

PLANNING ADVISORY COMMISSION
AGENDA

December 16, 2024

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

Please contact mfrazier@masoncountywa.gov for more information and passcode to attend.

1. 6:00pm - Call to Order

- a. Roll Call
- b. Approval of Meeting Summary- November 6, 2024 Special Meeting and November 18, 2024 Regular Meeting
- c. Approval of Changes to Agenda by Commissioners or Staff (if any)
- d. Conflict of Interest Inquiry
- e. Next Meeting Date – January 13, 2025 Special Meeting
January 27, 2025 (4th Monday) Regular Meeting
- f. Committee/Staff Updates
- g. Other Business (if any)
 - Election of Chair and Vice Chair for 2025

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:

(6:15 – 7:10 PM*)

- **Short Term Rental Regulations** (continued from 10/21/24 – public comment closed)
 - Staff Report
 - Commission Discussion
 - **Commission Vote**

(7:10 – 8:10PM*)

- **Comprehensive Plan Update - Land Use Element**
 - Staff/Consultant Report
 - Commission Questions for Staff/Consultant
 - Public Comment
 - Commission Discussion

**Listed timeframes for agenda items are estimates only and subject to change*

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@masoncountywa.gov 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 11/26/2024 9:35 AM



STAFF REPORT

Applicant Proposal: The Mason County Board of Commissioners requested County staff prepare draft short-term rental regulations based on their initial feedback and subsequently present to the Planning Advisory Commission for review and refinement if needed.

Department: Community Development – Planning

Staff Contact(s):

Marissa Watson, Senior Planner

Ext. 367 or mwatson@masoncountywa.gov

Date: December 16, 2024

Action Requested at this Meeting: PAC review discussion draft regulations, PAC member suggestions with staff responses, PAC member supplemental commentary, and the staff report. See below body of report under Recommendation for two suggested paths for action.

SUMMARY OF PROPOSAL & BACKGROUND

APPLICANT (DEPARTMENT GENERATED)

Community Development
615 W. Alder Street
Shelton, Wa 98584

PROPOSAL

The Community Development Department's Planning Division has been tasked with drafting short-term rental regulations.

BACKGROUND

Mason County does not regulate short-term rentals at this time but has received an increasing number of inquiries regarding the topic.

Many other jurisdictions within Washington State have been regulating short term rentals to varying degrees. The discussions around them range from the lack of long term housing supply, community fracture, environmental impact, income generation, tourism boost, supplement of lodging options, and so forth. The Board of County Commissioners tasked the Planning Division with looking into the short-term rental situation within the County. The BOCC decided to review this topic prior to the Planning Advisory Commission.

The Planning Division drafted a survey asking the community to provide their input on the topic. Information regarding the survey and a QR code were provided on a postcard that was mailed to marine shoreline owners only. This area was chosen for the postcard mailing because of the complexity and cost of mailing the whole County. The marine shoreline areas are very concentrated with short term rentals. The County also sent out a press release, hoping to engage a wider range of the County, informing them of a project webpage where the survey link could also be accessed. The survey opened on November 16, 2023 and closed on January 12, 2024.

Over 1,500 survey responses were received. The BOCC conducted their first work session on February 6, 2024. The work session reviewed the common themes that were gathered from the survey responses as well as summaries of regulations from four other counties. The commissioners also provided their initial thoughts on areas that they believed staff should concentrate when drafting regulations. Staff has reviewed regulations from other jurisdictions in Washington (Grays Harbor, Skamania, San Juan, Pacific, Jefferson, Chelan) in order to assess commonalities in how specific aspects of short-term rentals are regulated.

The commissioners' initial recommendations for review were established in the first draft short-term rental regulations, currently MCC 17.100. The BOCC's second work session on May 7, 2024 provided additional feedback to refine the draft regulations with, as well as communicate to the planning advisory commission.

SUMMARY OF BOARD OF COUNTY COMMISSIONER MEETINGS

The Board of County Commissioners made the following points during their May 7, 2024 work session:

1. The definition of short-term rental needs to be refined further. There may be a need to restrict RV/tents/yurts from the definition.
2. There should be tiers/types for owner-occupied vs. non-owner-occupied short-term rentals
3. There should be a tier/type three for higher occupancy situations, these might be a special use type situation.
4. What determines the occupancy limit?
5. No limit on number of STRs per parcel (land use restrictions would still apply).
6. No restriction on owner/operator living in one or the other short term rental units (this would not currently be valid for the shoreline. Lots within shoreline jurisdiction which have a primary residence and an accessory dwelling unit require the owner to live in one or the other).
7. County wide application of regulations.
8. Residential waste
 - a. Require curbside service weekly

- b. Proof of disposal when curbside not available
 - i. Mason County Garbage – letter provided if curbside not available
- 9. Fire, Safety, and Health Inspection
 - a. Not necessarily additional fee for inspection; initial fee could cover or renewal fee cover.
 - b. Fee for position coverage plus daily fee per night
 - i. Alternative to daily fee (tracking may be difficult)
 - ii. Building inspection schedule – adding inspections may require additional staffing
 - c. Failure of first inspection may require re-inspection which would be an additional fee.
- 10. All departments that would be required for permitting, review, and inspection would need to provide a projection of staff time required.
- 11. Parking issues – some debate whether owner/operator within 1 hour or 3 hours is sufficient.
- 12. Permit good for one year, requires renewal.
- 13. Management Plans – submitted to County as permit requirement, may need to further refine what is currently in draft.
 - a. Where is parking located (site plan)
 - b. Fire
 - i. Extinguishers and annual inspections
 - ii. Burn ban information in plan
- 14. Fine system – tiered with final violation resulting in permit revocation.
 - a. Discussion among BOCC indicated that three violation before revocation may be too harsh; Westport, Wa fine system mentioned as example.
 - b. Appeal process defined
 - i. Discussion with prosecutor's office.

The above was a framework provided for the formation of regulations. Staff has used this framework, research from other jurisdictions, analysis of existing Mason County code, and knowledge of existing administrative practices within the Department of Community Development as well as consultation with Environmental Health to revise the draft.

SUMMARY OF PLANNING ADVISORY COMMISSION MEETINGS

The June 2024 work session of the planning advisory commission did not produce any recommendations on the eight points that staff provided for discussion. Planning staff had additional meetings with DCD and EH staff to discuss areas of concern and language suggestions. Further revision of the draft regulations occurred with the addition of the remaining topics that the BOCC desired to see added. The PAC had a public hearing on October 21, 2024, public testimony

was taken, the draft regulations were reviewed as well as the staff report. The PAC members did not make any decisions on the draft regulations at the October meeting, instead they decided to continue the hearing till December 16, 2024 and providing staff with suggested edits to the draft prior to reconvening.

Note on the staff draft regulations:

The current draft regulations have a few sections that would require knowledge of an adoption date to fill in, such as in section 17.100.070 Existing short-term rentals. Section 17.100.070(a) (2) and (3), 17.100.060(d) and (e), and the adoption date of the code are somewhat dependent on each other. For instance, if a code was adopted in May but the permitting period was June through July that wouldn't give citizens adequate time to familiarize themselves with the code, make adjustments in their current STR standards and apply for the permit. Also, Section 17.100.080(b) cannot be filled in fully until a 3rd party is obtained and the scope of their involvement with complaint gathering and compliance monitoring is established. The acquisition of a 3rd party permitting and compliance monitoring company that would assist DCD is administering a short-term rental permitting program will require the County to have regulations in a form that is as close to final as possible. This allows the County to have the best and most complete information for drafting a Request for Proposals.

Note on the discussion draft regulations:

The attached discussion draft is formatted as an 11x17 document, combining the last draft STR regulations provided by staff, the PAC member suggested edits within yellow text boxes, and staff responses to some of the PAC suggestions.

NOTIFICATION & COMMENT

PUBLIC NOTIFICATION

Staff maintains a notification list for this project. The December 16, 2024 PAC Public Hearing notice was emailed to the list on November 25, 2024. The public hearing is also advertised on the County project webpage, the PAC Agenda, Minutes, and Audio 2024 webpage, and in the Shelton-Mason Journal editions of Thursday December 5, 2024 and Thursday December 12, 2024.

SEPA

A SEPA non-project checklist was drafted and a determination of non-significance was made on October 3, 2024. The DNS and Checklist comment period ends on October 17, 2024. No comments were received.

PUBLIC COMMENTS

Staff has posted all comments received up until October 7, 2024 on the project website under the page "Project Documents". These comments span the months of November 2023 to October 7, 2024. The Public Comment portion of the hearing was closed at the October 21, 2024 meeting.

RECOMMENDATION

REQUESTED ACTION

Several of the PAC members provided a write up on their position regarding short-term rental regulations within Mason County. Five members provided write ups of varying lengths. Of the five members there was one member that believed the draft regulations presented to the PAC were very similar to other jurisdictions and added only minor additions within the discussion draft. Another member, based on edits, suggested regulations that were stricter than originally presented by staff. The following is paraphrased: three members to provide write ups expressed a strong sentiment that implementing additional regulations seemed unnecessary, lacked evidence for implementation, or believed the State rules for short-term rentals without any permitting and enforcement penalties enacted through a Mason County ordinance should suffice.

Staff is asking the Planning Advisory Commission to recommend one of the following options:

- 1) **Make a recommendation to the BOCC to disapprove adopting short-term rental regulations at this time.**
- 2) **Review the PAC suggested revisions and staff responses and continue refining the draft short-term rental regulations.**

ATTACHMENTS

- **Discussion Draft Mason County Short-Term Vacation Rental Regulations**
- **Supplemental PAC member commentary**

Chapter 17.100 SHORT-TERM ~~VACATION~~ RENTALS

17.100.010 Purpose.

The purpose of this chapter is to provide the framework necessary to operate a short-term ~~vacation~~ rental within the County. The desired outcome of these requirements is the minimization of impacts on residential neighborhoods, the support of economic and tourism vitality, and the protection of natural resources, public health, and life safety.

Revisions Suggested for Section 17.100.010

Will H. – Delete entire paragraph, “These provisions reflect the goals and policies of the County Wide Planning Policies including but not limited to those that take into account the rural nature of the County, the need for affordable housing, the promotion of economic opportunities for all citizens, and the limitation or controls needed to ensure no detrimental effects on environmentally sensitive areas.”

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17.100.020 Definitions.

“County” – Mason County, Washington

“Department” – Department of Community Development

Revisions Suggested for Section 17.100.020

Will H. – add “See 17.100.040 for other definitions”

Will H. – delete definitions “Short-Term Rental”, “Short-Term Rental Operator”, and “Short-Term Rental Owner”

Brad C. – delete “bed and breakfast - delete “for fewer than thirty (30) consecutive nights.”

“Short-Term ~~Vacation~~ Rental” – A lodging use, that is not a hotel, motel, or bed and breakfast ~~[...]~~ in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights.

PLEASE READ FIRST!

PAC member suggested revisions within yellow text boxes on left side of document. Revisions are placed above the original draft section(s) referred to or staff has provided the entire reference in the yellow box.

Staff has provided responses to some of the suggestions based on existing state, local code, and knowledge of administrative practices within DCD. Responses will be on right side of page across from PAC member suggestion.

Please do not focus on the numbering in this discussion draft, staff is confident that the suggestions correctly correspond to the draft regulations though the numbering may be off. To conserve time and consider the fact that many of the sections may change entirely, staff decided not to focus on closely matching numbering to the original draft.

Brad C. – delete “bed and breakfast - delete “for fewer than thirty (30) consecutive nights.”

Staff response regarding above comment:

Not recommending these changes.

The items specifically called out to be deleted are directly from the RCW concerning short term rentals. Mason County already requires a bed and breakfast to go through Special Use permitting which requires a higher level of review, i.e. hearing examiner and conditions, or it is only allowed in specific zoning. The direction from the BOCC was to regulate STRs, the time frame within the draft regulations is the RCW definition and widely applied to defining STRs in Wa and other states.

Revisions Suggested for Section 17.100.020

Randy L. – Short term rentals do require a business license in Washington, but only if it grosses over \$12,000 per year.

Brad C. – delete, ““Short-Term ~~Vacation~~-Rental Operator” – Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term ~~vacation~~-rental unit, or their authorized agent.”

“Short-Term ~~Vacation~~-Rental Operator” – Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term ~~vacation~~-rental unit, or their authorized agent.

Revisions Suggested for Section 17.100.020

Brad C. – Within the “Short-Term Rental “Owner”” definition, replace “Owner” with “Owner/Operator” and replace “agent” with “authorized agent” and replace “or portion thereof” with “or portion thereof, receives payment”.

“Short-Term ~~Vacation~~-Rental “Owner” – Any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

17.100.030 Applicability

This chapter shall apply to all short-term ~~vacation~~-rentals in all zoning districts of the County. These standards are in addition to other development regulations. If there are any conflicts between this chapter and other development regulations, the most restrictive provisions shall apply.

