property. In addition, Public Notice of this public hearing was published in the Mason Shelton Journal on July 8 and July 15, 2021. The Public Notice was posted onsite on June 14, 2021.

PUBLIC COMMENTS

At the time of drafting this report no comments had been received. Any comments received prior to the hearing will be forwarded to the PAC and the applicant, though the status of this change as an official map correction and not an official rezone should be considered in review.

SUMMARY AND RECOMMENDATION

Staff recommends that the Planning Advisory Commission make a recommendation to the BOCC to approve this requested correction to the Official Development Areas (zoning) map Panel 8 of 10.

ATTACHMENTS

- Error correction map

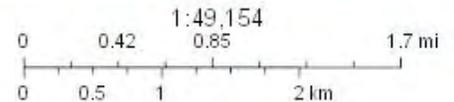
- Short Plat #1856 (rec. 1989)
- Working map (mid 90s)
- Zoning Excel Spreadsheet
- Notice of Hearing (info as if request rezone)
- 60-Day Notice to Commerce (info as if request rezone – will update with notice of adoption)
- Property owners within 300' who received notice by mail (notified prior to correction identification)
- SEPA DNS (Issued prior to correction identification)

Map Error Correction - 32026-10-90021



7/1/2021, 4:23:40 PM

- | | | | |
|--------------------------|-----------------------------|-----------------------------|-----------------------------|
| County Boundary | Inholding Lands | Rural Residential 10 Acres | Long Term Commercial Forest |
| Development Areas | Rural Residential 2.5 Acres | Rural Residential 20 Acres | Rural Tourist |
| Rural Multi Family | Rural Residential 5 Acres | Agricultural Resource Lands | Rural Tourist-Campground |



© OpenStreetMap (and) contributors, CC-BY-SA

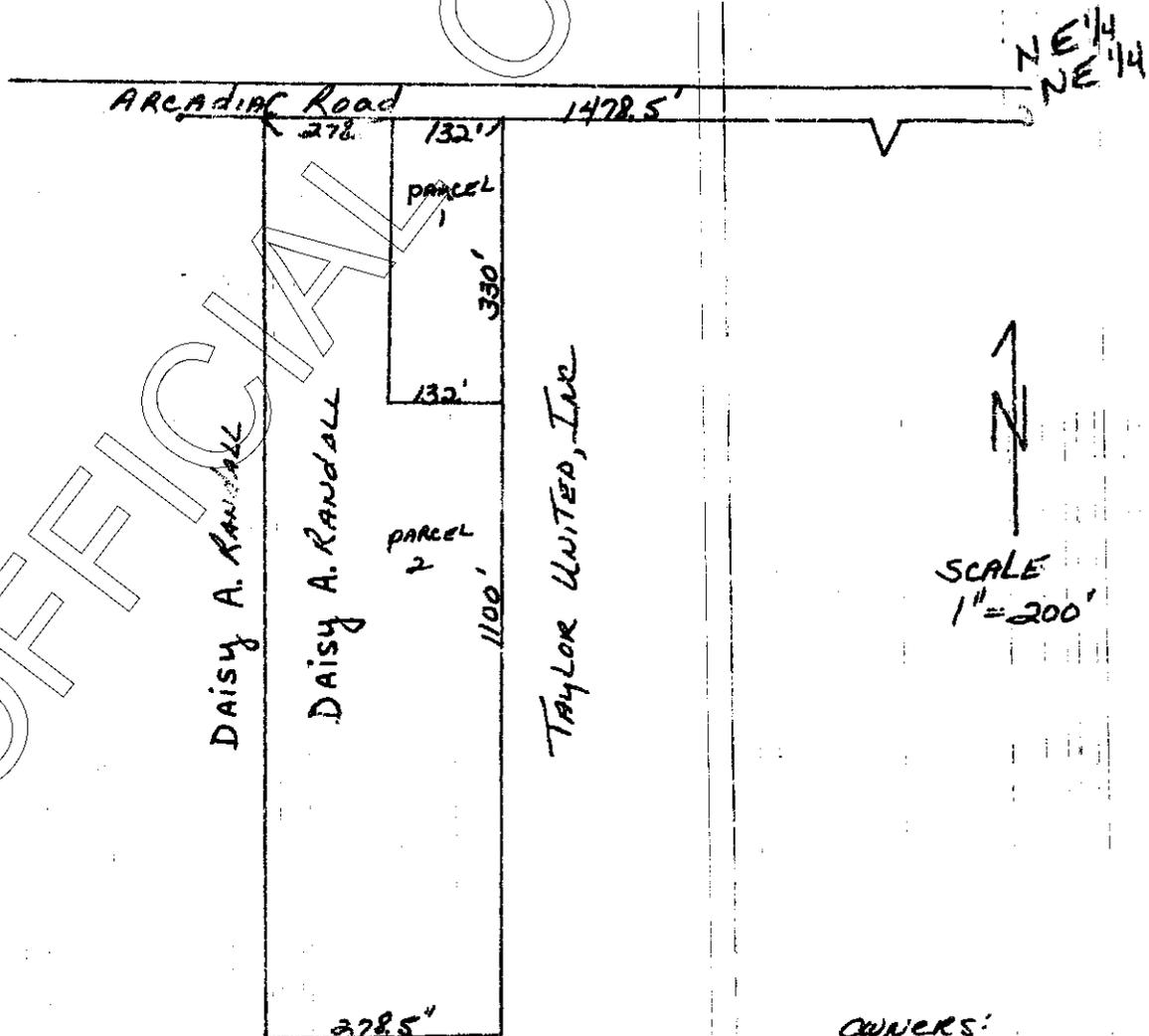
492538

Reel 421 P 162

SHORT PLAT OF PORTION OF
NE 1/4 SECTION 26, TOWNSHIP
20 NORTH, RANGE 3 WEST W.M.

Short Plat No. 1856
Approved: 4-13-82
W. W. Randall
Director of General
Services

WARNING: Mason County has no responsibility to build, improve, maintain, or otherwise service the private roads contained within or providing service to the property described in the Short Subdivision.



NE 1/4
NE 1/4

↑
N
SCALE
1" = 200'

PARCEL # 32626 10 00020

OWNERS:
TAYLOR UNITED INC LEWIS W. RANDALL
S 3530 ARCADIA
SHELTON, WA 98584

NOTE: This is NOT a survey. Courses and distances are illustrative only.

county_all

319202400030	0	1320	0	13.2 MEAT AND MEAT PRODUCTS	ICIA	5146	5
319292300000	0	3041	0	30.41 SAND AND GRAVEL QUARRYING	ICIA	8543	9
320043400010	161	0	0	1.61 WHOLESALE GREENS	ICIA	3982	2
320133300010	0	298	0	2.98 GROCERIES (GENERAL LINE)	ICIA	5410	5
320174100010	0	46	0	0.46 COMMERCIAL	ICIA	9170	5
320174100021	0	240	0	2.4 COMMERCIAL	ICIA	9170	5
320174100030	0	0	158	1.58 TIMBERLAND CURRENT USE	ICIA	9500	10
320174100040	0	25	0	0.25 REPAIR SERVICES	ICIA	6400	5
320174100050	0	0	117	1.17 TIMBERLAND CURRENT USE	ICIA	9500	10
320261000020	600	100	0	7 LUMBER/WOOD PRODUCTS EX FURN	ICIA	2400	2
320274300030	0	500	0	5 RIDING STABLES	ICIA	7416	5
320281200060	0	66	0	0.66 WATER WELL DRILLING SERVICES	ICIA	6628	5
320287600030	0	175	0	1.75 ANIMAL HOSPITAL SERVICES	ICIA	8222	8
320291490170	0	41	0	0.41 MILLWORK	ICIA	2431	2
320293290043	0	296	0	2.96 WHOLESALE GREENS	ICIA	3982	2
320304100250	0	100	0	1 R E AGENTS,BROKERS,MANAGE SERV	ICIA	6152	5
320304490000	0	336	0	3.36 BUILDING MATERIALS	ICIA	5212	5
320311100010	0	12	0	0.12 SECONDHAND MERCHANDISE	ICIA	5932	5
320311100020	0	12	0	0.12 SECONDHAND MERCHANDISE	ICIA	5932	5
320311100070	0	683	0	6.83 OTHER WAREHOUSING/STORAGE NEC	ICIA	6379	5
320322390010	0	201	0	2.01 AUTOMOBILE REPAIR SERVICES	ICIA	6411	5
320323290030	0	250	0	2.5 GENERAL WAREHOUSING & STORAGE	ICIA	6376	5

