

MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes
October 2, 2006**

(Note audio tape (#2) dated October 2, 2006
counter (#) for exact details of discussion)

(This document is not intended to be a verbatim transcript)

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1. CALL TO ORDER

The meeting was called to order by Vice-Chair Tim Wing at 6:00 p.m.

2. ROLL CALL

Members Present: Tim Wing, Diane Edgin, Wendy Ervin, Terri Jeffreys and Jay Hupp. Bill Dewey was excused.

Staff Present: Steve Goins, Susie Ellingson, and T.J. Martin.

3. APPROVAL OF MINUTES

None.

4. NEW BUSINESS

(#0040) Terri Jeffreys offered up as an item to be added to the agenda a letter from the PAC to the WRIA 16 Planning Unit as an application to establish a non-governmental voting seat on the Planning Unit for the Planning Advisory Commissions. The letter will need to be signed by the Chair, Bill Dewey.

(#0100) Steve Goins opened up the public hearing on the Community Plan for the Allyn Urban Growth Area. The Allyn Urban Growth Area Plan (the Allyn Plan) is intended to provide goals and policies directing growth within the Allyn UGA over the next 20 years. The Allyn Plan will further Mason County Comprehensive Plan policies and provide a template for future land use decisions affecting this area.

The process for creating a community plan for Allyn was initiated by the Allyn Community Association Planning Committee between 1997 and 2002. A draft Allyn Plan was generated by this committee in October 2002, and provided guidance in the development of the Interim Zoning Regulations for the Allyn UGA, which

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was finalized in July 2004. During the past several months, DCD staff has been working with the Allyn Community Association Planning Committee (ACA Committee) to complete the Allyn Plan. DCD staff utilized a series of workshops to refine the Allyn Plan by allowing the community to articulate their vision for the future of Allyn.

The Plan is broken into 5 elements. One is the Land Use Element which addresses the location and intensity of land uses within the community. A complete description of land use designations and their implementing zone classifications can be found in this element. Also being addressed is to re-evaluate and further refine the established zoning districts, consider desired development patterns, expand on the land use policies, include implementing actions. Concerns regarding the commercially zoned areas and their potential impacts are addressed in this element.

Community Character and Design Element. This addresses community character, heritage, and social interaction. This element also contains policies what will guide the design of both commercial and residential development, along with landscaping. Also preserve historic resources, develop community gateways, promote a sense of place, encourage attractive landscaping, and establish design standards.

Natural Environment Element. This includes consideration of the natural resources found in the area. Policies contained in this element define existing resources and guide future development with consideration of onsite environmental constraints. Also being addressed are preservation of sensitive features of the natural environment, coordinating shoreline mitigation, and expand on the natural environment policies, include implementing actions.

Open Space and Parks Element. This analyzes the existing open space and recreational areas and considers opportunities to enhance the amount of open space, parks, and trails. The element also provides guidance on ways the community can expand, diversify, and maintain dedicated recreational and open space amenities. Also analyzes the existing open space and recreation areas and considered opportunities to enhance the amount of open space, parks and trails.

Public Facilities and Services Element. This addresses infrastructure and services needed to support the proposed land use growth and development. Infrastructure includes capital facilities such as roads, trails, sewage disposal, stormwater collection, and utility lines. The polices with the Allyn Plan identify the capital improvements are necessary to support the plan and discuss potential partnerships and sources for funding opportunities. This element will also consider alternatives to facilitate expansion and coordination of the domestic water systems, address right-of-way issues in lower Allyn, delineate and promote the development of a public roads system for lower Allyn, and study the feasibility of an arterial road connecting the lands west of the present Allyn UGA to the community. Consider alternative locations for a future elementary school. Establish stormwater management standards, and create a Public Facilities Plan.

The part of Allyn that most of us are familiar with is the part that we drive through on Highway 3. Most people don't see the Lakeland piece up the hill unless you've driven there or live there. The area along the road was actually platted in the 1890's. Part of the problems that have resulted in Allyn over a period of time have been as a result of the subdivision laws that were in effect at that time and how that affected the development of that area. Some of that history is woven into what we're doing now. *(Steve presented a power point presentation giving more detail regarding the proposed Allyn Plan and the elements listed above).* Steve continued on explaining the county would like to ensure that a reliable water system remains in place, particularly for commercial endeavors in the platted area. We would do that by supporting the systems that are in place there now. The wastewater system is in place now and has adequate capacity. One of the key features of the Plan would be to have policies that make sure that any future expansion or work on the system wouldn't affect fish and wildlife habitat. The county is in the process of establishing a stormwater facilities plan for Allyn. This would go a long way toward achieving these various objectives, including trying to establish some Low Impact Development standards. We would evaluate the number of off duty commissioned officers to make the level of service continue to be maintained for law enforcement, and for fire protection.