Revisions Suggested for Section 17.100.040

Will H – replace title for Section 17.100.040 “Type” with “Revised Code of Washington (RCW)” and below title add “RCW 64.37, SHORT-TERM RENTALS, applies as written and without change to Mason County.” Also, delete all other text under this section.

Jeff C. – Separate (b) Type 2 owners into the following: (b) Type 2

(A) offsite in-state

(B) offsite out of state

Brad C. – *Within the “Short-Term Rental “Owner”” definition, replace “Owner” with “Owner/Operator” and replace “agent” with “authorized agent” and replace “or portion thereof” with “or portion thereof, receives payment”.*

Staff response regarding above comment,

Not recommending this suggestion.

Staff does not recommend combining “owner” and “operator” under the same definition as “owner” as currently drafted. An “owner” could also be the “operator”, conversely the “operator” is not necessarily the “owner”.

Will H – replace title for Section 17.100.040 “Type” with “Revised Code of Washington (RCW)” and below title add “RCW 64.37, SHORT-TERM RENTALS, applies as written and without change to Mason County.” Also, delete all other text under this section.

Staff response regarding above comment,

Without Mason County regulations there are no tools in place to support enforcement of STR “rules” laid out by the state. County’s are not mandated to adopt an STR ordinance, the state merely created a support structure for which County’s could base local regulations.

17.100.040 Type

Types of short-term ~~vacation~~ rentals are established in this section.

- (a) Type 1. Short-term ~~vacation~~ rentals of type 1 are those that are owner or operator occupied where either 1) rooms are rented and the owner is present during the rental period, or 2) the owner resides in the principal residence on the same parcel where the short-term ~~vacation~~ rental is located.
- (b) Type 2. Short-term ~~vacation~~ rentals of type 2 are located in a dwelling that is not owner or operator -occupied nor does the owner/operator reside on the lot where the short-term rental is located.

17.100.050 Standards for Operation of Short-Term ~~Vacation~~ Rentals

- (a) Operation of a short-term rental shall be within a qualifying structure as defined within this chapter and shall meet all other applicable development regulations as outlined in Mason County Code.

Revisions suggested for 17.100.050 (b)

- Will H. – Replace “permitted” with “considered”, replace “short term” with “short-term”
- Jeff C. – allow recreational trailers & motor homes if facilities to support exist.

(b) Recreational vehicles, tents, and yurts are not permitted as short-term rentals.

Revisions suggested for 17.100.050

- Will H. – Delete the rest of 17.100.050 and replace with the following:
- (c) A Property Management Plan shall readily visible and available to renters and shall contain the following:
 - (A) Rules of Conduct
 - (i) Rules shall include, but are not limited to, noise, quiet hours, trespassing, pet management, permitted parking locations, and litter.
 - a. Quiet hours should be observed after 10pm and before 7am.
 - b. Waste originating from short term rental guests and their pets should be disposed of in appropriate receptacles.
 - (B) Short-Term Rental street address.

Jeff C. – allow recreational trailers & motor homes if facilities to support exist.

Staff response regarding above comment,

Not recommending this suggestion.

Mason County does not have a permitting process for RVs/Motor Homes, they are not considered a “dwelling unit”. The County already has an RV park/Mobile Home park ordinance in place that regulates the number of RVs on a lot and which outlines the process for permitting an RV Park. Staff would not support this suggestion based on the conflicts with current local code and state definitions.

- (C) Site plan with property boundary lines, easements, beach access (if any).
 - (i) If the short-term rental owner/operator has ownership of tidelands, rules regarding harvesting shellfish shall be included along with the boundaries of the harvesting area depicted on the site plan.
- (D) Floor plan with fire escapes, escape routes, and fire extinguisher(s) locations.
- (E) Local emergency numbers, including but not limited to MACECOM, Burn ban Hotline, and WDFW.
 - (i) If local burn ban is in place, a copy of the press release with details of the ban stipulations.
 - (ii) Any restrictions on the use of fireworks.
- (F) Max occupancy limit
- (G) Max number of vehicles allowed on site
- (H) Waste pick-up schedule and location of waste receptacles.
- (I) Short-Term Rental Owner and Operator contact information
- (J) Any Homeowner Association (HOA) specific regulations, covenants, community property access information or the like.

(c) Lots within shoreline jurisdiction containing a main residence and an accessory dwelling unit are limited to permitting only the main residence or the accessory dwelling unit as the short term rental, subject to all other applicable requirements of this code.

Revisions suggested for 17.100.050 (d)

Brad C. – Replace “sewage” with “septic”

(ed) Occupancy limits shall be based on the number of bedrooms approved for the qualifying structure in relation to the on-site sewage system or sewer connection approved by the Mason County Environmental Health Department.

Revisions suggested for 17.100.050 (d)(1)

Brad C. – Insert “consistence with RCW 64.37.039 Consumer Safety,” after “Occupancy”

Jeff C. – Allow two (2) adults or three (3) children per bedroom.

(1) ~~(1)~~ Occupancy shall be limited to two (2) persons per bedroom, plus two (2) additional persons per short-term rental, or as approved by the Mason County Environmental Health Department, whichever is less.

Revisions suggested for 17.100.050 (d)(2)

Brad C. – Replace “sewage systems” with “septic systems or sewer connection”

(2) Operation and maintenance of on-site sewage systems shall be as prescribed by MCC 6.76.070 and performed by a qualified specialist as outlined in MCC 6.76.100.

Revisions suggested for 17.100.050 (e)

Mike H. – Add to 17.100.050(e) and 17.100.050(e)(1) “,and must be clearly posted on site with signage.”

Brad C. – Insert “(2) STR tenants shall not park on neighboring property or on-street parking” {original (2) below becomes (3)}

Jeff C. – STR site/property must be posted with on-site signage showing parking location(s).

Brad C. – Insert “(2) STR tenants shall not park on neighboring property or on-street parking” {original (2) below becomes (3)}

Staff response regarding above comment,

The STR draft regulations apply to the whole County, including the UGAs. Staff is not suggesting that “on-street” parking should be allowed but that PAC members remember parking within UGAs may be limited.

(de) Parking shall be provided for all guests on-site where the short-term ~~vacation~~ rental is located.

(1) Parking shall not occur within shared easements where such parking may block access to a neighboring property and/or cause a safety hazard.

(2) Parking shall be clearly marked on a site plan provided within the property management plan.

(ef) Solid waste normal residential handling and removal shall be managed in compliance with MCC 6.72.030(h)(3) with additional requirements, as follows:

Revisions suggested for 17.100.050 (f)(1)

Randy L. – Replace “Curbside waste removal service” with “Waste removal”. Replace “weekly” with “as needed for required code compliance” MCC 6.72. Replace “proof of service” with “adequate waste removal plan”.

(1) ~~(1)~~ Curbside waste removal service is required weekly and proof of service shall be required prior to issuance of a short-term rental permit.

Revisions suggested for 17.100.050 (f)(2)

Randy L. – after “location” below, insert “or if the property management can document an adequate waste removal plan by other means”.

(2) If curbside service is not available at the short-term rental location, a letter from Mason County Garbage, or authorized waste and recycling service provider, shall be provided to the Department prior to issuance of a short-term rental permit;

(A) A waste removal plan shall be included within the property management plan as part of the permit application.

Revisions suggested for 17.100.050 (g)

Jeff C. – add STR site plan on site and or posted.

Revision suggested for 17.100.050(g)(1)

Mike H. – “,and must be clearly posted on site with signage”.

Brad C. – under (g)(1) add

“a. The owner/operator will be responsible should any STR tenant harvest shellfish from any neighboring tidelands; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for non-conformance.”

“b. Refer to 17.100.080 Revocation Violations and Enforcement”

Brad C. - *“a. The owner/operator will be responsible should any STR tenant harvest shellfish from any neighboring tidelands; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for non-conformance.”*

“b. Refer to 17.100.080 Revocation Violations and Enforcement”

Staff response regarding above comment,

There is no need to specify certain “violations” in this section. If a violation occurs and can be substantiated it would count towards the number of violations as outlined in 17.100.080. If we outline this for “shellfish” then why are we not outlining it for each Standard. If the owner/operator is violating a Standard and/or Permitting requirement it would count towards a violation.

~~(f)~~g) The short-term rental property lines, easements, as well as public easements to access shorelines shall be depicted clearly on a site plan and provided within a property management plan.

(1) ~~(1)~~ If the short-term rental owner/operator also has ownership of tidelands and allows guests to access and utilize these tidelands for harvesting, rules regarding harvesting shellfish shall be communicate within the management plan and as well as the boundaries of the harvesting area ~~shall also be~~ depicted on the site plan provided in the property management plan.

Revisions suggested for 17.100.050 (h)

Mike H. – In paragraph below change “1 hour” to “2 hours” and “2 hours” to “3 hours”

Brad C.– Replace all “Operator” below with “Owner/Operator, or an authorized agent,”

Jeff - Need Definition of operator. The whole paragraph should be removed, sub section (h)(1) should be kept along with contact info on site and provide this info to adjacent property owners.

(gh) Operator of the short-term rental shall be available 24 hours a day. The operator shall respond to any communications regarding the use of the short-term rental and/or complaints within one (1)-hour, and if necessary operator shall be on site within two~~3~~-2 hours to provide and/or initiate resolution to valid issues and/or complaints.

(1) Contact information for the operator shall be provided in the property management plan. Information shall consist of the operator's name, phone number, email address, and address.

Revisions suggested for 17.100.050 (i)

Brad C. – Replace paragraph (i) below with:

(i) The short-term rental owner/operator shall register with the Washington State Secretary of State Corporations and Charities Filing System, creating and maintaining an “Active” business with a State Uniform Business Identification (UBI) and Federal Employer Identification Number (EIN).

(hi) The short-term rental owner/operator shall remit all applicable local taxes as specified in Mason County Code Title 3 as well as any state and federal taxes consistent with RCW 64.37.020.

(1) ~~(1)~~ Existing short term rental owner/operator, upon application for a new short term rental permit, shall provide the Department records indicating the owner/operator remitted all required local and state taxes for the property to be permitted.

Revisions suggested for 17.100.050 (i)

Jeff C. – Remove subsections a. and (2)

(Staff: Jeff C. comment above refers to the sections below on records of tax remittance)

a. The records shall include at least the last three (3) years of tax remittance.

(2) Each subsequent short term rental permit renewal shall require proof of tax remittance for the year prior to the renewal request.

(ij) A short-term rental operator shall maintain primary liability insurance coverage consistent with RCW 64.37.050.

Revisions suggested for 17.100.050 (k)

Brad C. – Insert “with RCW 64.37.040 Consumer Safety,” just prior to “RCW 19.27.530”.

(jk) Short-term ~~vacation~~ rental shall be in compliance with RCW 19.27.530 and any rules adopted by the state building code council regarding the installation of carbon monoxide alarms.

(1) Smoke alarms shall be installed per WAC 51-51-0314

(2) At a minimum a 2A-10BC rated fire extinguisher shall be provided in the kitchen and for multi-story units, one on each additional floor.

Brad C. – Replace paragraph (i) below with:

(i) The short-term rental owner/operator shall register with the Washington State Secretary of State Corporations and Charities Filing System, creating and maintaining an “Active” business with a State Uniform Business Identification (UBI) and Federal Employer Identification Number (EIN).

Staff response regarding above comment,

The County does not require business licenses that is left up to the State to determine and that is why we reference the RCW rather than spelling out the specifics of that requirement.

a. Extinguisher(s) shall be serviced annually by a firm licensed in the State of Washington.

(k) Property management plan shall be posted in a conspicuous location within the short-term ~~vacation~~-rental and shall contain all elements outlined in MCC 17.100.060(c)(4)

Revisions suggested for 17.100.060

Will H. – Delete entire section

Revisions suggested for 17.100.060
Will H. – Delete entire section
Staff response regarding above comment,

In this case deleting the requirement to have permitting for STRs is commensurate with establishing a code without any funding, staffing, enforcement, etc.

17.100.060 Permitting Short-Term ~~Vacation~~-Rentals

All newly established short-term ~~vacation~~-rentals shall require a land use permit as of [date of adopted ordinance]. The permit shall be issued by the Community Development Director or their designee.

(a) The Issued Permit shall contain the following information:

Revisions suggested for 17.100.060 (a)(1)

Brad C. – Delete “contact information”

(1) Permit holder’s name and contact information (phone, email, and address)

Revisions suggested for 17.100.060 (a)(2)

Brad C. – Replace “Operator” with “Owner/operator, or an authorized agent”

~~(1)~~(2) Operator contact information (phone, email, and address)

~~(2)~~(3) Permit number

~~(3)~~(4) Type of Short-Term ~~Vacation~~-Rental and Occupancy limit

~~(4)~~(5) Short-term ~~vacation~~-rental site address

~~(5)~~(6) Dates the permit is valid

Revisions suggested for 17.100.060 (a)(6)(A)

Brad C. – Replace “(January 1st through December 31st)” with “permit issuance date through one year later”.