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MASON COUNTY COMMUNITY SERVICES

Building, Planning, Environmental Health, Community Health

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mason County Planning Advisory Commission will hold a public hearing via Zoom on **Monday, July 19, 2021 at 6:00 p.m.**

SAID HEARING will be to consider adopting the following Development Areas amendment (REZONE):

- REQUEST TO REZONE TO RR5. REZONE OF 1 ACRE, FROM RURAL NATURAL RESOURCE TO RURAL RESIDENTIAL 5. SEVEN (7) ACRE PARCEL WAS SUBDIVIDED PRIOR TO ZONING IMPLEMENTATION IN MASON COUNTY. RESULT WAS A 6 ACRE PORTION USED ACCORDING TO RURAL NATURAL RESOURCE ZONING PERMITTED USES AND 1 ACRE UNUSED BUT ALSO ZONED RURAL NATURAL RESOURCE WHEN IT SHOULD HAVE BEEN RURAL RESIDENTIAL 5 LIKE THE SURROUNDING AREA.

LOCATION:

PARCEL: 32026-10-90021

ADDRESS: 3550 SE ARCADIA RD; SHELTON, WA 98584

Any person desiring to express their view or to be notified of the action taken on the application should attend virtually or notify:

MASON COUNTY DEPARTMENT OF COMMUNITY SERVICES

615 W. Alder Street

Shelton, WA 98584

mwatson@co.mason.wa.us (360) 427-9670 ext. 367

Please visit the Mason County website (<http://www.co.mason.wa.us/ac/planning-commission/index.php>) for a detailed list of agenda items.

If special accommodations are needed, or for information on how to attend this public meeting via Zoom, please contact Mariah Frazier at mfrazier@co.mason.wa.us or call (360)427-9670 Ext 365.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

06/08/2021

Ms. Marissa Watson
Senior Planner
Mason County
411 N 5th Street
Shelton, WA 98332

Sent Via Electronic Mail

Re: Mason County--2021-S-2755--60-day Notice of Intent to Adopt Amendment

Dear Ms. Watson:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

REZONE OF 1 ACRE (PARCEL 32026-10-90021) FROM RURAL NATURAL RESOURCE TO RURAL RESIDENTIAL 5. SEVEN (7) ACRE PARCEL WAS SUBDIVIDED PRIOR TO ZONING IMPLEMENTATION IN MASON COUNTY. RESULT WAS A 6 ACRE PORTION USED ACCORDING TO RURAL NATURAL RESOURCE ZONING PERMITTED USES AND 1 ACRE UNUSED BUT ALSO ZONED RURAL NATURAL RESOURCE WHEN IT SHOULD HAVE BEEN RURAL RESIDENTIAL 5 LIKE THE SURROUNDING AREA.

We received your submittal on 06/08/2021 and processed it with the Submittal ID 2021-S-2755. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/07/2021.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Gary Idleburg, (360) 725-3045.

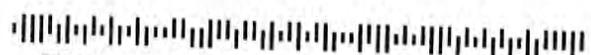
Sincerely,

Review Team
Growth Management Services

JONES, ALLEN L & ROBERTA A
3721 SE ARCADIA RD
SHELTON WA 98584 8377



BAKER, JOSEPHINE
50 SE STOTSBERRY RD
SHELTON WA 985849327



TAYLOR TIMBER INVESTMENT CO
130 SE LYNCH RD
SHELTON WA 98584



RANDALL, EUNICE A
3530 SE ARCADIA RD
SHELTON WA 98584



MASON COUNTY
Planning Division of Community Development
Planning DEPARTMENT
615 W. Alder St. Bldg. 8, Shelton, WA 98584
360-427-9670 ext 352

DETERMINATION OF NONSIGNIFICANCE
(WAC 197-11-340)
SEP2021-00038

Description of Proposal: REZONE OF 1 ACRE FROM RURAL NATURAL RESOURCE TO RURAL RESIDENTIAL 5. SEVEN (7) ACRE PARCEL WAS SUBDIVIDED PRIOR TO ZONING IMPLEMENTATION IN MASON COUNTY. RESULT WAS A 6 ACRE PORTION USED ACCORDING TO RURAL NATURAL RESOURCE ZONING PERMITTED USES AND 1 ACRE UNUSED BUT ALSO ZONED RURAL NATURAL RESOURCE WHEN IT SHOULD HAVE BEEN RURAL RESIDENTIAL 5 LIKE THE SURROUNDING AREA.

Proponent: RANDALL KAREN A

Location of Proposal: 3550 SE ARCADIA RD

Parcel Number: 320261090021

Legal Description: LOT: 1 OF SP #1856 PTN NE

Lead Agency: Mason County

The Lead Agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the Lead Agency. This information is available to the public upon request.

Please contact Marissa Watson at 360-427-9670 x352 with any questions. This DNS is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the date shown below, when the determination is final. Comments must be submitted to the Dept. of Community Development, 615 W Alder St, Shelton WA 98584 by 06/22/2021. Appeal of this determination must be filed with a 14-day period following this final determination date, per Mason County Code Chapter 15.11 Appeals.

Handwritten signature of the authorized local government official.

Authorized Local Government Official

Handwritten date: 6/08/21

Date

SEPA Environmental Checklist

- Single Family DNS: \$600.00
- Other DNS: 0 to 9.99 acres: \$730
 10 to 20 acres: \$880
 Over 20 acres: \$1100
- DS / EIS: \$5000 + \$90 per hour

Mason County Permit Center Use:
SEP 2021 - 0038
Parcel #: 32026-10-90021
Date Rcvd: **RECEIVED**
MAY 25 2021
615 W. Alder Street

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

A. BACKGROUND [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)
2. Name of applicant: [\[help\]](#) Karen Randall
3. Address and phone number of applicant and contact person: [\[help\]](#)
3530 SE Arcadia Rd
360 545-5308

4. Date checklist prepared: [help] 5/25/21
5. Agency requesting checklist: [help] Building Dept. / Mason County
6. Proposed timing or schedule (including phasing, if applicable): [help] AS soon as possible
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help] yes. New Manufactured Home being put on property.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help] Approved Septic system to be installed.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help] no
10. List any government approvals or permits that will be needed for your proposal, if known. [help] none / REZONE / Building permit
11. Give brief, **complete description of your proposal**, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [help] well installed, planning 2040 sq foot Manufactured home, Added 3 BdrM Septic system.
One 1 acre.
7 acre parcel was subdivided prior to zoning being implemented in Mason County, the 1 acre portion should have been zoned rural residential.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [help]
- Parcel #(s): 32026-10-90021
Address: 3530 SE Arcadia Rd
Legal Description: 3 West Wm - 20N-26
Twp/Range/Section and/or GPS location:
20N 3 West Wm 26

B. ENVIRONMENTAL ELEMENTS [help]

1. Earth

a. General description of the site [help]

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other: _____

b. What is the steepest slope on the site (approximate percent slope)? [help]

12%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [help]

clay, sand, gravel - no removal.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [help]

no

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [help]

Excavation - Home - 2100 sq. Ft.