Steve discussed the 10 recommended transportation and roadway improvements in the Plan on page 74. They were discussed in the workshops and we wanted to get some public comment on how appropriate

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people thought these proposed projects were. It was a unified consensus during the workshop on how to approach the transportation problems.

There's been a lot of discussion on this and a lot of time to digest what this Plan does and doesn't do. More recently we hosted two workshops this summer. These workshops were widely noticed and Steve passed out the notice that were literally given out to hundred of people. Steve indicated he thought they were fairly well attended and there were a lot of comments and participation. The second of those workshops was held on August 29th. This version of the document was made available prior to the workshops and there's been two revisions to this. The version you have today addressed the comments from the second workshop and the subsequent comments that came in. There are a number of people here to speak on this particular item.

(#1240) Jay Hupp stated there is a lot of emphasis on maintaining the view of the water on the shoreline yet as it reads you are allowed to build buildings 25 feet in height on the east side of the highway. He inquired how that 25 foot height preserves that view of the waterfront.

(#1255) Steve Goins responded that there are two ways it does that. He indicated the area along the shoreline is where those 25 foot maximum height are in place, which is the flat line along the water. It rises up from a topographic standpoint so by the time you get back up a couple of hundred feet, you're looking over the top of the buildings that are there now. As you get further up, there's less and less problems with that. The other feature that the plan is moving forward with is the size of these buildings and having view corridors between them. There's also limits on how large a building is and making sure there is adequate space between buildings so you create those view corridors.

(#1300) Tim Wing opened up the public comment portion of the hearing.

(#1325) Jeff Carey, President of the ACA, testified first. He stated that it has been a process. There's about 13 or 14 committees that make up the ACA and about 210 members. This is just one of the many projects that goes on in that community. Over half of the members that started this committee are still with the committee after 9 ½ years. We brought this document before our board to review it as well as our general membership. We've taken a lot of painstaking effort to take issues like changing the CM to the BP district. Jeff stated that with all the issues involved, the ACA has done very well at trying to address community needs and work with the committee throughout the process. Jeff asked the PAC to adopt the Plan.

(#1400) Rob Drexler of Allyn testified next, representing the Mason County Association of Realtors. He stated he wanted to applaud Steve's group and the Allyn group for working so hard on this. He stated this was a process that really had the public input. They worked on that aspect of it. Rob urged the PAC to go ahead and recommend adoption of the Plan to the BOCC.

(#1460) Jeanette Moore of the Allyn Community Association spoke next. She stated that Steve gave a very comprehensive overview of the Plan, including it's history. We were asked in 1997 by the BOCC to take this project on because the sewers were going to come on line and we knew that we were going to be facing growth and thought we should give it some direction. First we worked on the vision statement. We looked at assets and deficits of the community. We have a wonderful natural environment. Lakeland Village is a tremendous built asset along with the golf course. The Port of Allyn's waterfront park is wonderful. Because of the peculiarities of the 1889 plat of Allyn we do have undeveloped land in lower Allyn. Jeanette also emphasized the community input. In the North Bay Review we always published the time and place of our planning committee meetings to encourage community and public input. The reason you don't see a lot of controversy here is that we tried very hard to work out all those issues that came up within our own community. Jeanette stated that she hoped the PAC would recommend passage of the Plan to the BOCC.

(#1675) Matt Matayoshi of the Economic Development Council of Mason County spoke next. Matt stated that he had an opportunity to participate in a couple of meetings with the Allyn group and was impressed with the level of community involvement that this Plan reflects. He stated that he's seen more people participating in this planning process than we've seen at city or county meetings. There are a few things that could be tweaked but that's part of comprehensive planning that we can come back and review this periodically. Matt stated that it's a good solid plan and it's realistic. It lays out the need for infrastructure project such as transportation and addresses some real needs that are there today and how to resolve them. Matt commended Steve Goins of the planning staff for his work on this plan as well as the ACA planning

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group.