(A) Permits issued for a short-term ~~vacation~~-rental use shall be valid for one calendar year (January 1st through December 31st).

Brad C. – Replace “(January 1st through December 31st)” with “permit issuance date through one year later”.
Staff response regarding above comment,

Not recommending this suggestion.

The purpose for the sections regarding permitting windows for new and renewal permits for the following year was to provide applicants with predictability and departments with windows of expected increase in inspection load. If all permits are valid from January 1st through December 31st it provides a predictability to the permitting process and fewer issues with disputes over permit validity.

Revisions suggested for 17.100.060 (a)

Brad C. – Add “(B) For permit renewals, a 60-day permitting window, for permits that would be valid for the next year.”

(b) Notification

Revisions suggested for 17.100.060 (b)

Jeff C. – Notification should be attached to the County’s existing “Taxsifter Database” for public access to review.

Brad C. – Delete “numbers” in (1) and (2)

(1) Valid short-term ~~vacation~~-rental permit numbers shall be posted in all advertisements of the rental.

(2) Valid permit numbers shall be conspicuously posted within the short-term ~~vacation~~-rental.

Revisions suggested for 17.100.060 (2)

Brad C. – Replace “300” with “1500”

Jeff C. – Notify only adjacent parcels

~~(2)~~(3) Applicants for permits shall notify neighbors within 300 feet of the short-term ~~vacation~~-rental with the information contained within a valid issued permit as outlined in (a) above.

(A) The 300-foot measurement shall be measured from the parcel lines that contain the short-term rental use.

Revisions suggested for 17.100.060

Jeff C. – Should be handled the same way SEPA’s are handled.

(B) An affidavit of notification shall be notarized and returned to the Department **within twenty-one (21) days of permit issuance.**

Revisions suggested for 17.100.060 (b)(2)(B)(i.)

Jeff C. – Delete a. below “Failure to return the affidavit of notification will result in a violation of the short-term rental code.”

(i.) Failure to return the affidavit of notification will result in a violation of the short-term rental code.

Brad C. – *Replace “300” with “1500”*

Staff response regarding above comment,

300 feet for notification radius is already established within Mason County Code. Permits that require a higher level of review only require the 300 feet. There are some County’s with a wider radius, i.e. 500 feet, but staff has not come across a notification range of the suggested extent, especially for a permit that would be administrative. Staff believes 1500 feet is excessive.

Jeff C. – *Should be handled the same way SEPA’s are handled.*

Staff response regarding above comment,

Additional clarification needed.

SEPA notification is administered prior to the “land use” permit being issued. Are you suggesting that notification be sent to the adjacent home owners prior to permit issuance? If that is the suggestion, there could be issues with this since the permit is administrative and as long as the applicant can meet the standards and permitting requirements, staff has no impediment to issuance.

Revisions suggested for 17.100.060

Jeff C. – How does the County handle existing motels & etc./non STRs?

Jeff C. – *How does the County handle existing motels & etc./non STRs?*

Staff response regarding above comment,

Zoning must be appropriate, i.e. Rural Commercial, Rural Tourist, etc.

(c) Application Requirements

- (1) Applicants for short-term ~~vacation~~ rentals shall apply for a land use permit on forms provided by the County.
- (2) Applications shall be complete and accompanied by any required supporting documentation, property management plan and fees.
- (3) Fees associated with the initial issuance of a permit, renewal, and any required inspections shall be maintained on the County’s current applicable fee schedules.

Revisions suggested for 17.100.060(c)

Randy L. – Change (4) to (6) and insert

“(4) The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.”

“(5) Refer to 17.100.090 ~~Revocation~~ Violations and Enforcement”

Randy L. – Change (4) to (6) and insert

“(4) *The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.*”

“(5) *Refer to 17.100.090 Revocation Violations and Enforcement*”

Staff response regarding above comment,

If we want to highlight the responsibility of the owner/operator if a tenant violates, this would be a more general statement that includes all rules and standards and doesn’t specify one over the other.

Staff is suggesting “(5)” be changed to a sub-point of “(4)”.

- (4) A property management plan shall be submitted by the applicant in addition to all other application requirements and shall contain the following:

(A) Rules of Conduct

(i) Rules shall include, but are not limited to, noise, quiet hours, trespassing, pet management, permitted parking locations, and litter.

a. Quiet hours should be observed after 10pm and before 7am.

Brad C. – add “1. *The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.*”

Add “2. *Refer to 17.100.080 Revocation Violations and Enforcement*”

Staff response regarding above comment,

Please refer to staff comment above regarding “shellfish” harvesting. Same would apply here. If this language is desired, I would suggest it be placed where Mr. Lewis indicated rather than under only certain rules/standards.

Revisions suggested for 17.100.060 (c)(6)(A)(i)a.

Brad C. – add “1. The owner/operator will be responsible should any STR tenant violate and these rules; and shall be cause (based on the severity & number of such complaints) for the owner/operator’s permit to be revoked for nonconformance.”

Add “2. Refer to 17.100.090 ~~Revocation~~ Violations and Enforcement”

(+)b. Waste originating from short term rental guests and their pets should be properly disposed of in the appropriate receptacles and should not be left on beaches, tidelands, easements, and common areas used by multiple property owners or the public.

- (B) Short Term Rental street address.
- (C) Site plan with property boundary lines, easements, beach access (if any).
- (D) Floor plan with fire escapes, ~~and~~ escape routes, and fire extinguisher(s) locations.
- (E) Local emergency numbers, including but not limited to MACECOM, Burn ban Hotline, and WDFW.
 - (i) If local burn ban is in place, a copy of the press release with details of the ban stipulations shall be placed within the property management plan and posted near or on egress doors.
- (F) Max occupancy limits
- (G) Max number of vehicles allowed on site
- (H) Waste pick-up schedule and location of waste receptacles.
- (I) Short-Term ~~Vacation~~-Rental Owner and Operator contact information

Revisions suggested for 17.100.060 (c)(6)

Brad C. – add above “consistent with RCW 64.37.030 Consumer Safety”

(5) Prior to ~~initial~~ permit issuance a fire, ~~safety~~, health and building code compliance inspection shall be required and performed by the designated County officials or designee.

~~(5)(A)~~ An Operation and Maintenance inspection performed by a certified O & M special shall be completed prior to short term rental permit submittal or record of a satisfactory Operation and Maintenance inspection, on file with the County within the last one to three years, depending on system, shall satisfy this requirement.

(B) Failing onsite septic systems shall be repaired prior to the applicant submitting for a short term rental permit.

(i) Permitting the repair shall be done through the Mason County Environmental Health Department.

(C) Fire and building code compliance inspection shall be scheduled with the Department prior to permit issuance. Failure to comply with the requirements of the short term rental, fire, and building code may result in re-inspection.

(i) Re-inspection fees shall be per the County’s applicable fee schedule.

~~(i)(ii)~~ Short term rental permit issuance may be delayed or denied if requirements of this chapter are not met.

(d) Short-Term ~~Vacation~~-Rental Permit Renewal

(1) Application for renewal shall occur annually and at least 60 days prior to the short-term ~~vacation~~-rental permit expiration.

Revisions suggested for 17.100.060 (d)(1)(D)

Brad C. – Replace “September 1 – October 31” with “two months prior to permit expiration”.

(D) The Department will accept renewal applications September 1 – October 31.

(2) Renewal fees shall be per the County’s applicable fee schedule.

(3) Renewal of an existing permit may require a self-certification form addressing fire, safety, and health code requirements.

(A) Random auditing of self-certification may occur and shall require employees of Mason County to access the property and structure(s) described in the renewal permit for the purpose of inspection.

(e) New Short-Term Rental Permits

Revisions suggested for 17.100.060(e)(1)

Brad C. – Replace “shall occur June 1 – July 31st” with “may be submitted any month of the year.”

(1) Application for new short term rental permits shall occur June 1 – July 31st.

Revisions suggested for 17.100.060(e)(2)

Brad C. – Replace “shall be valid starting January 1st” with “may take up to sixth months to issue the STR permit”

(2) Issued new short term rental permits shall be valid starting January 1st.

Revisions suggested for 17.100.070

Will H. – Delete entire section

17.100.070 Existing Short-Term ~~Vacation~~ Rentals

(a) Permitting is required for all short-term ~~vacation~~-rentals in the County. If a rental existed prior to the establishment of this Ordinance, it shall be considered lawfully established if the owner provides proof of the following:

(1) The rental operator must have proof that the site address was the location of the rental and that applicable sales and lodging taxes pursuant to RCW 64.37 were remitted to the authorized collector between July 28, 2019 and [the date of this Ordinance].

Revisions suggested for 17.100.070(a)(2) and 17.100.070(a)(3)

Brad C. – insert “60” to “days from date of Ord adoption”. Same suggestion for 17.100.070(a)(3)

(2) Obtain a short-term ~~vacation~~-rental land use permit within [# days from date of Ord adoption]

Brad C. – Replace “September 1 – October 31” with “two months prior to permit expiration”. (previous page of this document)

Replace “shall occur June 1 – July 31st” with “may be submitted any month of the year.”

Replace “shall be valid starting January 1st” with “may take up to sixth months to issue the STR permit”

Staff response regarding above comment,

The purpose for the sections regarding permitting windows for new and renewal permits for the following year was to provide applicants with predictability and departments with windows of expected increase in inspection load and to offset the work between processing new and renewals.

Brad C. – insert “60” to “days from date of Ord adoption”. Same suggestion for 17.100.070(a)(3)

Staff response regarding above comment,

This is where a provisional permit may be appropriate within (60) days of Ordinance adoption, with a “full” permit issuance once all requirements of a “new” permit are met.

(3) All operation standards shall be met within [# _____ days from date of Ord adoption]

Revisions suggested for 17.100.070(a)(4)

Brad C. – “The County requires any existing zoning, land use, or building permit violations to be resolved prior to new short term vacation rental permitting, and for existing non-conforming STRs a provisional permit may be issued with a specified grace period to rectify violations. No additional permitting is allowed after that date. But director may extend the provisional 6 months if a “good faith” effort can be shown.”

(4) Any existing County code violations on the subject property found to have occurred as of July 28, 2019 shall be resolved prior to permit issuance.

Revisions suggested for 17.100.070(a)(4)

Brad C. – add “(b) The County shall implement limits on numbers, limits in areas, limits in proximity to other STRs,

Revisions suggested for 17.100.080(a)

Will H. – delete “and issued permit”

~~(b) An existing short-term vacation rental shall be considered non-conforming as of [date of this Ordinance] if the rental does not conform to the standards of section MCC 17.100.050.~~

17.100.080 Complaint Procedures

(a) All complaints shall first be addressed with the short-term rental operator designated within the property management plan and issued permit.

Revisions suggested for 17.100.080(b) an 17.100.080(c)

Will H. – Replace (b) and (c) with “(b) If a complaint is not adequately addressed by the property owner/management, then the appropriate Mason County office should be contacted to address the situation.”

(b) If a complaint regarding operation standards or permitting, as herein described, is not resolved by the operator within a reasonable amount of time per MCC 17.100.050(g), the complainant may then provide the complaint to the Mason County Department of Community Development [method of providing complaint...3rd Party consultant/hotline/online form/in writing]. The complaint shall identify the informal attempts made to rectify the situation.

Brad C. – “The County requires any existing zoning, land use, or building permit violations to be resolved prior to new short term vacation rental permitting, and for existing non-conforming STRs a provisional permit may be issued with a specified grace period to rectify violations. No additional permitting is allowed after that date. But director may extend the provisional 6 months if a “good faith” effort can be shown.”

Staff response regarding above comment,

Not recommending this suggestion.

Staff is still suggesting the violations found to have occurred as of the July 28, 2019 date. If there are existing violations that are documented with the County prior to that date then resolving those issues prior to full permit issuance would be priority. But as the PAC member suggestion is worded, it implies that the County would be looking for any kind of violation back to an undefined date.

Brad C. - add “(b) The County shall implement limits on numbers, limits in areas, limits in proximity to other STRs.

Staff response regarding above comment,

Not recommending this suggestion.

The BOCC did not express a desire to put limits on any of the above areas suggested. This would require a complete redraft of the code if this was desired.

- (c) The Director or designee will investigate the complaint, and if deemed an operation standards or permitting violation, shall issue a notice of violation to the permit-holder per the enforcement procedures authorized in MCC 15.13. If the violation is beyond the scope of the code enforced by the Community Development Department, but still a violation of the Mason County Code the Director or designee shall forward the complaint to the appropriate department for review.