Septic - approx 900 sq Ft.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [help]

no

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [help]

Home 2100 sq Ft

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [help]

Run off management from roof.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [help]

none

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [help]

no

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [help]

3. Water

a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

2) Could waste materials enter ground or surface waters? If so, generally describe. [help]

no

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

no

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Submitted stormwater plan

4. Plants [help]

a. Check the types of vegetation found on the site: [help]

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

orchards, vineyards or other permanent crops

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [help]

pasture total of 2200 sq. Ft. will be disturbed.

c. List threatened and endangered species known to be on or near the site. [help]

no

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [help]

all disturbed areas to be planted with grass.

e. List all noxious weeds and invasive species known to be on or near the site.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [help]

birds: hawk, heron, eagle, songbirds, other: hawk, songbirds

mammals: deer, bear, elk, beaver, other: deer

fish: bass, salmon, trout, herring, shellfish, other: no

b. List any threatened and endangered species known to be on or near the site. [help]

none

c. Is the site part of a migration route? If so, explain. [help]

no

d. Proposed measures to preserve or enhance wildlife, if any: [help]

none

e. List any invasive animal species known to be on or near the site.

none

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [help]

electric

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [help]

no

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [help]

None will be energy efficient.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [help]

1) Describe any known or possible contamination at the site from present or past uses.

none

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. none

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

none

4) Describe special emergency services that might be required. none

5) Proposed measures to reduce or control environmental health hazards, if any:

none

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#) none

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#) some construction.

8-5

3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

none

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#) pasture - no effect

b. Has the project site been used as working farmlands or working forest lands? If so, describe.

no

How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? none

If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#) 1 Acre

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: no

c. Describe any structures on the site. [\[help\]](#) none

d. Will any structures be demolished? If so, what? [\[help\]](#) no

e. What is the current zoning classification of the site? [\[help\]](#) Farm?

f. What is the current comprehensive plan designation of the site? [\[help\]](#) Residential

- g. If applicable, what is the current shoreline master program designation of the site? [help] *none*
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [help] *no*
- i. Approximately how many people would reside or work in the completed project? [help] *5*
- j. Approximately how many people would the completed project displace? [help] *0*
- k. Proposed measures to avoid or reduce displacement impacts, if any: [help] *N/A*
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [help] *N/A*
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: *N/A*

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [help] *1 unit middle income.*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [help] *0*
- c. Proposed measures to reduce or control housing impacts, if any: [help] *none*

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [help] *10' siding is cement Board*
- b. What views in the immediate vicinity would be altered or obstructed? [help] *none*
- c. Proposed measures to reduce or control aesthetic impacts, if any: [help] *paint color blends with forested area.*

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [help] *none*
- b. Could light or glare from the finished project be a safety hazard or interfere with views? [help] *no*

c. What existing off-site sources of light or glare may affect your proposal? [help]

none

d. Proposed measures to reduce or control light and glare impacts, if any: [help]

N/A

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? [help]

none

b. Would the proposed project displace any existing recreational uses? If so, describe. [help]

no

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [help]

none

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [help]

A barn on a separate piece of land.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [help]

no

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [help]

N/A

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [help]

Arcadia Rd Frontage

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)
 no - 3-4 miles
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#) parking for 2 cars - none eliminated.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#) no
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#) no
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#) 1 Trip for household.
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
no
- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)
none

15. **Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)
Home - fire, police, schools,
- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)
none

16. **Utilities**

- a. Circle utilities currently available at the site: [\[help\]](#)
~~electricity~~, natural gas, water, refuse service, telephone,
 sanitary sewer, septic system, other _____

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

electricity and septic.

C. SIGNATURE [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Karen A Randall

Date Signed: 5-25-21

Print Name of Signee: Karen Randall

If applicable, Position and Agency/Organization: _____

Date Submitted: _____

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
- b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- c. Describe the utilities that are proposed for the project, the utility providing the service,
and the general construction activities on the site or in the immediate vicinity which might
be needed.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee _____

Position and Agency/Organization _____

Date Submitted: _____

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

not very likely.

Proposed measures to avoid or reduce such increases are:

Proposed project, if rezoned is approved, is a SFR. No emissions to air production, storage, or release of toxic or hazardous substances are proposed or likely for project. Water will be addressed in the small parcel stormwater plan.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

should be no affect.

production of noise will be typical of a residential lot.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

no measures proposed, parcel is a one acre historically cleared lot.

3. How would the proposal be likely to deplete energy or natural resources?

not likely

Proposed measures to protect or conserve energy and natural resources are:

None, parcel is currently a cleared open field

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Land is not farmed. so should have no effect.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Land is one acre of ^{historically} cleared. Placement of SFR and re-utilities should not increase impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

no affect

Proposed measures to avoid or reduce shoreline and land use impacts are:

parcel was subdivided prior to zoning in the County, the one acre should have been properly zoned to rural residential but was missed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? *Small Demand, Only a single family home.*

Proposed measures to reduce or respond to such demand(s) are:

Adjacent 6 acre parcel already developed with utilities, no additional increase for utilities & services projected for area due to rezone request.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. *no affect.*



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 22, 2021

Marissa Watson, Planner I
Mason County
Department of Community Services
Planning Division
PO Box 279
Shelton, WA 98584

Dear Marissa Watson:

Thank you for the opportunity to comment on the determination of nonsignificance for the Randall Rezone Project (SEP2021-00038) located at 3550 Southeast Arcadia Road as proposed by Karen Randall. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials.

**WATER QUALITY/WATERSHED RESOURCES UNIT:
Morgan Maupin (360) 407-7320**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Marissa Watson

June 22, 2021

Page 2

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(GMP:202103032)

cc: Derek Rockett, SWM
Morgan Maupin, WQ

REQUEST FOR REZONE

APPLICANT PROPOSAL – PROPOSED REZONE OF THREE PARCELS TOTALING 6 ACRES FROM NEIGHBORHOOD RESIDENTIAL (NR) TO COMMERCIAL INDUSTRIAL (CI) WITHIN THE SHELTON UGA.

STAFF CONTACT

Marissa Watson, Senior Planner
Ext #367

APPLICANT

New Hiawatha LLC., C/O Mark Kamin
2160 Cove Road
Ellensburg, WA 98926

PROPERTY OWNER

Same

SUMMARY OF PROPOSAL

Rezone parcels 32007-14-90024, 32007-14-90021, & 32007-14-90034 from Neighborhood Residential (NR) to Commercial Industrial (CI). These parcels are in the Shelton UGA. This does not require an amendment to the Future Land Use Map. The rezone would provide room for growth of the existing local business Hiawatha Corp.

PARCEL INFORMATION

Parcels No. 32007-14-90024, 32007-14-90021, & 32007-14-90034: Three parcels currently zoned Neighborhood Residential are proposed for rezone to Commercial Industrial. The parcels are adjacent, on the west and north side, to existing Commercial Industrial zoned parcels that stretch out along the E Johns Prairie Rd for approximately 2 miles. Parcel 32007-14-90024 is partially encumbered by power lines and a BPA access road. Parcel 32007-14-90034 is bordered by an undeveloped parcel zoned Neighborhood Residential and all three parcels are separated from additional NR zoned parcels to the north by East Hiawatha Boulevard. The city limits border the parcels (32007-14-90021 and 32007-14-90034) to the south with a large undeveloped, approximately 82 acre, parcel owned by the Manke family. A small wetland is mapped on the Manke parcel, but it is over 800 feet from the parcels in question, well beyond Resource Ordinance defined buffers. The subject parcels appear to have been treed well throughout the last 20 years with what looks to be minimal thinning/brush removal at different periods. The adjacent undeveloped parcel to the east, zoned Neighborhood Residential, is still treed.