(#1700) Tim Wing closed the public input portion of the hearing. Tim inquired about the changes in the plan that changes some areas from heavier industrial use to lesser industrial use and what is the county doing to make sure there is some place in the north end of the county for the kind of industry that those people in Allyn didn't want near their residences.

(#1750) Steve Goins responded that the county is going to use a document that the EDC helped prepare. Earlier this year we were given an analysis of our industrial lands for the purpose of determining how adequate they are, what types of facilities countywide people are looking for, and how well do we meet that need. The report found that there is a need that we're not meeting and there's a number of reasons for that. Some of the need is a result of not having the infrastructure in place to allow development to occur in a timely manner. Some of it is the inappropriate size of industrial areas in the county. In Allyn there's a limited amount of space that's real flat to develop. That's rather unique to Allyn but probably more acute than you'd find in other areas. The geographic nature of Allyn doesn't lend itself to these large flat areas for industrial developments. There are more appropriate locations for that type of development here in Shelton. There's land that is zoned for the type of use in Belfair but we're looking at how ensure that over time we meet the needs that are being projected for the county. As we look at the plan and seeing what's working or not working we can modify the plan to readdress that issue.

(#1850) Tim Wing inquired about sidewalks and the roads that are being talked about and planned for.

(#1885) Steve Goins responded that there is a lot of interest in having sidewalks in the commercial core area. Steve anticipates that our design standards will include road sections that have sidewalks for that area. Steve continued on stating that it's not likely that we would propose sidewalks in the Lakeland Village area. They really want to see trails integrated into that area.

(#1925) Tim Wing suggested that we work tightly with the engineering group who is planning those roads because there are about 90 new homes that are going in along Wheelwright and will be the closest homes to the core businesses.

(#1955) Diane Edgin inquired about Jerry Cheek's comment regarding realigning Highway 3.

(#1975) Jeanette Moore responded that they had a meeting with the DOT people about 3 weeks ago in Olympia and we made it very clear we were not interested in a 3-lane state highway through Allyn; that would destroy the town. We are also encouraging DOT to consider putting a sidewalk at least on one side on Highway 3 on the water side, to the extent there's a way to get financing for that. We would certainly want a sidewalk from Highway 3 down to the dock. We want children to be able to have mobility in Allyn and that requires separation of roads and the pedestrian. We are looking for those kinds of amenities.

(#2020) Steve Goins added that Mr. Cheek is advocating a road network that would change the current configuration to use Wheelwright as a thoroughfare and eventually cut back to the highway at Sherwood Creek. That would require acquiring a lot of right-of-way that currently is in private ownership.

(#2080) Terri Jeffreys inquired about the 3 overlay districts and where they would overlay. She inquired if they would be in the Development Regulations.

(#2120) Steve Goins stated they are addressed in the regulations. One of those isn't yet established formally. We would be creating a landscaping and view corridor overlay zone that would be primarily the areas of high visibility. The development regulations will need to be modified.

(#2275) Tim Wing stated that we need to move right into the idea of coming up with an alternative way for traffic to get through Allyn. As we all know getting an alternative way to get around a town takes a long time. The county needs to get moving on this.

(#2300) Miscellaneous discussion of possible road networking in Allyn.

(#2500) Jay Hupp stated that this is an absolutely sterling piece of work. The people have given their energy

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to bring this forward and they should be commended. Jay further stated that it's the epitome of what a public process should be in order to bring forth a plan that the people are going to live under are comfortable with. Jay Hupp made a motion to pass it on to the BOCC.

(#2550) Terri Jeffreys seconded the motion.

(#2580) Tim Wing asked for any more discussion. There was none so the vote was called for. The motion passed. We will now continue the discussion on the Master Development Plan Regulations. The public comment period is closed.