Revisions suggested for 17.100.090

Will H. – Delete entire section

Jeff C. – There is a violations and enforcement section dealing with complaints prior to the section 17.100.090 on Violations & Enforcement and that these 3 sections need to go in a complaints portion of Violations and enforcement on pages 7 & 8 of 8. (Staff note: Scrivner error the Violations and Enforcement section should be 17.100.090 and page numbers referenced are different for the purposes of the discussion document).

17.100.090~~17.100.080~~ **Revocation** Violations and Enforcement

- (a) The Director or designee ~~shall~~ may revoke a short-term ~~vacation~~-rental permit if three (#3) violations occur within 12 months~~-,~~ the short-term ~~vacation~~-rental owner shall not ~~obtain~~ apply for a new short-term ~~vacation~~-rental permit sooner than one (1) year from the date of revocation and must reapply for a new short term rental permit within the applicable permitting window.-

(1) Violations shall be assessed per property and per violation type within a 12-month period.

(2) The penalties for violations of this chapter are outlined as follows: _____

Revisions suggested for 17.100.090 (a)(2)(A), 17.100.090(a)(2)(B), and 17.100.090(a)(2)(C)

Jeff C. – (A) “The first violation shall be a fine of \$350.” (B) “The second violation shall be a fine of \$1000.” (C) “The third violation shall be a fine of \$3000 and/or revocation of an issued short term rental permit.”

(A) The first violation shall be a warning by an authorized official of the County.

(B) The second violation shall be a fine of \$350.

(C) The third violation shall be a fine of \$1000 and/or revocation of an issued short term rental permit.

(D) If the short-term rental continues to operate after revocation of the permit, the violation shall be punishable under Title 15 and may require a hearing before the hearing examiner.

- (b) All violations of the short-term ~~vacation~~-rental ordinance must be rectified, and the complaint(s) closed with the County prior to the issuance of a new short-term ~~vacation~~-rental permit or renewal of a permit.-
- (c) Appeals of the revocation of the permit shall be pursuant to the appeals process outlined in MCC 15.11.

From: [Randy Lewis](#)
To: [Marissa Watson](#)
Subject: Fw: Short Term Rental Regulations Draft
Date: Friday, November 15, 2024 1:08:14 AM
Attachments: [image001.png](#)
[ME PAC Public Hearing Draft STR Regulations Mikes edits.docx](#)

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Fyi ...

From: Mike Hill <Mojo18rebar@outlook.com>
Sent: Monday, October 28, 2024 12:53 PM
To: Randy Lewis <rjl023@hotmail.com>
Subject: RE: Short Term Rental Regulations Draft

Hello Randy this is Mike Hill responding with my edits to the STR draft regulations. As I stated in the past regarding these STR regulations I have several STRs in Colorado, California and Alaska and all 3 are regulated with similar regulations as these so I don't find anything in these regulations to be unreasonable in any way, however I did make a few minor edits such as complaint response time from 1 hour to 2 hours and onsite time from 2 hours to 3 hours, also I made an edit regarding parking and beach access when needed to require signage to be clearly posted.

Thank you

Michael L D Hill


Email; mojo18rebar@outlook.com

As Iron Sharpens Iron so Shall One Person Sharpen Another

From: Marissa Watson <MWatson@masoncountywa.gov>
Sent: Tuesday, October 22, 2024 11:17 AM
To: Bob Wilkerson <robertwilkerson@comcast.net>; Brad Carlberg P.E. <brad.carlberg@bsc-engineering.com>; Jeff Carey <jcarey.jac.abuga@gmail.com>; Mike Hill <mojo18rebar@outlook.com>; Randy Lewis <rjl023@hotmail.com>; Terri Arcieri <terriarcieri@gmail.com>; Will Harris <wharris.allyn@gmail.com>
Cc: Mariah Frazier <MFrazier@masoncountywa.gov>; Kell Rowen <KRowen@masoncountywa.gov>
Subject: Short Term Rental Regulations Draft

Hello PAC,

Attached is the word version of the STR regulations, tracking is locked in the on position. If you have any questions let me know.

Randy requested a reminder of dates discussed:

All PAC members with suggested edits should have their edited version to Randy by November 4th and then Randy should have a word document with everyone's suggestions to me by November 18th. There was also discussion about Randy verifying with each member that he correctly captured their comments before sending me the final version, please do so.

Just a note, if we have a lot of comments in the side bar it can get messy. My suggestion is if you are adding comments to the document be clear and concise and if you want to elaborate prepare a separate document with further explanation. If you do add additional comment in a separate word doc, please provide to me by the 18th so it can be distributed and members can be prepared to discuss and weigh in at the meeting in December.

Thank you,

Kind Regards,
Marissa Watson
Senior Planner | Long Range



Phone: 360-427-9670 ext. 367
Email: mwatson@masoncountywa.gov
Address: 615 W Alder Street Shelton, WA
98584

**Please note: Mason County complies with the Public Records Act Chapter 42.56 RCW. As such, any e-mail sent to and/or from the County may be subject to public disclosure.*

Randy Lewis Commentary on Short Term Rentals

To me this seems like more of an overall county enforcement issue rather than a specific STR enforcement issue. Why overlay existing ordinances with redundant ordinances we are already not enforcing, or enforcing poorly.

There is also the issue of frequency of bad behavior. The horror stories are real, and need serious attention, but what portion STR bad behavior compared to overall county bad behavior.

Initial data appears to show that for example septic issues related to STRs are a fraction of septic safety issues in the broader county. I would like to [see more data on other issues](#), such as the number of bad behavior complaints by neighbors of STRs compared to the number of similar bad behavior complaints by neighbors of “non-STR” housing.

Although perhaps out of scope for this committee (Except that the committee is tasked to recommend required fees for such implementation) I personally do not believe we should implement some type of AI algorithm to monitor STR behavior. For one, this seems like government “big brother” overreach, plus two, the vibe is that we are setting up more favorable response time for a specific type of dwelling.

As for the horror stories, cannot these be accommodated by enforcing existing code, or by neighborhood solutions? In particular for “rich” investors taking over neighborhoods by buying and turning homes into STRs, not sure county ordinance can or should muzzle the free market, although perhaps zoning could help for those area where zoning might create remedies or mitigate problems

May I suggest documenting existing laws that apply to STR’s, State and County, then identify issues specific to STRs that needs to be remedied by new STR – specific ordinances.

Below is an attempt to create an [initial list](#) of existing and proposed new laws applying to STRs. Not a comprehensive list, but if the committee likes the concept the list can be fleshed out.

Existing State Law

RCW 64.37 -> WA State – general STR regulations / RCW 82 -> State Taxes and Fees

Existing County Ordinances

MCC 6.72 -> Solid Waste / MCC 6.76 -> Sewage Systems

MCC 10 -> Vehicles and Traffic / MCC 15 -> Development Code / MCC 9 -> Peace, Morals and Safety

Proposed STR Specific New County Ordinances

(Numbers below are placeholders. Final numbers, if adopted, may differ)

MCC 17.100.010 – Purpose / MCC - 17.100.020 Definitions

MCC 17.100.040 – Type of STRs / MCC 17.100.050 – Standards for Operation of Short-Term Rentals

MCC 17.100.070 - Existing Short-Term Rentals

Chapter 17.100.xx Review Of Short Term Rentals By Jeff-Carey 11/03/24

Opinion 1:

After much review & public testimony of both written & at the PAC recent hearings it is my view that until the county comes up with plan & implementation process to administer and enforce the existing health, safety, civil , & criminal rules, regulations and laws that arise with short term rentals (STR) creating any additional regulations no matter how valid is a waste of resources at every angle I look at.

There are definitely problems with STR's unlike most any other business I know. However, we should run a test for year or so upholding the current health, safety, civil , & criminal rules, regulations and laws to see how many of the problem and concerns we can solve before enacting additional rules and regulations and laws.

Opinion 2:

If we really are hell-bent at this time on amending chapter 17.100.xx then here is what I would like to see amended.

1. Big picture separate the STR's into 3 tiers or levels.
 - a. Onsite owners:
 - b. Offsite State of Wash. absent ownership:
 - c. Out of state absent ownership:
2. Page 1 of 8 of draft 17.100.xx:
 - a. No changes.
3. Page 2 of 8 of draft 17.100.xx:
 - a. Section 17.100.040; Create 3 types or tiers as I proposed above in opinion 2.1.
 - b. Section 17.100.050; Item B allow recreational trailers & motor homes if facilities to support exist. (Opinion; No different than an ADU in my view).
 - c. Section 17.100.050; Item D1: Allow two (2) adults or three (3) children per bedroom.
 - d. Section 17.100.050; Item E2: STR Site/property must be posted with on site signage showing parking location (s).
4. Page 3 of 8 of draft 17.100.xx:
 - a. Section 17.100.050; Item G: STR site plan on site and or posted
 - b. Section 17.100.050; Item H: Need Definition of operator.
 - c. Section 17.100.050; Item H: The **whole paragraph should be removed**, Sub section (H1) should be kept along with contact info on site and provide this info to adjacent property owners.
 - d. Section 17.100.050; Item I: Within subsection 1a and subsection 2 both **subsections should be removed. (It is not the county's role nor does it have the time to ensure that state or federal taxes are paid.)**
 - e. Section 17.100.050; Item K: Okay as is. Permitting Short-Term Rentals
5. Page 4 of 8 of draft 17.100.xx:
 - a. Section 17.100.060; Item b: Notification should be attached to the county's existing "**Taxsifter Database**" for public access to review.
 - b. Section 17.100.060; Item b: subsections 3A,3B, & 3Ba;
 - i. For 3A Notify only adjacent parcels,
 - ii. For 3B, Should be handled the same way SEPA's are handled.
 - iii. For 3Ba, This is not needed. Failure with any STR regulations is a violation of the STR code.
6. Page 5 of 8 of draft 17.100.xx: Application requirements are generally okay. **Question how does the county handle existing motels & etc. non STR's??**

Chapter 17.100.xx Review Of Short Term Rentals By Jeff-Carey 11/03/24

7. Page 6 of 8 of draft 17.100.xx: Jeff Ran out of time to fully review, comment & propose any changes to this page. Good Luck.
8. Page 7 & 8 of 8 of draft 17.100.xx:
 - a. Section 17.100.080; Item H: There is a violations and enforcement section dealing with complaints prior to the section 17.10.080 on Violations & Enforcement and that these 3 sections need to go in a complaints portion of Violations and enforcement on pages 7 & 8 of 8.
 - b. I cannot find any complaint handing process on the county website. This is a problem for our residents.
 - c. At this time I do not see or find an adequate working complaint process or public record keeping methods, processes & procedures for both the operators and the public. The county estimates there could be 1,100 STR's in mason county or little over 3% of the total county wide residential units.
 - d. Substantiated complaints vs unsubstantiated complaints how to handle?
 - e. For substantiated violations:
 - i. 2) The penalties for violations of this chapter are outlined as follows:
 1. The first violation shall be a fine of \$350.
 - a. Major vs minor violations what #?
 2. The second violation shall be a fine of \$1000.
 - a. Major vs minor violations what #?
 3. The third violation shall be a fine of \$3000 and/or revocation of an issued short term rental permit
 - a. Major vs minor violations what #?

Areas to Contemplate:

1. **Violations and Enforcement ad Records: Very incomplete and inadequate at this time.**

Short-Term Rental (STR) Discussion
Comments on Draft Mason County Ordinance 17.100, *Short-Term Rentals*

Recommendation: accept RCW 64.37, *Short-Term Rentals*, as the base Mason County (MC) 17.100, *Short-Term Rentals*, ordinance. Add a requirement that owners provide renters, not the county, a Property Management Plan that includes STR specific information. An edited draft MC 17.100, in tracked changes, is provided.

Comment: do not require registration/permitting, fees to operate a STR, pre-inspections (building, fire, public health, etc.), occupancy limits, proof of solid waste collection, etc.

Discussion: each of the primary topics listed in the draft MC 17.100 along with topics from the early 2024 survey, two Board of County Commissioners (BOCC) Workshops, and public testimony at the PAC on October 21, 2024, are addressed below.

1. **General:** it is the author's belief that less, not more, regulation is desired by citizens from government. Likewise, all law, ordinances, or regulations should be fairly (i.e., without bias) and reasonable enforced. Specifically crafting a county ordinance and targeting enforcement of existing ordinance/laws to STR owners and occupants, and not all residents, is discriminatory.

Comment: STR owners/managers have a vested interest in managing and maintaining a well-run STR. Proper management, operation, and maintenance results in more renters, preserves the value of the home, and maintains good relations with neighbors.