ZONING INFORMATION

CURRENT ZONING DESIGNATION:

Neighborhood Residential (NR)

The neighborhood residential district (NR) is designed to provide for a variety of housing types throughout the Shelton UGA while maintaining neighborhood definition. The regulations are intended to permit flexibility in the arrangement of structures on the site in order to encourage good architectural design, ensure adequate light and air, and allow compatible development of uses.

PROPOSED ZONING DESIGNATION:**Commercial Industrial (CI)**

This designation provides for light manufacturing, flex space, research and development, and limited retail and service uses that support the industrial uses in the zone. This Commercial-Industrial mixed area should be buffered from residential uses through the provision of adequate mitigation, including landscaping, as a part of site plans for these higher intensity uses. In addition, to lessen traffic congestion that may be created by these uses, the Commercial-Industrial District shall be located in areas directly accessible to the arterial and transportation systems of the county. This limitation is not intended to restrict access to local roads from private parcels.

BACKGROUND

The applicant submitted a complete rezone application, with fees, to the Permit Assistance Center on 5/28/2021 and revised the application on 06/04/21 to include all three parcels. The applicant, Hiawatha LLC, is intending to utilize the parcels for potential expansion of the existing business Hiawatha Corp.

ANALYSIS

Mason County Code Section 17.05.080(a) describes the eight rezone criteria used to review a rezone proposal. These criteria have been established and adopted specifically for Mason County to establish standards by which each rezone is to be reviewed. The Code requires that each rezone be evaluated considering these standards; however, it does not require that they all be met. Below is *Staff response* to the proposed request:

1. Development allowed by the proposed rezone designation shall not damage public health, safety and welfare.

This criterion is met as the applicant's proposed rezone of the property will not damage public health, safety or welfare. All local, state, and federal codes will be adhered to prior to any proposed development.

2. The zone designation shall be consistent with the Mason County Comprehensive Plan, Development Regulations, and other county ordinances, and with the Growth Management Act; and that designation shall match the characteristics of the area to be rezoned better than any other zone designation.

Staff believes this criterion has been met as it is consistent with the Comprehensive Plan and specifically consistent with the Commercial Industrial (CI) section of the Shelton Urban Growth Development Regulations. Staff believes the zone of CI is the most appropriate as it matches the adjacent zoning of the commercial industrial area of E Johns Prairie. The location of the power line and BPA access also make the CI zoning preferable over residential.

3. No rezone shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase sprawling, low-density rural development, or to significantly increase uses incompatible with resource-based uses in the vicinity.

This criterion is met and staff believes the rezone of this parcel would not increase sprawl or low-density development or cause it to occur. The proposed zoning would be consistent with the adjacent zoning and would eventually be used to expand an existing business. Staff does not believe there are any resource based uses in the vicinity that would be affected by rezoning to CI.

- 4. No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase demand for urban services in rural areas, including but not limited to streets, parking, utilities, fire protection, police, and schools.**

This criterion is met as the proposed zoning doesn't intensify the demand for urban services such as streets, parking, utilities, fire protection, police, and schools. The rezone is located within the Shelton UGA where higher intensity uses are encourage within the Mason County Comprehensive plan and where urban services are already in place.

- 5. No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage development in urban areas where adequate public services and facilities exist or can be provided in an efficient manner.**

This criterion is met as the proposed rezone of this parcel would not materially interfere with the Growth Management Act goal to encourage development in urban areas where adequate public services and facilities exist or can be provided in an efficient manner. The rezone is located within the Shelton UGA where more intensive land uses are encouraged to locate.

- 6. No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage retention of open space, to conserve fish and wildlife habitat, and generally to protect the environment, including air and water quality.**

This criterion is met as the proposed rezone would not materially interfere with the Growth Management Act goal to encourage retention of open space, to conserve fish and wildlife habitat, and generally to protect the environment, including air and water quality. Any development on the site will be evaluated against the Mason County Resource Ordinance and the Commercial Industrial zoning has requirements to allow for open space that the neighborhood residential does not. Prior to any development all local, state, and federal codes will be adhered to.

- 7. No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to create pressure to change land use designations of other lands or to increase population growth in rural areas as projected in the Mason County Comprehensive Plan.**

Staff believes this criterion is met as the pressure to change land use designations is minimal with this proposal as the majority of the surrounding parcels in this area of the UGA are already developed as commercial or residential. The Shelton UGA zoning ordinance density requirement is the following: Single-family dwellings at a density of not less than four units per net residential acre (net

residential acre is defined as the total usable area excluding roads, critical areas and easements), except that density requirements shall not apply to lots platted prior to the adoption of the ordinance codified in this chapter. The subject parcels were created as part of a short plat in 1987, thus the build out of each parcel, as currently zoned, would potentially be a single family residence and ADU at most, which fits the existing development pattern of the nearby plats. The loss of residential development within the UGA is minimal and the developable residential lots within the UGA and rural development areas is more than enough to meet the 20 year projected population increase that was adopted as part of the 2036 Comprehensive Plan.

8. These criteria shall not be construed to prevent corrective rezoning of land necessitated by clerical error or similar error of typography or topography committed in the original zoning of such land.

N/A, not zoned in error.

STATE ENVIRONMENT PROTECTION ACT (SEPA)

A SEPA checklist was prepared for this project. A formal SEPA Determinations of Non-Significance was made on June 10, 2021. Comment period for this determination closed on June 24, 2021. No comments were received.

PUBLIC NOTIFICATION

All property owners within 300 feet of the subject parcel were notified by mail informing them of the proposal to rezone the property. In addition, Public Notice of this public hearing was published in the Mason Shelton Journal on July 8 and July 15, 2021. The Public Notice was posted onsite on June 30, 2021.

PUBLIC COMMENTS

At the time of drafting this report no comments had been received. Any comments received prior to the hearing will be forwarded to the PAC and the applicant.

SUMMARY AND RECOMMENDATION

Staff recommends that the Planning Advisory Commission make a recommendation to the BOCC to approve this rezone request.

ATTACHMENTS

- Application and Rationale for Request
- Current Zoning Map
- SEPA DNS and Checklist
- Notice of Hearing
- 60-Day Notice to Commerce
- Property owners within 300' who received notice by mail

Fee: \$2,220.00



MASON COUNTY COMMUNITY SERVICES

Building, Planning, Environmental Health, Community Health
615 W. Alder St. – Bldg. 8, Shelton, WA 98584

Phone: (360) 427-9670 ext. 352 ♦ Fax: (360) 427-7798

APPLICATION FOR AMENDMENT TO:

Comprehensive Plan Policy Development Regulations

Future Land Use Map (Comp Plan Amendment)

Zoning Map (Development Regulation Amendment)

One application per parcel or contiguous group of parcels. This application does not guarantee approval. You should discuss your proposal with the County Long Range Planner prior to application. Burden is on applicant to show compliance with the Comprehensive Plan or Growth Management Act policies and other planning ordinances.

Applicant: New Hiawatha LLC, C/O Mark Kamin

Mailing Address: 2160 Cove Rd.

City: Ellensburg State: WA Zip: 98926

Telephone No.: 360.280.8729

Parcel Number(s): 32007-14-90024, 32007-14-90021, 32007-14-90034

Parcel Size and Legal Description: 6.00 Acres, See Attached for Legal Descriptions

What kind of change in Comprehensive Plan Policy, Development Regulation, or Comprehensive Plan Map (Future Land Use/Zoning) is requested? (Attach additional pages, if needed.)

Change Zoning of parcel from Shelton UGA

Neighborhood Residential (NR) to Commercial-Industrial (CI)

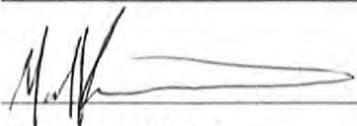
Rationale for the Request: (include information on the property features, land use, and maps that will be used in considering your application) (see the attached information sheet)

Due to proximity to BPA easement and adjacent (CI) zoned and

developed parcels the change in zoning will allow for best and

highest use and more consistency with the adjacent uses. Allow for growth of existing

local business Hiawatha Corp. See attached map.

 6-04-2021
Signature and date

Parcels Legal Descriptions:

1)

Parcel No. 32007-14-90024

Legal: Lot 4 of Short Plat 1672, recorded June 5, 1987, under Auditor's File No. 467871, being a portion of the Southeast quarter of the Northeast quarter of Section 7, Township 20 North, Range 3 West, W.M.

2)

Parcel No. 32007-14-90021

Legal: Lot 1 of Short Plat 1672, recorded June 5, 1987, under Auditor's File No. 467871, being a portion of the Southeast quarter of the Northeast quarter of Section 7, Township 20 North, Range 3 West, W.M.

3)

Parcel No. 32007-14-90034

Legal: Lot 4 of Short Plat 1673, recorded June 5, 1987, under Auditor's File No. 467872, being a portion of the Southeast quarter of the Northeast quarter of Section 7, Township 20 North, Range 3 West, W.M.

New Hiawatha LLC – Rezone Request – Parcel #32007-14-90024, 32007-14-90021, and 32007-14-90034

Responses to 17.05.080 - Rezone criteria.

(a) Rezone Criteria. The county shall review a rezone proposal and enter written findings for the following criteria:

(1) Development allowed by the proposed rezone designation shall not damage public health, safety and welfare;

The requested rezone will not damage public health, safety, or welfare. With the rezone, there will be a reduction in residential development within the BPA easement corridor as well as impose more restrictive landscape and buffers to the adjacent (NR) zoned parcel which will benefit public safety and welfare.

(2) The zone designation shall be consistent with the Mason County comprehensive plan, development regulations, and other county ordinances, and with the Growth Management Act; and that designation shall match the characteristics of the area to be rezoned better than any other zone designation;

The result of this rezone will create a more consistent zoning plan for the surrounding area that is consistent with the Mason County Comp plan and will better match the characteristics of the immediate vicinity. Also, due the site characteristics, namely the BPA, PUD Easements, Community Mailboxes, and adjacent light industrial used property, the new CI zoning is a better zoning than the current NR zoning for this parcel.

(3) No rezone shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase sprawling, low-density rural development, or to significantly increase uses incompatible with resource-based uses in the vicinity;

The proposed rezone will not add to sprawling, low-density rural development or increase uses incompatible with resource-based uses. The rezone will actually reduce sprawl as it will create the highest and best use for a parcel within the Shelton UGA. It will allow for desired outcome of the Mason County Comp Plan to encouraging development within the Shelton UGA.

(4) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase demand for urban services in rural areas, including, but not limited to, streets, parking, utilities, fire protection, police and schools;

The proposed rezone is within the Shelton UGA and will not negatively impact or materially increase demand for urban services.

(5) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage

development in urban areas where adequate public services and facilities exist or can be provided in an efficient manner;

The proposed rezone is consistent with the Growth Management Act's goal to encourage development in the urban areas as it is located within the Shelton UGA where adequate public services exist.

(6) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage retention of open space, to conserve fish and wildlife habitat, and generally to protect the environment, including air and water quality;

The proposed rezone to Commercial-Industrial will increase the required buffers and open space requirements that any future development would have to adhere to. As well as increase the likelihood that any future development would need to hook up to existing City of Shelton utilities for water and sewer thus benefiting water quality, and the environment.

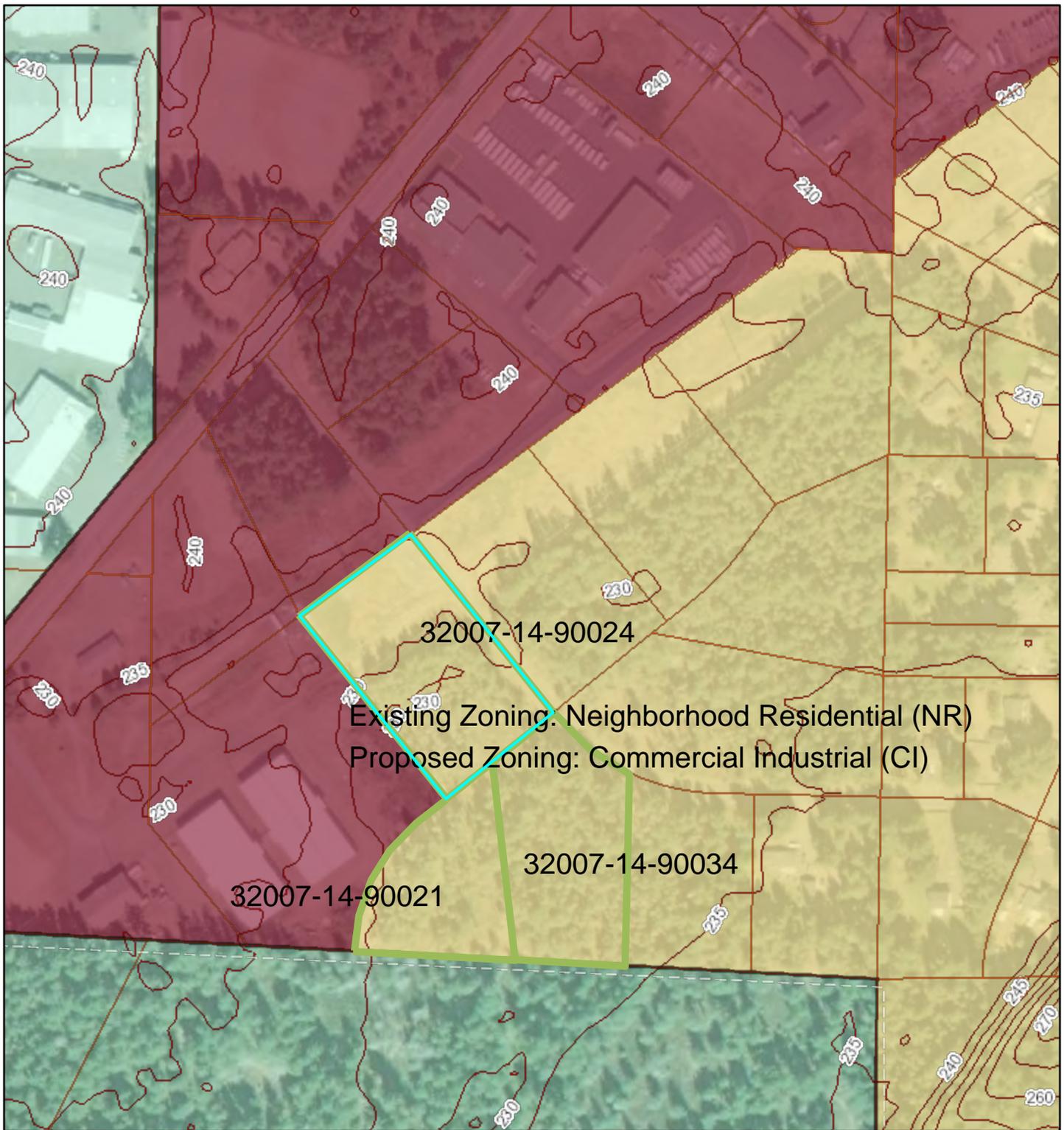
(7) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to create pressure to change land use designations of other lands or to increase population growth in rural areas as projected in the Mason County comprehensive plan;

The proposed rezone creates more consistency in use and zoning in the immediate vicinity and will not materially affect or create pressure the change of land use designation of other lands or increase population growth in rural areas.