2. **RCW 64.37 Short-Term Rentals:** provides reasonable definitions, requires paying taxes, addresses consumer safety, covers STR platform requirements, and the need for minimum liability insurance. The draft MC 17.100 largely duplicates, directly or indirectly, RCW 64.37 in Sections 17.100 020 and 050 (a), (b), (h), (i), and (j).
3. **Sewage:** is has been stated that STRs are a source of higher-than-normal sewage releases due to overpopulating the dwelling units above the septic or sewer system capacity. At the 10/21/24 PAC it was reported that 4 sewage releases are attributed from STRs and 100 to 150 for all other residences (non-STRs) in the previous approximately two years. The Mason County Housing Needs Assessment, July 2024, developed for the Comprehensive Plan reports a total of 33,461 housing/dwelling units in the county. This includes single family residences, townhouses, multifamily units, and manufactured homes. The Planning Department reports there are about 1,100 STRs based on a review of STR platforms.
 - a. **Analysis:** the STR sewage release rate is 3.64 releases per 1,000 STRs (4 releases / 1,100 STRs). The standard home sewage release ranges from 3.09 to 4.63 sewage releases per 1,000 homes [100 to 150 releases / (33,641 homes - 1,100 STRs)].
 - b. **Conclusion:** the draft MC 17.100.050 (c) and (d) sections are not required. STR sewage releases are like, or possibly lower than, standard homes. Therefore, regulating the number of people in a STR and restating existing sewage inspection requirements is not needed. The homeowners / management companies are doing an adequate job today with current regulations.
4. **Solid Waste:** the county has existing solid waste requirements. If an STR does not abide by reasonable solid waste disposal (timeliness, completeness of pick up, etc.), then it degrades

the property and tenant reviews, hence return and future renters. If there is a persistent problem, existing ordinance can address the problem.

Comment: there are numerous residences in MC that have months (if not years) of trash and rubbish on their properties. These should be a focus of rubbish enforcement action.

5. **Safety Equipment:** appropriate Washington Administrative Codes (WACs) shall be followed. Restating those requirements in MC 17.100 is redundant. This applies to smoke and carbon monoxide detectors, along with fire extinguishers.
6. **Property Management Plan:** Agree, minimum elements of a property management plan should be listed in MC 17.100. The Property Management Plan should be made available to renters. Mason County offices do not need to receive a copy, review, or approve the plans.
7. **Registration, Inspections, and Fees:** Why is registration and fee collection being suggested? Based on discussions, the registration is needed to know who has a STR and to collect fees to hire code enforcement officials. Two questions surface; 1) are STRs really an issue and 2) is this a start of MC regulating all in-home businesses (including teleworking)? Based on the unquantified data, STRs may have issues with limited unruly/disorderly guests. However, little to no empirical data has been presented to support registering all STRs, collecting fees, and hiring inspection/enforcement contractor and/or staff members.

Conclusion: no registration or fee collection is needed, at this time. MC needs to enforce existing laws/ordinance fairly and objectively for all citizens/residents.

8. **Enforcement and Fines:** recommend no additional enforcement or fines. If there is an issue with a lack of enforcement, which I believe there is, then it applies to all county residents, not just STR owners and occupants.
9. **Homeowners Associations (HOAs):** if MC17.100 retains its current content, then language needs to be developed to address how HOAs with existing STR covenants/rules need to respond. The language needs to address:
 - a. Setting a period for HOAs to modify their existing STR covenants/rules to align with MC ordinance language, if there are disconnects.
 - b. Need language on double jeopardy. If an HOA and MC has a fine process can both impose a fine for the same offense? Which authority takes precedence? If the first finds no fault, can the second still review and fine?
 - c. Some HOAs (Cushman, see attached) allows the use of a camping lots as a STR location if the renter brings their own RV. This activity would likely be banned as an STR (and from STR platforms) based of the current draft MC 17.100. Is this an appropriate activity for MC to regulate or should the HOAs be allowed to self-regulate?

Comment: allow HOAs to self-regulate.

10. **Other Topics:** The following topics are not currently called out in the draft MC 17.100, but did surface during the survey, a workshop, or public testimony. Most, if not all, are addressed in current state law and/or MC ordinance. Topics include use of fireworks; speeding and reckless driving; new MC taxation of STR owners/users; assault, vandalism, and theft by STR renters; banning all STR signage; limiting the number of STRs in a geographic area;

and requiring STR owners/management to check in with neighbors to see if there are problems.

Comment: no additional language is needed in MC 17.100.

11. Open Topics/Discussion:

- a. Inspections: if the determination is made that inspections (fire, public health, building, etc.) are needed, then MC 17.100 must specifically define the standards/codes to be enforced.
 - i. Fire Extinguishers: if inspections are required, then the standard must be stated (e.g., NFPA 10, which requires more than just annual inspections). The draft MS 17.100.050 (k) (2) a. language that reads “Extinguisher(s) shall be serviced annually by a firm licensed in the State of Washington.” Needs to include a reference to an inspection standard.
 - ii. Building Codes: what code applies? Is it Code of Record (i.e., the year the structure was built), code at the time the dwelling unit became a STR, or current building code? If it is either of the latter two, then many dwelling units may be found to be unworthy as an STR, yet perfectly adequate for a residence.
- b. How do we, or do we even need to, regulate non-dwelling units (RVs, tents, etc.) that are being provided as if they are STRs? Note: this is an option in the Lake Cushman STR rules.

William Harris, PE, PMP, RMP
PAC Member

2176288 Mason County WA

02/14/2022 02:58:45 PM RESOL

eRecorded #171010 RecFee: \$210.50 Pages: 8

LAKE CUSHMAN MAINT

Lake Cushman Maintenance
Company 3740 N. Lake
Cushman Road Hoodport,
WA 98548

Document Title:

Lake Cushman Maintenance Company Board Resolution 09-21
LCMC Relating to Regulation of Short-Term Rental Properties within
the Lake Cushman Development. Approved at the November 13,
2021, meeting of the Lake Cushman Maintenance Company Board
of Directors.

Exhibit A was approved at the Boards December 11, 2021, Meeting

Grantor:

Lake Cushman Maintenance Company

Grantees:

Public

Legal Description:

Plat of Lake Cushman Divisions I through 19; Eastside 1 Plat;
Westside I Plat; Westside 2 Plat, Westside 3 Plat

LAKE CUSHMAN MAINTENANCE COMPANY
Homeowners Association for The Lake Cushman Development
3740 N Lake Cushman Road, Hoodspport, WA 98548-9711
(360) 877-5233 FAX: (360) 877- 6713
TOLL FREE: 1-888-777-6443

Lake Cushman Maintenance Company

POLICY RESOLUTION NUMBER #09-21

RESOLUTION #09-21 WAS PASSED BY THE BOARD AT THEIR NOVEMBER 13, 2021, MEETING, PENDING REVIEW OF EXHIBIT A AT THEIR DECEMBER 11, 2021, MEETING.

EXHIBIT A WAS APPROVED AT THE BOARD'S DECEMBER 11, 2021, MEETING.

Relating to the Regulation of Short-Term Rental Properties Within the Lake Cushman Developments

WHEREAS, Article II, item #11 of the Articles of Incorporation of the Lake Cushman Maintenance Company assigns the Board of Directors ("Board") the ability to exercise such powers of control, interpretation; construction, consent, decision, determination, modification, amendment, cancellation, annulment and/or enforcement of covenants, reservations, restrictions, liens and charges imposed upon said property, and as may be vested in, delegated to or assigned to said corporation and such duties with respect thereto as may be assigned to and assumed by said corporation, all powers and duties necessary for the administration of the affairs of the Lake Cushman Maintenance Company ("Association"); and,

WHEREAS, Article II, item #16 of the Articles of Incorporation provides that the directors can do any and all lawful things which *may* be advisable, proper, authorized and/or permitted to be done by said corporation under or by virtue of any restrictions, conditions and/or covenants or laws affecting said property or any portion thereof (including areas now or hereafter dedicated to public use); and to do and perform any and all acts which may be either necessary for, or incidental to, the exercise of any of the foregoing powers or for the peace, health, comfort, safety and/or general welfare of lessees of said property, or portions thereof, or residents thereon, shall exercise their powers and duties in good faith and in the best interest of the Association and its members; and,

WHEREAS, the Board of Directors wishes to establish standards for the operation and governance of Short-Term Rental properties within the Cushman Developments and received a recommendation from the

Architectural Committee (August 25, 2021), which serves as an advisory Committee to the Board; and,

WHEREAS, the Board of Directors/Architectural Committee have taken proactive steps in engaging the membership of the Association, asking for comments/suggestions regarding the regulation of Short-Term Rentals, integrating changes to the original version on 3 separate occasions and over a time period of approximately 2+ years.

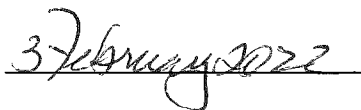
NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts *Resolution #09-21* and the associated regulation of short-term rental properties, as defined, and outlined within Exhibit A (Attached herein). When adopted, this new policy will be integrated into Resolution #09-19, Architectural Committee Policies and Procedures as a component under Section III, Development Rules.

ATTEST:

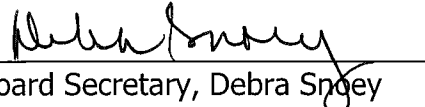


Board President, Dick Kruse

Date

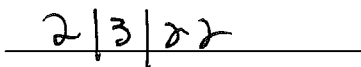


3 February 2022



Board Secretary, Debra Snoddy

Date



2/3/22

Exhibit A

Short Term Rentals

DEFINITIONS

"Short Term Rental" aka STR means a single-family dwelling rented for the purpose of continuous overnight lodging for a period of not less than one night and not more than thirty days.

"Owner" can be a single person, a marital unit, a group of people or a corporate entity such as an LLC.

"Guest" shall mean the person or persons over the age of three who occupy and contract with the Owner for use of the STR.

"Responsible Party" shall mean the owner of a residential dwelling being used as a STR as well as any person designated by the owner who is responsible for compliance with this Resolution.

"Strike" as referenced in the Three Strike Rule in the AC policy.

REQUIREMENTS FOR SHORT TERM RENTAL BUSINESS'S

* Owners of STRs must comply with Washington State Short Term Rental Policy (RCW) and Business License requirements (if required) and present documentation supporting required approvals with the LCMC Main Office. All short-term rental property owners must register with the LCMC Main Office, even if using corporate platforms such as Airbnb or VRBO or others. Violations for not registering with the LCMC Main Office will result in a fine, as outlined within the most recent, approved version of the LCMC Fee and Fine Schedule.

* With a valid license, Owners may rent out up to two homes or improved properties as an STR, provided one is the Owner's primary/secondary residence.

* No more than one STR will be allowed on a single parcel. Owners RVs and Travel Trailers shall not be used as an STR. Only Mason County approved structures such as homes and ADU's qualify as a Short-Term Rental. (Recreational vehicles may not be considered as an ADU per Mason County code.)

* An STR shall not be placed on the same lot as a Residence, unless it is a Mason County approved ADU.

* Maximum occupancy of the rental shall be based on the number of bedrooms the septic allows. No more than two (2) overnight guests per approved bedroom plus two additional overnight guests shall be accommodated at any one time. A guest is a person over three years of age. Example: an approved 2-bedroom home can have up to 6 guests and an approved 3-bedroom home will be allowed up to 8 guests.

* A camping lot must have power, water, and a Mason County Health Department approved septic system. If not used for an RV, lots must have bathroom facilities that contain, at a minimum, a Mason County approved toilet and sink (plumbing permit) to properly handle onsite generated septic wastes. Guests may bring their own RV's; however, all recreational vehicles must have gray and black water containment tanks and/or be directly connected to the functional septic system by a discharge hose, approved by the Mason County Health Department. No black or gray water may be dumped or drained onto the property from any source.

* A copy of materials used to market an STR shall be provided to LCMC at the time of registration. Materials shall clearly list the maximum number of occupants and shall not exceed that limit. All advertisements must clearly state how many occupants may occupy the residence.

*One on-site parking space shall be provided for each bedroom within the vacation rental. Parking on the street, right away or other LCMC properties is not allowed in accordance with LCMC Resolution #01-17, Towing and Removal of Items from LCMC Road Right of Ways.

* Changes in Ownership: A buyer of an existing STR may continue that STR location by filling out the required registration form within thirty (30) days at LCMC office, provide a Washington State Business License, if necessary, and the signed LCMC registration form stating they have read and will comply with LCMC regulations.

* Large gatherings, parties, or other special events which would result in a violation of occupancy limits, traffic, parking, garbage, and excessive noise are prohibited from occurring at an STR property.

* The Architecture Committee will be responsible for issuance, denial, or revocation of any STR permit. Appeals of denials and/or revocation can be made to the Board of Directors if previously denied by the Architecture Committee.

OWNER'S RESPONSIBILITIES

* The Owner or Responsible Party shall prepare a written notice and shall mail or deliver the notice to all residents and owners of property abutting or across the street from the Short-Term Rental. The notice shall state the intent to operate a Short-Term Rental and the number of bedrooms that will be rented to overnight guests and include information on how to contact the responsible party by phone.

* The Owner or Responsible Party must be available (telephone, text, or email) twenty-four (24) hours per day, seven (7) days per week for the purpose of responding within two (2) hours to complaints regarding the condition of the Short-Term Rental or the conduct of the occupant(s) of the Short-Term Rental.

* The Owner or Responsible Party, upon notification that any occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of the Short-Term Rental, shall promptly respond in an appropriate manner within two hours and require an immediate halt to the conduct and take such steps as may be necessary to prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls or complaints regarding the condition, operation or conduct of a Guest in an appropriate manner within two hours shall constitute a violation of this Policy.

* Prominently display in the STR the rules of conduct, covenants for the division and a map clearly depicting the property boundaries, along with a warning not to trespass, quiet hours, prohibition of fireworks and current burn restrictions. Evacuation maps must be placed in a highly, visible location in the STR. Owners are strongly encouraged to requiring renters to sign a form, outlining these rules and their understanding of them at the time of check-in.

* Weekly solid waste collection or appropriate means to remove solid waste shall be the responsibility of the STR Owner. Lessees shall include a method for solid waste (garbage) disposal on the STR application in applying with LCMC. Solid waste shall be stored in completely enclosed and secured solid waste receptacles.

ENFORCEMENT

Failure of the owner or the authorized agent or local contact of an STR to respond to a complaint arising out of the occupancy and use of STR by a

tenant, guests or visitors is a violation and will be fined in accordance with the most recent version of the LCMC Fee and Fine Schedule, approved by the Board of Directors. Fines will be assessed in the following order:

The first call and violation received – Written warning.

The second call and violation is a monetary fine. Currently \$250 per violation.

The third call and violation is a monetary fine. Currently \$500 per violation.

Fourth call and violation will result in revocation of the short-term rental permit and license for a 5-year period.

Failure to register an STR is a monetary fine. Currently \$500 per event.

If a violation is upheld by the Board of Directors, there will be a "Strike" administered towards the property. (See AC Three Strike Rule).



Technical Memo

To: Mason County Planning Advisory Commission (PAC)
From: Kirsten Peterson, Planning Consultant
Date: November 20, 2024
Project: Mason County 2025 Comprehensive Plan Update
Subject: Land Use Element Goals

Background

As part of its 2025 periodic Comprehensive Plan update, the Mason County Planning Advisory Commission has completed their review and recommendation of the Countywide Planning Policies (CPPs). The next step in the update process includes a review of each element of the Comprehensive Plan. A proposed outline for the new plan was previously provided to the Commission, with draft chapters of the Introduction and Community Profile section also previously provided to the Commission.

The next element up for review is the Land Use Element.

What is found in the Land Use Element?

As described in [RCW 36.70A.070\(1\)](#), the land use element is a required element. This element sets the direction for future growth in a community and includes a future land use map that identifies the general location and intensity of land uses. These various types of uses could include agricultural, residential, commercial, industrial, and recreational uses, to name just a few.

The Land Use element includes a future land use map (which is driven by policy), and is then implemented in large part by the official zoning map, as a regulatory tool. Since these maps are so closely linked, a zoning change cannot be approved unless it is consistent with the future land use map.

This land element must also address issues like:

- Protection of groundwater used for public water supplies
- Consideration of environmental justice

- Planning approaches that promote physical activity and reduce vehicle miles traveled
- Draining, flooding, and stormwater runoff
- Wildfire risk

A more detailed description of the requirements for the Land Use Element is described in RCW 36.70A.070(1) as follows:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces and green spaces, urban and community forests within the urban growth area, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. The land use element must give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state. Where applicable, the land use element shall review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound. The land use element must reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools, which may include, but are not limited to, adoption of portions or all of the wildland urban interface code developed by the international code council or developing building and maintenance standards consistent with the firewise USA program or similar program designed to reduce wildfire risk, reducing wildfire risks to residential development in high risk areas and the wildland urban interface area, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

Resource Documents

Included for consideration by the PAC members are the following documents:

- **GMA Checklist – Land Use Element:**

The GMA checklist is a tool used by communities to determine if the elements of the Comprehensive Plan are in compliance with the requirements outlined in the RCW.

The currently adopted Comprehensive Plan was analyzed against the requirements of the GMA checklist at the beginning of the periodic update process. The section specific to Land Use has been attached for the PAC’s consideration. It is being provided as a tool to help ensure that the updated Comprehensive Plan includes all of the required elements. The new Land Use element that is developed during the periodic update will need to be reviewed against this GMA checklist for submission to the Department of Commerce.

- **Existing Comprehensive Goals from Existing Land Use Chapter:**

Chapter 3 of the existing Comprehensive Plan is the current chapter that focuses on Land Use. The chapter provides background information and data to provide context for the goals and policies that come later in the chapter. The policies related to land use begin on page 37 of the existing Chapter 3.

Chapter 5 of the existing Comprehensive Plan is the Housing Element. It also contains objectives and procedures that are identified in the category of land use. These objectives and procedures begin on page 29 of Chapter 5.

Finally, Chapter 2 of the existing Comprehensive Plan is the current location of the Countywide planning policies. In addition to containing policies related to each of the required GMA elements, the current version also contains “Objectives and Procedures”. The objectives and procedures specific to land use begin on page of 17 of the existing Chapter 2 of the Comp Plan. They will NOT be incorporated into the newly updated countywide planning policies. This is an opportunity to review those objectives for inclusion in each of the various elements of the updated Comprehensive Plan.

The above-referenced goals, policies, objectives and procedures have all been incorporated into one document for review by the PAC. The PAC can use these as a starting point for identifying the goals and policies that are pertinent to Mason County, and determine if any goals are no longer applicable, if additional goals should be added, or if additional goals should be edited. The accompanying GMA checklist has been provided to help determine what goals should be updated or added for compliance.

In addition to review by PAC, Mason County staff and SCJ Alliance will continue to collect feedback from the public and incorporate new information that is both relevant and appropriate for inclusion in the Periodic Update of the Comprehensive Plan.

- **Policy Framework Matrix for Land Use:**

The policies from Land Use Chapter 3 have been incorporated into a spreadsheet matrix that identifies whether the policies read like a goal, a policy, or an action item. There are also additional columns for capturing additional feedback on the policies as the discussions proceed.

This spreadsheet is intended to be a tool for tracking changes to the policies throughout the periodic update process.

When reading through the matrix, Column C Column C. assesses whether the goal or policy identified in Row A or B reads like a goal, policy, or action.

Keep in mind the following:

- **Goals** should be broad.
- **Policies** should provide the direction of the goal
- **Actions** achieve both the goal and the policy.

Incorporating Feedback on the CPP's into the Comprehensive Plan

As a reminder, the previous review of the countywide planning policies led to a lot of great dialogue amongst the PAC and with the community. A great deal of feedback was received, which many suggestions for edits to the policies. It was eventually determined that several of the comments were more appropriate for inclusion in the Comprehensive Plan policies rather than the CPPs.

As described previously each of the elements of the comprehensive plan serve distinct functions in regional planning with different implications for local governance. While CPPs provide a high-level framework for collaboration and consistency among jurisdictions within the county (i.e., between Mason County and Shelton), the Comprehensive Plan policies offer more detailed, actionable strategies for local governance and development.

Mason County staff and SCJ have captured the various comments into a separate comment tracking matrix. This matrix will be used to track the comments received, make notes, and keep track of decisions made by the PAC.

Incorporating these suggestions within Mason County's Comprehensive Plan rather than the CPPs allows the County to develop targeted policies that respond to its unique community dynamics and environmental contexts. The Comprehensive Plan offers a more actionable platform for addressing the detailed, often location-specific needs raised in these particular recommendations.

Next Steps

The PAC is being asked to review the goals and policies in each separate element of the Comprehensive Plan. For the upcoming meeting specific to land use, the PAC is being asked to

- Review the land use related goals, policies, objectives and procedures.
- Provide policy direction to ensure alignment with Mason County’s long-term planning goals.

Attachments

1. GMA Checklist, specific to Land Use
2. Existing Goals from Comp Plan and Strategies in CPP’s, specific to Land Use
3. Policy Framework Matrix, specific to Land Use



Periodic Update Checklist for Fully-Planning Counties

Overview: This checklist is intended to help counties that are fully planning under the Growth Management Act (GMA) conduct the “periodic review and update” of **comprehensive plans** and **development regulations** required by [RCW 36.70A.130 \(4\)](#). This checklist identifies components of comprehensive plans and development regulations that may need updating to reflect the latest local conditions or to comply with GMA changes since the last periodic update cycle (2015-2018).

Statutory changes adopted since 2015 are emphasized in highlighted text to help identify new GMA requirements that may not have been addressed during the last update or through other amendments outside of the required periodic update process.

What’s new: For the 2024-2027 update cycle, Commerce has updated and streamlined periodic update resources including checklists, guidebooks and a [webpage](#) to serve you better. A checklist and guidebook for *partially-planning jurisdictions* will be available prior to their 2026-2027 updates. A separate checklist is available for cities.

2021-2022 Legislative Session:

[HB 1220](#) substantially amends housing-related provisions of the GMA, [RCW 36.70A.070\(2\)](#). Please refer to the following Commerce housing webpages for further information about the new requirements: [Updating GMA Housing Elements](#) and [Planning for Housing](#).

[HB 1241](#) changes the periodic update cycle described in [RCW 36.70A.130](#). Jurisdictions required to complete their update in 2024 now have until December 31, 2024 to finalize their review and submit to Commerce. Jurisdictions required to complete their updates in 2025-2027 are still required to submit prior to June 30th of their respective year. Additionally, jurisdictions that meet the new criteria will be required to submit an implementation progress report five years after the review and revision of their comprehensive plan.

[HB 1717](#) adds new requirements to [RCW 36.70A.040](#) regarding tribal participation in planning efforts with local and regional jurisdictions.

[HB 1799](#) adds a new section to the GMA, [RCW 36.70A.142](#), requiring some local governments to begin providing separated organic material collection services within their jurisdictions in order to increase volumes of organic materials collected and delivered to composting and other organic material management facilities.

[SB 5275](#) amends [RCW 36.70A.070\(5\)\(d\)](#) enhancing opportunity in limited areas of more intense rural development (LAMIRDs).

[SB 5593](#) adds new elements to [RCW 36.70A.130\(3\)](#) regarding changes to planning and/or modifying urban growth areas (UGAs).

_____ Mason County _____
County
_____ Marissa Watson _____
_____ (360) 427-9670 x.367 _____
_____ mwatson@masoncountywa.gov _____
Staff contact, phone + email

Local governments should review local comprehensive plan policies, countywide planning policies and multicounty planning policies (where applicable) to be consistent with the new requirements.

Checklist Instructions

With the most recent versions of your comprehensive plan and development regulations in hand, fill out each item in the checklist, answering the following questions:

Is this item addressed in your current plan or development regulations? If YES, fill in the form with citation(s) to where in the plan or regulation the item is addressed. Where possible, we recommend citing policy or goal numbers by element rather than page numbers, since these can change. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the Commerce [Periodic Update webpage](#) or contact the [Commerce planner assigned to your region](#).

Is an amendment needed to meet current statute? Check YES to indicate a change to your plan will be needed. Check NO to indicate that the GMA requirement has already been met. Local updates may not be needed if the statute hasn't changed since your previous update, if your jurisdiction has kept current with required inventories, or if there haven't been many changes in local circumstances.

Use the "Notes" column to add additional information to note where your county may elect to work on or amend sections of your plan or development regulations, to call out sections that are not strictly required by the GMA, or to indicate if the item is not applicable to your jurisdiction.

Submit your checklist! This will be the first deliverable under your periodic update grant.

PlanView system and instructions: Completed checklists can be submitted through Commerce's PlanView portal. The PlanView system allows cities and counties to submit and track amendments to comprehensive plans or development regulations online, with or without a user account. You can also submit via email: reviewteam@commerce.wa.gov Fill out and attach a [cover sheet](#), a copy of your submittal and this checklist. *Please be advised that Commerce is no longer accepting paper submittals.*

For further information about the submittal process please visit Commerce's [Requirements and procedures for providing notice to the state](#) webpage.

Need help?