(8) These criteria shall not be construed to prevent corrective rezoning of land necessitated by clerical error or similar error of typography or topography committed in the original zoning of such land

The proposed rezone does prevent any corrective rezoning of land.

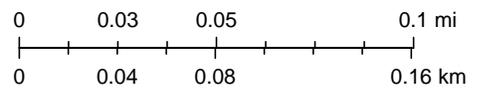
Current Zoning Map



6/30/2021, 3:08:24 PM

1:3,070

- | | |
|-----------------------------------|--------------------------|
| County Boundary | General Commercial |
| Tax Parcels (Zoom in to 1:30,000) | Industrial |
| Contours 5 ft | Mixed Use |
| Shelton Zoning | |
| Airport Industrial | Neighborhood Residential |
| Commercial Industrial | Public Institutional |



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



MASON COUNTY
Planning Division of Community Development
Planning DEPARTMENT
615 W. Alder St. Bldg. 8, Shelton, WA 98584
360-427-9670 ext 352

DETERMINATION OF NONSIGNIFICANCE
(WAC 197-11-340)
SEP2021-00040

Description of Proposal: REZONE OF THREE PARCELS IN SHELTON UGA FROM NEIGHBORHOOD RESIDENTIAL (NR) TO COMMERCIAL INDUSTRIAL (CI), INTENDED FOR EVENTUAL EXPANSION OF BUSINESS ON ADJACENT COMMERCIAL INDUSTRIAL ZONED PROPERTY.

Proponent: NEW HIAWATHA LLC

Location of Proposal: Parcel nos. below

Parcel Number(s): 320071490024, 32007-14-90021, & 32007-14-90034

Legal Description: SW SE NE TR 2D OF SURV 12/142 TR 4 OF SP #1672, SW SE NE TR 2A OF SURV 12/142 TR 1 OF SP #1672, & E1/2 SE NE TR 3D OF SURV 12/142 TR 4 OF SP#1673

Lead Agency: Mason County

The Lead Agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the Lead Agency. This information is available to the public upon request.

Please contact Marissa Watson at 360-427-9670 x367 with any questions. This DNS is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the date shown below, when the determination is final. Comments must be submitted to the Dept. of Community Development, 615 W Alder St, Shelton WA 98584 by 06/24/2021. Appeal of this determination must be filed with a 14-day period following this final determination date, per Mason County Code Chapter 15.11 Appeals.

Handwritten signature of Marissa Watson in blue ink.

Authorized Local Government Official

06/10/21

Date

SEPA ENVIRONMENTAL CHECKLIST

- Single Family DNS: \$600.00
- Other DNS: 0 to 9.99 acres: \$730
 10 to 20 acres: \$880
 Over 20 acres: \$1100
- DS / EIS: \$5000 + \$90 per hour

Mason County Permit Center Use:
SEP 2021 - 00090
Parcel #: _____
Date Rcvd: Rev. 6.01.21
32007-14-90024
32007-14-90021
32007-14-90034

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

New Hiawatha LLC Amendment Application

2. Name of applicant: *New Hiawatha LLC*

3. Address and phone number of applicant and contact person:

*New Hiawatha LLC, Mark Kamin, P: 360.280.8729
2160 Cove Rd., Ellensburg, WA 98926*

4. Date checklist prepared:

May 27th, 2021

5. Agency requesting checklist:

Mason County, Planning Department

6. Proposed timing or schedule (including phasing, if applicable):

Rezone Scheduled for Summer 2021

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No

10. List any government approvals or permits that will be needed for your proposal, if known.

Approval of Amendment Application for Rezone by Mason County

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Proposal is to modify the zoning of land associated with parcel #32007-14-90024, 32007-14-90021, 32007-14-90034 from Mason County's Shelton UGA Zoning of Neighborhood Residential to Commercial - Industrial to better align with surrounding parcels and allow for local business to expand.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Proposal property is located in Shelton, WA on parcels #32007-14-90024, #32007-14-90021, #32007-14-90034. See attached vicinity map, legal description, and plat map.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

0 - 1 %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Sand, gravel, glacial till

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

None

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

None proposed

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not Applicable

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
None proposed

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not Applicable

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not Applicable

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not Applicable

3. Water [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not Applicable

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not Applicable

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None

e. List all noxious weeds and invasive species known to be on or near the site.

Scotch Broom

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. *Birds: Robin, Starlings, Hawks, Finchs, Swallows*

Examples include: *Mammals: Deer*

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any:

Not Applicable

e. List any invasive animal species known to be on or near the site.

None

6. **Energy and Natural Resources** [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not Applicable

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

Not Applicable

7. **Environmental Health** [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

None

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

4) Describe special emergency services that might be required.

None

5) Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None

3) Proposed measures to reduce or control noise impacts, if any:

None

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Site: Vacant

Adjacent Properties: Light Industrial/Warehousing and Vacant

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

c. Describe any structures on the site.

None

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

Mason County's Shelton UGA Zoning Neighborhood Residential

f. What is the current comprehensive plan designation of the site?

Mason County's Shelton UGA

g. If applicable, what is the current shoreline master program designation of the site?

Not Applicable

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

Not Applicable

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not Applicable

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not Applicable

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not Applicable

c. Proposed measures to reduce or control housing impacts, if any:

Not Applicable

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not Applicable

b. What views in the immediate vicinity would be altered or obstructed?

Not Applicable

b. Proposed measures to reduce or control aesthetic impacts, if any:

Not Applicable

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Not Applicable

b. Could light or glare from the finished project be a safety hazard or interfere with views?
Not Applicable

c. What existing off-site sources of light or glare may affect your proposal?
Not Applicable

d. Proposed measures to reduce or control light and glare impacts, if any:
Not Applicable

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?
None

b. Would the proposed project displace any existing recreational uses? If so, describe.
None

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
No

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
No

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
Reviewed GIS maps and historic maps

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

E Johns Prairie Rd and Hiawatha Blvd.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes, Mason County Transit stop is within 500'

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not Applicable

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not Applicable

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- h. Proposed measures to reduce or control transportation impacts, if any:

Not Applicable

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

None

16. Utilities [help]

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee Mark Kamin, New Hiawatha LLC

Position and Agency/Organization Owner

Date Submitted: 06.04.2021

D. Supplemental sheet for nonproject actions [HELP]

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Not likely, the proposal would increase the emissions standards imposed on the parcel as well as increase the required buffers

Proposed measures to avoid or reduce such increases are:

The proposed zoning increases standards for construction for any future development.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Not likely to affect plants or animals, this is a non-project proposal. Any future development will have greater open space area requirements than in the current zoning.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed zoning requires more open space and buffers than current zoning

3. How would the proposal be likely to deplete energy or natural resources?

Not likely

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Not likely, none in the vicinity

Proposed measures to protect such resources or to avoid or reduce impacts are:

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Not likely, none in the vicinity

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Not likely, the site is currently in an urban service area with capacity.