Please visit Commerce's [periodic update webpage](#) for additional resources

or contact:

Suzanne Austin, AICP
Senior Planner

Growth Management Services
WA Department of Commerce
509.407.7955

suzanne.austin@commerce.wa.gov

Section I: Comprehensive Plan Elements

Land Use Element

Consistent with countywide planning policies (CWPPs) and RCW 36.70A.070(1)

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>New 2021-2022 legislation ESSB 5593: changes to RCW 36.70A.130 regarding UGA size, patterns of development, suitability and infrastructure.</p> <p>Coordinate these efforts with the affected cities.</p>	Yes, pg. 89	Yes, Update should include policies detailing coordination between cities and county regarding UGA size, patterns of development, sustainability, and infrastructure.	Table 1. Mason County Population Projection 2016-2036
<p>a. The element integrates relevant county-wide planning policies into the local planning process, and ensures local goals and policies are consistent. For jurisdictions in the central Puget Sound region, the plan is consistent with applicable multi-county planning policies. RCW 36.70A.210 WAC 365-196-305</p>	Yes, pg. 20, 21, 22, 25, 27, 28, 29, 30, 31, 34	No	<p>PLANNING POLICIES 1: URBAN GROWTH 1.1, 1.2, 1.3, 3.1, 3.2, 3.3, 11.2</p> <p>1. URBAN GROWTH 2. REDUCE SPRAWL Objectives& Procedures: 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 25, 31, 32, 70, 75, 78,</p>
<p>b. A future land use map showing city limits and UGA boundaries. RCW 36.70A.070(1) and RCW 36.70A.110(6) WAC 365-196-400(2)(d), WAC 365-196-405(2)(i)(ii)</p>	Yes, pg. 4, 47	No	<ul style="list-style-type: none"> Mason County's Projected Growth in Urban Growth Areas Figure 1. Mason County Urban Growth Areas <p>https://masoncountywa.gov/gis/maps/Urban_Growth_Areas_36x48.pdf</p>
<p>c. Urban Growth Area review: based on the population projection made for the County by OFM, the county and each city must include areas and densities sufficient to permit the urban growth projected to occur in the county or city for the succeeding twenty year period, except UGAs completely within a national</p>	Yes, pg. 5, 61, 62, 89	No	<ul style="list-style-type: none"> Mason County Population Growth Projection 2016-2036 Table 1. Mason County Population Projection 2016-2036 Table 14. Area Growth Projections for Mason County 2016-2036 Table 15. Historic Population Increase and Distribution – Urban Growth Areas and Rural County Table 16. Land Capacity Summary (Net Acres)

Section I: Comprehensive Plan Elements

historic reserve. RCW 36.70A.110(2&6) , RCW 36.70A.130 , WAC 365-196-310			Discuss w/ City of Shelton to confirm UGA
d. If there is a UGA expansion into the 100-year floodplain of a river segment that is located west of the Cascade crest and when the river has a mean annual flow of 1,000 or more cubic feet per second, it meets the statutory exceptions to the general ban on such UGA expansions. RCW 36.70A.110(8)	No	No	Consider adding policy regarding UGA expansion into 100 -year floodplain.
e. Consideration of urban planning approaches that increase physical activity. RCW 36.70A.070(1) and WAC 365-196-405(2)(j) . Additional resources: Transportation Efficient Communities , The Washington State Plan for Healthy Communities , Active Community Environment Toolkit	Yes, pg. 289, 290	No	Activity Goals and Policies Goal 1, 1.1, 1.2, 1.3, 1.4 Goal 2, 2.1, 2.2, 2.3, 2.4 Revisit policies and confirm they are appropriate for planning-level work and current resources
f. A consistent population projection throughout the plan which should be consistent with the county's sub-county allocation of that forecast and housing needs. RCW 36.70A.115 , RCW 43.62.035 and WAC 365-196-405(f)	Yes, pg. 5, 46, 48, 50, 89	Yes	Mason County Population Growth Projection 2016-2036 Table 1. Mason County Population Projection 2016-2036 Table 2. Population by Decade – Washington State and Mason County Table 3. Mason County Population Growth Projection 2016-2036 Table 4. Countywide Growth/Annual Growth in Population 2010-2015 Updated housing allocations meeting HB1220 standards required. Coordinate with City of Shelton.
g. Estimates of population densities and building intensities based on future land uses and housing needs. RCW 36.70A.070(1) , WAC 365-196-405(2)(i) <ul style="list-style-type: none"> For counties required to plan under the Buildable Lands Program, RCW 36.70A.215 amended in 2017, some jurisdictions may need to identify reasonable measures to reconcile inconsistencies. See Commerce's 	Yes, pg. 62, 89, 94, 117, 123, 150, 249	Yes	Table 1. Mason County Population Projection 2016-2036 Table 2. Urban and Rural Land Area (Acres) within Mason County Table 3. Mason County Population Growth Projection 2016-2036 Table 4. Projected Housing Needs 2016-2036 Table 5. Mason County Housing Projection 2016-2036 Table 14. Area Growth Projections for Mason County 2016-2036 Table 15. Historic Population Increase and Distribution – Urban Growth Areas and Rural County TRANSPORTATION

Section I: Comprehensive Plan Elements

<p>Buildable Lands Program page.</p>			<p>31. Assure that new on-site development occurs to standards that do not result in future inconsistencies with City standards where UGA is adjacent to incorporated City.</p> <p>Buildable lands not applicable.</p> <p>Revisit densities and intensities following housing allocations, ensure consistency with Belfair PA EIS</p>
<p>h. Provisions for protection of the quality and quantity of groundwater used for public water supplies. RCW 36.70A.070(1); WAC 365-196-405(1)(c); WAC 365-196-485(1)(d)</p>	<p>Yes, pg. 20, 78, 79, 287, 288</p>	<p>No</p>	<p>REDUCE SPRAWL: 2.1</p> <ul style="list-style-type: none"> • Master Development Plan Policies: 1.10, 2.6 • Environmental Public Health Goals and Policies: Goal 1, 1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, Goal 2 <p>10. ENVIRONMENT Goals & Policies: 10.2, 129, 130, 131, 132, 134</p>
<p>i. Identification of lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, storm water management facilities, recreation, schools, and other public uses. RCW 36.70A.150 and WAC 365-196-340</p>	<p>Yes, pg. 26</p>	<p>No</p>	<p>12: FACILITIES/SERVICES: 12.2, 12.3, 12.4</p> <p>Review at interagency coordination meeting(s)</p>
<p>j. Identification of open space corridors within and between urban growth areas, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas. RCW 36.70A.160 and WAC 365-196-335</p>	<p>Yes, pg. 25, 38</p>	<p>No</p>	<p>Open Space: 9.1, 9.2, 9.3, 9.4</p> <p>OPEN SPACE & RECREATION Goals & Policies: 125</p>
<p>k. Criteria for designating natural resource lands consistent with minimum guidelines to classify agricultural, forest, mineral lands and critical areas? RCW 36.70A.050, WAC 365.190</p>	<p>Yes, pg. 24</p>	<p>No</p>	<ul style="list-style-type: none"> • 9: OPEN SPACE: 9.1, 9.2

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<p>l. Policies for agriculturally designated lands limiting nonagricultural uses to lands with poor soils or otherwise not suitable for agricultural purposes, and policies limiting the allowable range of accessory uses to those allowed by statute. RCW 36.70A.177(3)</p>	<p>Yes, pg. 23, 24, 269</p>	<p>No</p>	<ul style="list-style-type: none"> • 5: ECONOMIC DEVELOPMENT: 5.2 • 8: RESOURCE INDUSTRIES • VALUE-ADDED AGRICULTURE: 5.19
<p>m. Policies encouraging the conservation of productive forest and agricultural lands and discouraging incompatible uses. RCW 36.70A.020(8), WAC 365-190-050, WAC 365-196-815</p>	<p>Yes, pg. 23, 24, 269, 311</p>	<p>No</p>	<ul style="list-style-type: none"> • 5: ECONOMIC DEVELOPMENT: 5.2 • 8: RESOURCE INDUSTRIES • FOREST PRODUCTS: 5.5 • VALUE-ADDED AGRICULTURE: 5.19 • Glossary: OPEN SPACE
<p>n. If there is an airport within the county: policies, land use designations (and zoning) to discourage the siting of incompatible uses adjacent to general aviation airports. RCW 36.70A.510, RCW 36.70.547</p> <p>Note: The plan (and associated regulations) must be filed with the Aviation Division of WSDOT. WAC 365-196-455</p>	<p>Yes, pg. 302</p>	<p>Yes</p>	<ul style="list-style-type: none"> • Glossary: • AIRPORT INFLUENCE ZONE • AIRPORT IMPACT ZONES <p>Expand policies to discourage the siting of incompatible land uses adjacent to the airport.</p> <p>Coordinate with Port district.</p>
<p>o. Where applicable, a review of drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. RCW 36.70A.070(1) and WAC 365-196-405(2)(e)</p> <p>Note: RCW 90.56.010(27) defines waters of the state.</p> <p>Additional resources: Protect Puget Sound Watersheds, Building Cities in the Rain, Ecology Stormwater Manuals, Puget Sound Partnership Action Agenda</p>	<p>Yes, pg. 33, 77, 78, 247, 248</p>	<p>No</p>	<ul style="list-style-type: none"> • Master Development Plan Policies: 1.3. 1.10 • Managing Stormwater • STORMWATER BEST MANAGEMENT PRACTICES • 3. TRANSPORTATION: 55 <p>Confirm following discussion with City of Shelton.</p>

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<p>p. Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, the county must have included the best available science (BAS) to protect the functions and values of critical areas, and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous fisheries.</p> <p>RCW 36.70A.030(6), RCW 36.70A.172, WAC 365-190-080 Best Available Science: see WAC 365-195-900 through -925</p> <p>Note: a voluntary stewardship program is an alternative for protecting critical areas in areas used for agricultural activities. RCW 36.70A.700 through .904. Visit the WA State Conservation Commission (SCC) VSP webpage</p>	<p>Yes, pg. 63, 64, 65, 66, 67, 72, 74, 98, 99, 100</p>	<p>No</p>	<ul style="list-style-type: none"> • B. Accommodating Growth and Protecting Critical Areas • The County-Wide Planning Policies call for Mason County and the City of Shelton to protect all types of Critical Areas. • Voluntary Stewardship Program • Watersheds • VIII. Strategies for Protecting Critical Areas <ul style="list-style-type: none"> -Planned Action Environmental Impact Statements - State Environmental Policy Act Mitigation Fees - Transfer Development Rights - Clustering - Restoration Planning - Design Guidelines - Voluntary Stewardship Program - Conservation Easements <p>Erosion Areas, Wetlands, Glossary:</p> <ul style="list-style-type: none"> • BEST AVAILABLE SCIENCE: • CRITICAL AREAS • DEVELOPMENT REGULATIONS OR REGULATIONS • The following categories are used in classifying critical areas:1, 2, 3, 4, 5, 6, 7, 8, 9 <p>Review policies for best available science.</p>
<p>q. If forest or agricultural lands of long-term commercial significance are designated inside a UGA, there must be a program authorizing transfer (or purchase) of development rights. RCW 36.70A.060(4), RCW 36.70A.170</p>	<p>Yes, pg. 72, 73, 75, 100, 297, 302, 309</p>	<p>No</p>	<ul style="list-style-type: none"> • Agriculture • Forest Lands • Mineral Resource Lands • Natural Resource Lands • Voluntary Stewardship Program • AGRICULTURAL RESOURCE LANDS • LONG-TERM COMMERCIAL FORESTS OR LONG-TERM COMMERCIAL FOREST LAND • LONG-TERM COMMERCIAL SIGNIFICANCE • Transfer Development Rights <p>Coordinate with City of Shelton re: potential UGA swap.</p>

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<p>r. If there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel: policies, land use designations, (and consistent zoning) to discourage the siting of incompatible uses adjacent to military bases. RCW 36.70A.530(3), WAC 365-196-475</p>	No	N/A	There are no military bases located within Mason County.
<p>s. New section RCW 36.70A.142; new 2021-2022 legislation HB 1799: Development regulations newly developed, updated, or amended after January 1, 2025 allow for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals. Siting must meet criteria described in RCW 70A.205.040(3) See also RCW 36.70.330. For applicability, see RCW 70A.205.540</p>	No	No	Review applicability criteria

EXISTING COMP PLAN

CHAPTER 3 LAND USE ELEMENT

Master Development Plan Policies

1. **LAND USE.** Adopt regulations to guide the location and siting of Master Development Plans within rural and urban areas, consistent with policy direction contained throughout the Comprehensive Plan. These regulations shall:
 - 1.1. Clarify that a Master Development Plan is appropriate for large contiguous areas of land under common ownership or control, with common characteristics and connectivity. Include criteria for when and where a Development Master Plan may be appropriate within rural lands and within urban growth areas.
 - 1.2. Require a Master Development Plan pursuant to RCW 36.70A.350.
 - 1.3. Require that adequate road, water, drainage, sewer and/or septic capacity exist or is planned to meet the demands of the proposed development within the Master Development Plan. Consider alternative standards for utilities and roads that address rural and urban character and utilize low impact development techniques in harmony with the unique environmental characteristics of the area.
 - 1.4. Provide transportation circulation that addresses public service and emergency response requirements and the needs of pedestrians and bicyclists.
 - 1.5. Encourage flexibility in design to promote a variety of housing types, densities, and affordability. Accommodate a mix of commercial, retail and residential uses, as well as opportunities for social and cultural expression while preserving the areas natural features. Individual lot sizes should vary in a Master Development Plan to promote a range of housing options and the preservation of unique and fragile environmental features and critical areas.
 - 1.6. Provide levels of service compatible with the project's location, development intensity and the surrounding lands uses. Proposed Master Development Plans in rural areas shall not require urban services.