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None



MASON COUNTY COMMUNITY SERVICES

Building, Planning, Environmental Health, Community Health

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mason County Planning Advisory Commission will hold a public hearing via Zoom on **Monday, July 19, 2021 at 6:00 p.m.**

SAID HEARING will be to consider adopting the following Development Areas amendment (REZONE):

REQUEST FROM APPLICANT, NEW HIAWATHA LLC., TO REZONE THREE PARCELS IN SHELTON UGA FROM NEIGHBORHOOD RESIDENTIAL (NR) TO COMMERCIAL INDUSTRIAL (CI), FOR EVENTUAL EXPANSION OF BUSINESS THAT IS ON ADJACENT COMMERCIAL INDUSTRIAL ZONED PROPERTY.

PARCEL: 32007-14-90024, 32007-14-90021, & 32007-14-90034

Any person desiring to express their view or to be notified of the action taken on the application should attend virtually or notify:

MASON COUNTY DEPARTMENT OF COMMUNITY SERVICES

615 W. Alder Street

Shelton, WA 98584

mwatson@co.mason.wa.us (360) 427-9670 ext. 367

Please visit the Mason County website (<http://www.co.mason.wa.us/ac/planning-commission/index.php>) for a detailed list of agenda items.

If special accommodations are needed, or for information on how to attend this public meeting via Zoom, please contact Mariah Frazier at mfrazier@co.mason.wa.us or call (360)427-9670 Ext 365.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

06/10/2021

Ms. Marissa Watson
Senior Planner
Mason County
411 N 5th Street
Shelton, WA 98332

Sent Via Electronic Mail

Re: Mason County--2021-S-2767--60-day Notice of Intent to Adopt Amendment

Dear Ms. Watson:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

REQUEST FROM APPLICANT, NEW HIAWATHA LLC., TO REZONE THREE PARCELS IN SHELTON UGA FROM NEIGHBORHOOD RESIDENTIAL (NR) TO COMMERCIAL INDUSTRIAL (CI), FOR EVENTUAL EXPANSION OF BUSINESS THAT IS ON ADJACENT COMMERCIAL INDUSTRIAL ZONED PROPERTY. PARCEL: 32007-14-90024, 32007-14-90021, & 32007-14-90034

We received your submittal on 06/10/2021 and processed it with the Submittal ID 2021-S-2767. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/09/2021.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Gary Idleburg, (360) 725-3045.

Sincerely,

Review Team
Growth Management Services

New Hiawatha LLC - Amendment Application - Address List

Mason County Transit
790 E Johns Prairie Rd
Shelton, WA 98584

Stevens & Pasalich LLC
PO Box 297
Shelton, WA 98584

Ben & Kara Ramsfield
150 E Treemont Dr
Shelton, WA 98584

Lawrence & Kaye Knudsen
1791 SE Lynch Rd.
Shelton, WA 98584

Kamin Properties LLC
500 SE Cole Rd.
Shelton, WA 98584

Manke Family LLC
1717 Marine View Dr.
Tacoma, WA 98422

New Hiawatha LLC
2160 Cove Rd.
Ellensburg, WA 98926



Skokomish Indian Tribe

Natural Resources Department (360) 877-5213

N. 541 Tribal Center Road

Fax (360) 877-5148

Skokomish Nation, WA 98584

Submitted Electronically to:

July 7, 2021

Marissa Watson; Senior Planner (Long Range Planning)
Mason County Community Services
615 W Alder St
Shelton, WA 98584

Subject: Skokomish Tribe Comments: Mason County Shoreline Master Program Periodic Update 2021

Dear Ms. Watson,

Thank you for the opportunity to participate in this process and to make comment.

According to the 2020 State of Our Watersheds report by the Treaty Tribes of Western Washington, riparian forest cover is diminishing.

"Since statehood in 1889, Washington has lost an estimated 50% of its riparian habitat. Diminishing riparian forests in the lowlands of western Washington continues to impair habitats critical to the recovery of the region's anadromous salmon. The number of 6th-level Hydrologic Units rated for properly functioning riparian forest cover shrank by 37.9% between 2011 and 2016. In 2011, NMFS identified for most of Puget Sound that degraded riparian areas are a limiting factor to the recovery of Chinook salmon."

Riparian forest cover disappearance can be attributed to population growth, land development within our watersheds and most importantly to new development and construction that is occurring under the jurisdiction of the Shoreline Management Act as permitted under Shoreline Master Programs that are administered by local county and city governments. Although the cities/towns in the Hood Canal watershed are small compared to more urbanized areas, they all showed an increase in population from 2016-2019. Directly related to this growth are increases in impervious surfaces. Impervious surfaces are a key indicator of negative impacts to our watersheds. In Hood Canal 31% of the impervious surfaces are found within one mile of the Hood Canal shoreline.¹ While local governments may strive to minimize these impacts on a project by project basis, the cumulative effect of these impacts are resulting in a net loss to our habitat.

Background

The Skokomish Indian Tribe (Tribe) and reservation are located primarily within the Skokomish River Basin. The basin is part of the Tribe's much larger usual and accustomed gathering, fishing and hunting area (U&A) within the Hood Canal Watershed (Watershed). These waters are tributary to the waters of Puget Sound in Washington. The Tribe is heavily dependent on shell-fish gathering and fin-fishing for salmon within our U&A, not only for cultural and subsistence use, but also for commercial purposes. It is vitally important that the Hood Canal Watershed is protected.

¹ 2020 State of Our Watersheds report by the Treaty Tribes of Western Washington; Page 272.

Threats to Skokomish Tribe Treaty Protected Natural Resources and Treaty Rights

There are three **existential threats** to our treaty protected natural resources and thus, to our tribal treaty rights under the Treaty of Point No Point. In general, the Tribe also considers these to be threats to public resources here in Hood Canal.

1. **Threats from climate change:**

“The U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (collectively, the Services) have acknowledged that the changing climate may threaten the survival of and habitat for some species. As noted by courts and legal scholars, the ESA does not expressly require the Services to consider the effect of climate change in their ESA decisions. However, the ESA and its implementing regulations (1) direct the Services to consider “natural or manmade factors affecting [a species’] continued existence” when determining whether a species should be protected under the ESA; and (2) require the Services to analyze cumulative effects on a species’ survival when analyzing whether federal actions jeopardize a species protected under the Act”. (See <https://www.everycrsreport.com/reports/R45926.html>; The Endangered Species Act and Climate Change: Selected Legal Issues: September 20, 2019)

However, the issuance of certain project construction permits can add to or exacerbate the effects of climate change. For instance, within the Water Resource Inventory Area’s (WRIA’s), the issuance of building permits by counties and/or cities for permit exempt wells has been a subject of controversy for some time regarding surface water and groundwater availability to meet instream flow rules, most of which are not being met by ongoing planning and regulatory efforts. Associated with building permits are also the construction of on-site sewage treatment, or septic systems, and the construction of impervious surfaces. These activities bring their own set of challenges to the conversation regarding habitat conservation, restoration, and mitigation, especially within county or city SMP buffers.

2. **Threats to freshwater and marine habitat that support vital ecosystems within the Watershed. Examples include but are not limited to the following:**

- **Deleterious effects on water quantity and water quality:**
 - A. Effects on water quantity caused by instream flow reductions of surface water and excessive groundwater withdrawal for domestic, commercial, and industrial use (over-development): the construction of impervious surfaces such as roofs and parking areas which intercept rain and storm water, and the construction of permit exempt wells.
 - B. Effects on water quality caused by:
 1. Point source pollution examples include mining activities and “on-site” or “large on-site” septic systems (LOSS).
 2. Non-point source pollution examples include resource extraction such as large scale timber harvesting, agricultural activities such as livestock grazing and watering at surface waters, construction of residential scale impervious surfaces (roofs, parking areas), and the construction of mooring buoys, docks or pier/ramps/floats (PRF’s) and marinas at which vessels are moored, docked or berthed. These vessels are all sources of pollution.
- **Loss of habitat:**

Disappearance of nearshore, intertidal, shoreline, and riverine biological habitat and biodiversity. In the nearshore or intertidal zones, this is primarily caused by permitted incremental and cumulative construction of commercial/industrial aquaculture projects such as above bottom or surface aquaculture/mari-culture structures. In the shoreline and riverine riparian zones, although timber agricultural operations contribute to the loss of habitat, this is primarily caused by residential incursion and development within the 200’ shoreline management act/shoreline management program (SMP) designated buffer zones. Over time, the proliferation of housing construction and associated structures such as bulkheads, piers, ramps, floats (PRF), and mooring buoys results in re-classification of SMP designation buffers from low intensity to higher intensity uses in the “inventory and characterization” studies.

3. **Threats that limit “physical” access by our tribal members to these waters so they may gather, fish, and hunt and practice their social and cultural Tribal Treaty Rights. Examples of these threats include, but are not limited to the following:**

- Proliferation and cumulative effects of in/over water structures: bulkheads, piers, floats (PRF), mooring buoys, off bottom or surface aquaculture/mari-culture structures or facilities, etc. that impede the following:

❖ Shellfish Harvesting:

Tribal members harvest various shellfish species throughout Hood Canal in the U&A. Shellfish include clam and oyster harvest on private tidelands and the subtidal harvesting of geoduck. Geoduck is harvested from about 18 feet to 70 feet below zero tidal height. Tribal members also set pots for shrimp and crab in various locations.

❖ Fin Fish/Salmon Harvesting:

Fishing gear deployed in by tribal fishers in Hood Canal consists of marine set and drift gillnets, beach seines, and hand held gear (Dip Nets, Spears, Gaffs, Hook-and-Line). Gillnets can range in length from 660 to 1,980 feet and beach seines 600 to 990 feet. A beach seine generally is a webbed net, rectangular in shape, deep enough to touch the bottom and of variable length. To operate, one end of the net is anchored to the shore; using a boat, the opposite end is pulled in a semicircle away from the beach; this end is then pulled upstream and back to the shore to completely form a webbed circle. Gradually, the ends of this circle are tightened into smaller circles until the entrapped fish are accessible for sorting. Set gillnets have one end of the net anchored to the shore and the other end anchored by buoy in the water known as passive fishing gear; Drift gillnets have one end of the net in the boat at all times and the other end drifts behind the boat and is known as active fishing gear.

These structures cause damage or loss of tribal shellfish/finfish harvesting gear and are a danger to the health, safety and welfare of our tribal members who are fishing from the shore, diving for geoduck, or shrimp, crab or fin fish/salmon fishing from a vessel.

These threats overlap, and are caused not only by natural processes, but by past, present, and ongoing human development within the Hood Canal Watershed in general and more specifically within terrestrial, freshwater, and marine areas that are under the jurisdiction of the following:

1. Clean Water Act (CWA) and the Navigable Waters Protection Rule as implemented jointly by the Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (USACE) under various programs and permitting processes. For purposes of this document, the Tribe refers specifically to the 2020 USACE permitting program under Section 404 of CWA and Section 10 of the Rivers and Harbors Act for issuance of permits in Waters of the United States (WOTUS). This includes both individual permits and the issuance of permits under the Nationwide Permit Program (NWP). Permits covered under this document include, but may not be limited to the following:
 - A. 2020 USACE NWP 3 (Maintenance) activities that allows for *"the repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, or of any currently serviceable structure or fill that did not require a permit at the time it was constructed, Additionally, this NWP authorizes the repair, rehabilitation, or replacement of any currently serviceable structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance."* The Tribe does not support the rehabilitation, replacement, and related expansion of any "serviceable" structure in any SMP designated buffer that did not require a permit at the time it was built. What does "serviceable" mean? This may allow restoration or replacement of derelict or dilapidated non-functional structures (eg: bulkheads, mooring buoys, docks, or old PRF's) that should simply be demolished and removed so that the designated SMP area could be restored to it's natural function.
 - B. 2020 USACE NWP 13 (Bank Stabilization) activities such as hard armoring/bulkheads should only be allowed if the property is in danger of damage or destruction. Bank stabilization with the use of hard armoring/bulkheads will not be required if the 200' "no build" buffer is maintained and enforced. More emphasis needs to be placed on soft armoring alternatives.
 - C. 2020 USACE NWP 10 (Mooring Buoys) activities that include structures such as PRF's
 - D. 2020 USACE Individual Shellfish Permits: All above bottom aquaculture (mari-culture) shellfish growing activities that require off bottom structures such as the following and that formerly required an NWP 48 but that now require a USACE Individual Aquaculture Permit.
 - Suspended "bag" culture (rebar)
 - Cage culture
 - Tray culture (One foot or greater above bottom)
 - Rack and bag culture
 - Surface or floating culture

- E. 2020 USACE NWP 55 (Seaweed Mariculture) and 56 (Finfish Mariculture) activities that allow above bottom, in/over water mari-culture activities for multi-trophic seaweed, shellfish, and finfish mari-culture. (Note: these were formerly referred to as NWP's A and B respectively)
2. Revised Code of Washington (RCW 77.55): Construction Projects in State Waters as implemented by WA State Department of Fish and Wildlife under the Hydraulic Permit Approval (HPA) process.
3. Coastal Zone Management Act (CZMA) as implemented by WA State Ecology (ECY) under the Coastal Zone Management Program (CZMP) planning process.
4. NEPA and the Shoreline Management Act (SMA), as managed and implemented by Jefferson, Mason, and Kitsap counties under SEPA and the Shoreline Management Program (SMP) planning process.

It is the opinion of the Skokomish Tribe that the protective intent of the Shoreline Management Act (SMA) has been modified over time by the development of County and City administrative and regulatory SMP mechanisms that have compromised this intent. These mechanisms include locally issued exemptions, substantial development, conditional use, and variance permits. These permits allow new "permanent" development to occur within SMP buffers provided that actions are taken to mitigate such development through the submittal of Habitat Mitigation Plans (HMP). New development on non-conforming (old) parcels within SMP buffers often requires the removal of mature habitat. Habitat Mitigation Plans and activities, while conforming to local government regulatory requirements, do not effectively mitigate for this, and are often inadequate. Additionally, there is often no compliance monitoring and therefore enforcement does not occur. In effect, HMP's can amount to paper plans. The cumulative effect of this over time has a deleterious effect on our critical aquatic and marine habitat and on the recovery of ESA listed species such as our Hood Canal summer run chum salmon. .

Pursuant to this the Tribe does not support the issuance of permits by local agencies under their respective authorities that continue to allow new development activities to occur within the SMP designated shoreline buffers or over, or in, aquatic and marine "waters of the state" or Waters of the United States (WOTUS). The Tribe supports land uses of parcels within SMP buffers that are considered to be temporary in nature, and not permanent. Permanent development introduces and encourages the removal of critical mature habitat, the construction of impervious surfaces, permit exempt wells, and septic systems within SMP buffers. It also encourages the development of bulkheads, piers, ramps, floats and docks within the intertidal zone. Permanent development within SMP buffers is cumulatively deleterious, degradative and ultimately destructive to critical habitat for the survival of plants, shellfish, fish, and animals that are vital to the Tribe's ability to sustain our social structure, practice our culture, practice subsistence activities and to commercial fish. Pursuant to this the Tribe deems these activities as a threat to treaty protected natural habitat and/or to our treaty protected right to access these habitats and our natural resources.

Thank you for the opportunity to comment. If you have any questions or concerns regarding these comments please contact Dana Sarff, Environmental Planner, at 360-877-5213 Ext 2201 or at dsarff@skokomish.org

Respectfully,



Joseph Pavel; Director of Natural Resources
Skokomish Tribe