Commented [KP1]: These existing policies are found within the Land Use Element of the Comp Plan, pgs 37-39

- 1.7. Allow for increased density and/or a reduction in dimensional standards within the Master Development Plan when enhanced on-site amenities are incorporated into the overall development, such as open spaces, community facilities, landscaping and buffers, recreational opportunities, and other similar amenities that benefit the community and the environment and exceed the existing minimum requirements.
- 1.8. Include a process to allow phased development within the Master Development Plan in an orderly, coordinated, and thoughtful manner. The phasing plan for the development shall demonstrate that the various segments of the development are served by adequate public facilities and services.
- 1.9. Promote the incorporation of LID techniques in the development and management of the area within the Master Development Plan.
- 1.10. Include technical guidance on the use of LID techniques in public and private developments within the Master Development Plan. These techniques shall:
 - i. Preserve the site characteristics, including natural terrain, drainage patterns, soil structure, and native vegetation;
 - ii. Preserve the natural hydrologic cycle, including vegetative rainfall interception and evapotranspiration, and groundwater infiltration and percolation to the extent the subsurface conditions permit;
 - iii. Mimic natural rainfall capture capacity in areas of site disturbance, and ensure the protection of property and public safety in the design of overflow capacity, and
 - iv. Incorporate measures to manage stormwater within the Master Development Plan that will enhance water quality downstream.
- 1.11. Require all Master Development Plans to include specific design guidelines and development standards to ensure that the proposed development promotes community identity, has a consistent theme, and is integrated and compatible with its surroundings.

Commented [KB2]: This policies elaborated in 1.10.

Commented [KB3R2]: This can removed

Commented [KB4]: Sub policies can be combine. This can be up for discussion.

EXISTING COMP PLAN
CHAPTER 5 – HOUSING ELEMENT

Land Use Element – Objectives and Procedures

The objectives and procedures in the Land Use Element are related to housing and are intended to implement housing goals and address housing needs. These include:

1. Encouraging a range of lot sizes, development densities and housing types to meet the needs of a diverse population and provide affordable housing choices for all income levels.

2. Establishing an Urban Growth Area large enough to minimize restrictions on the residential land supply that would limit access to affordable housing for numerous economic segments of the County’s residents.

3. Providing for clustering, planned unit developments, and other innovative techniques which will result in a greater variety of lot sizes and housing types.

4. Providing for a new fully contained community, this is required to provide for variety of housing options for households with different incomes.

Commented [KP5]: These objectives and procedures are located within the Housing Element of the Comp Plan, on page 29.

EXISTING COMP PLAN

CHAPTER 2 COUNTYWIDE PLANNING POLICIES

Objectives and Procedures

The following section of this Chapter provides objectives and procedures identified through the development of each Element of the Comprehensive Plan to help guide capital investment and land use decisions in implementing the Plan. They are organized in the order of the thirteen Countywide Planning Policies.

1: URBAN GROWTH

Objective: Assure compliance with the Growth Management Act, the County-Wide Planning Policies, the Comprehensive plan and Land Use Map in all adopted land use, environmental and development regulations and subsequent land use decisions and approvals.

1. Review and amend the Comprehensive Plan on a minimum of once every five years, and if needed on an annual basis, consistent with the requirements of the GMA. Revisions to the Land Use Map and/or implementing regulations shall be in compliance with the Comprehensive Plan policies and criteria.
2. Maintain four categories of Comprehensive Plan amendments to be considered during the annual review of the Comprehensive Plan: Policy Amendments, Map Amendments, General Amendments, Site Specific Amendments (i.e. LAMIRDS).
3. Allow submission of requests to the County for map amendments related to: errors in mapping rural densities, uses; errors in mapping boundaries of UGA's, RAC's, Hamlets; errors in mapping other LAMIRDS; errors in interpretation of criteria for land use designations.
4. Mapping errors that are clearly erroneous based on inaccurate information or technical error may be corrected at the discretion of the Board of County Commissioners within 180 days of passage of this update. Map corrections of this nature shall not require a Comprehensive Plan amendment. After the 180 days, mapping errors will be processed as part of the annual comprehensive plan amendment cycle.
5. Promote development which supports multimodal forms of transportation and pedestrian safety.

Commented [KP6]: These are exiting objectives and procedures found within Chapter 2 (CPP's) of the current Comp Plan, pgs 17-19

2: REDUCE SPRAWL

Objective: Encourage development in urban areas to reduce sprawl and ensure adequate public facilities and services.

6. The Urban Growth Areas (UGAs) should reflect the abilities of service purveyors to provide urban levels of facilities and services during the 20-year planning period.
7. To minimize inefficient provision of essential urban services, annexation of additional property into the UGA shall be facilitated whenever desired by property owners and when necessary for efficient service provision.
8. Annexation of unincorporated islands as they occur shall be encouraged.
9. The jurisdictions will discuss formulas and methods for amortization of sales tax benefit lost by the County after annexation.
10. The jurisdictions will discuss formulas and methods for amortization of County owned capital facilities transferred to the City as a result of annexation.
11. The County and the City shall each notify the other of any discretionary land use permit or development proposal within the Urban Growth Area or within 1000 feet of the UGA boundary. Such notification shall be adequate to provide opportunity to review and comment on such applications prior to action by the designated body of the jurisdiction.
12. All threshold determinations pursuant to the State Environmental Policy Act (SEPA) issued by the County for proposals within the UGA or within 1000 feet of the UGA, will be provided to the City. All such threshold determinations issued by the City for projects or areas within 1000 feet of the City boundary shall be provided to the County. Such notice shall be adequate to provide County staff with the opportunity to review and comment on such actions prior to expiration of comment periods.
13. The County and City shall each take due heed of comments offered by the other regarding any application for discretionary land use permits being processed by the other. Each jurisdiction shall have formal standing for appeal of decisions made by the other on such matters.

SUBDIVISIONS

14. Subdivision of land shall facilitate current or eventual residential development at urban densities in Urban Growth Areas.
15. In areas within the Urban Growth Area, where public sewer and water are not available, subdivisions must be designed to allow more intensive development when such services become available. This can be accomplished on one of the following two ways:
 - Before annexation or before urban services are otherwise available at a property, subdivision shall be to urban densities. However, development may be allowed wherein non-urban services are provided on several lots in support of development on others.

- Before annexation or before urban services are otherwise available on a property, subdivision of the property may provide for a number of lots meeting the definition of urban density while the remainder of the property is maintained as a single large lot. The large lot portion may be used to site non-urban type services such as wells and septic systems to serve development on the smaller, urban size, lots.
16. Specific improvements bringing properties subdivided in one of the ways discussed above to city standards may be deferred until City services are provided. This deferment will only be granted if, as a condition of approval of such subdivisions, an obligation to bring the property to specified city standard at that time is provided as an attachment to title.
 17. Whether roads provided in new subdivisions are public or private, the layout of the roadways should support the modified grid street pattern matching up with the City road system. Use of cul-de-sacs should be minimized.

Commented [CH7]: Ensure that there is an enforceable mechanism for ensuring deferred improvements are constructed.

Purpose

This spreadsheet includes every goal and policy identified in the Mason County Comprehensive Plan to establish a new framework moving forward in the 2025 plan update.

Overall

Each element is included as a separate tab.

Policy Framework Matrix

Column A. includes the original goals with numbering (if provided) pulled straight from the Comp Plan.

Column B. includes the original policies with numbering pulled straight from the Comp Plan.

Column C. assesses whether the goal or policy identified Row A or B reads like a goal, policy, or action. Goals should be broad, policies should provide the direction of the goal, and actions achieve both the goal/policy

Column D. includes notes on the goal or policy to provide guidance to the San County staff in updating the framev

Topic	Number	Description	Reads like (G)oal, (P)olicy, or (A)ction	Notes/Flagged Items	Equity (does it mitigate racially disparate impacts)	Climate	Tribal
Comp Plan Chapter 3 Master Development Plan Policies							
Land Use Chapter3	Policy 1	<p>Adopt regulations to guide the location and sitting of Master Development Plans within rural and urban areas, consistent with policy direction contained throughout the Comprehensive Plan. These regulations shall:</p>	P	<p>REQUIRED GMA CHECKLIST UPDATE</p> <p>(1) Update should include policies detailing coordination between cities and county regarding UGA size, patterns of development, sustainability, and infrastructure.</p> <p>(2)Comprehensive update should detail policy regarding UGA expansion into 100 - year floodplain.</p> <p>(3) discouraging the siting of incompatible uses adjacent to airport.</p> <p>(4) Policies for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals.</p>			
	Action 1.1	Clarify that a Master Development Plan is appropriate for large contiguous areas of land under common ownership or control, with common characteristics and connectivity. Include criteria for when and where a Development Master Plan may be appropriate within rural lands and within urban growth areas.	A				
	Action 1.2	Require a Master Development Plan pursuant to RCW 36.70A.350.	A				
	Action 1.3	Require that adequate road, water, drainage, sewer and/or septic capacity exist or is planned to meet the demands of the proposed development within the Master Development Plan. Consider alternative standards for utilities and roads that address rural and urban character and utilize low impact development techniques in harmony with the unique environmental characteristics of the area.	A				
	Action 1.4	Provide transportation circulation that addresses public service and emergency response requirements and the needs of pedestrians and bicyclists.	A				
	Action 1.5	Encourage flexibility in design to promote a variety of housing types, densities, and affordability. Accommodate a mix of commercial, retail and residential uses, as well as opportunities for social and cultural expression while preserving the areas natural features. Individual lot sizes should vary in a Master Development Plan to promote a range of housing options and the preservation of unique and fragile environmental features and critical areas.	A				
	Action 1.6	Provide levels of service compatible with the project's location, development intensity and the surrounding lands uses. Proposed Master Development Plans in rural areas shall not require urban services.	A				
	Action 1.7	Allow for increased density and/or a reduction in dimensional standards within the Master Development Plan when enhanced on-site amenities are incorporated into the overall development, such as open spaces, community facilities, landscaping and buffers, recreational opportunities, and other similar amenities that benefit the community and the environment and exceed the existing minimum requirements.	A				
	Action 1.8	Include a process to allow phased development within the Master Development Plan in an orderly, coordinated, and thoughtful manner. The phasing plan for the development shall demonstrate that the various segments of the development are served by adequate public facilities and services.	A				
	Action 1.9	Promote the incorporation of LID techniques in the development and management of the area within the Master Development Plan.	A		This policy elaborated in 1.10.		
	Action 1.10	Include technical guidance on the use of LID techniques in public and private developments within the Master Development Plan. These techniques shall:	A				
	Action 1.10 - A	Preserve the site characteristics, including natural terrain, drainage patterns, soil structure, and native vegetation;	A				
	Action 1.10 - B	Preserve the natural hydrologic cycle, including vegetative rainfall interception and evapotranspiration, and groundwater infiltration and percolation to the extent the subsurface conditions permit;	A				
	Action 1.10 - C	Mimic natural rainfall capture capacity in areas of site disturbance, and ensure the protection of property and public safety in the design of overflow capacity, and	A				
				These sub-policies can be combine.			

Action 1.10 - D Incorporate measures to manage stormwater within the Master Development Plan that will enhance water quality downstream. A

Action 1.11 Require all Master Development Plans to include specific design guidelines and development standards to ensure that the proposed development promotes community identity, has a consistent theme, and is integrated and compatible with its surroundings. A

Housing Chapter 5

Comp Plan Chapter 5 Housing Policies related to Land Use

Encouraging a range of lot sizes, development densities and housing types to meet the needs of a diverse population and provide affordable housing choices for all income levels.

Land Use Objective 1

Establishing an Urban Growth Area large enough to minimize restrictions on the residential land supply that would limit access to affordable housing for numerous economic segments of the County's residents.

Objective 2

Providing for clustering, planned unit developments, and other innovative techniques which will result in a greater variety of lot sizes and housing types.

Objective 3

Providing for a new fully contained community, this is required to provide for variety of housing options for households with different incomes.

Objective 4