(#2650) Steve Goins opened up the hearing on Master Development Plan Regulations. This is the third public hearing on this particular item. The public testimony portion has been closed. We held two previous hearings where there was public testimony and there were also written comments submitted responding to each subsequent revision. You have 3 additional comment letters that were submitted that are part of your packet. There were 3 particular items that you gave us direction to address on this revision. Staff has made some recommendations pertaining to density bonus incentives. Staff also made a recommendation pertaining to allowing critical areas to be a part of the common open space for developments within UGA's. Staff made a non recommendation regarding the threshold of projects. In the staff report I provided examples of how other jurisdictions have dealt with this. It's a little confusing because some of the regulations were dealing with Planned Residential Development regulations and some were dealing with Master Plan Regulations which are two different animals. Master Plans are larger developments that occur over a long period of time that usually have a significant infrastructure component to them. They take a lot of investment and are developed over multiple phases. Planned Developments are typically smaller projects which are for the most part solely residential that allow deviations from the standards typically in exchange for some open space or other type of amenity. They're usually developed in one or two phases. Some of the regulations in other jurisdictions treated them very similarly. With the exception of Kitsap County, all of these jurisdictions offered some form of density incentive. We thought that the Pierce County example was one that might be best suited for us and worked well and easy to regulate. It allowed 1 unit per acre increased density for each 5% increase in open space. For example, if you had a 200 acre MDP that the underlying zoning allowed 5 units per acre, you'd be allowed 1000 units. If you added 5% open space beyond the open space that is required you could develop 1200 units. Staff's feeling was that a well designed MDP could integrate an additional 200 units without the community feeling a whole lot different and provide an opportunity for a more affordable component just by allowing higher density to occur. The bonus is based in part on the allowed density of the underlying zones.

We tried to address the question of how do you address the density in these mixed use zones where there was no density criteria in place. On page 4 under (B) that paragraph has been rewritten to address that. Part of that was including the revisions suggested by Mr. Clayton in his comment letter where it says that the maximum density of a project is the sum of the maximum densities of the underlying parcels at the time of the MDP application, except for the provisions that address bonus density. The second portion addresses the ambiguous density that exists right now in the mixed use areas. Staff has approached this in a similar fashion that other jurisdictions have approached this type of problem. We identified two areas where there is no set density criteria in the zoning code. The mixed use designation in Belfair doesn't have a density cap nor does the Village Commercial designation in the Allyn area. So we essentially assigned one. If you propose a MDP that includes these areas, you will have a density range from between 3 to 15 units per acre. We would allow the developer to customize their project to fit whatever density within that range they want.

Regarding the open space and the critical areas, the recommendation was to allow 20% of the common area in the UGA to be within the critical area, with a total of 40% of the common open space being buffers and critical areas. We thought that was a good threshold as we wanted the majority of that common open space to actually be functional.

The last item was the threshold for these project areas. This has been discussed in the past at previous hearings. Staff's position was that these are typically large projects and a better tool to allow smaller projects to move forward is Planned Residential Regulations and not this MDP process. Our recommendation is to leave the threshold at 60 acres, but if you want to reduce it to 40 acres, staff is comfortable with that and we would support that.

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(#3350) Terri Jeffreys stated that Steve had pointed out a change on page 4 and inquired if that is the only change in the actual ordinance from what we had reviewed previous to that.

(#3375) Steve Goins responded that the other changes are addressed in the staff report and there were some changes and some things left alone. We did make some changes based on comments that were received.

(#3440) Tim Wing started the discussion and asked the PAC for any comments or discussion.

(#3550) There was a discussion about using the rural area criteria for rezones in the UGA and it was suggested that it be reviewed in 2007 to propose criteria for rezones in UGA's specifically.

(#0100) Tim Wing inquired if there were any specific comments regarding the bonus density section.

(#0130) Terri Jeffreys commented that it is very creative and that they were really good.

(#0140) Steve Goins responded that it's a similar approach that Pierce County took.

(#0145) Tim Wing commented that it appears there is some flexibility built in with some guidance for design of the development. Tim Wing inquired if the PAC was in favor of the changes in general.

(#0175) Terri Jeffreys stated she would like to see consideration in decreasing the threshold to 40 acres in the UGA to be eligible for a MDP.

(#0180) Steve Goins responded that our initial draft that was reviewed in the first hearing, the threshold was 100 acres for UGA's. There were a couple of comments that this was too high. The Board of Realtors commented on this as part of the second hearing. Staff, in this draft, has reduced that to 60 acres in the UGA's. There was some consideration to reduce that to 40 acres, but the thought was that you're reaching a point where perhaps a better tool is Planned Development Regulations for projects that size. This is a rather onerous process and it takes a lot of effort from the applicant's side and staff's side. On the other hand, it's completely at the option of the applicant if they want to use this process or not. We are okay with 40 acres, but we do have some reservations about it. We just don't want someone to get half way through this process and say it really more costly and time consuming than I thought and just pull the plug and then they've wasted money and we've wasted time. The threshold in the rural area is 250 and we're not recommending that be changed.

(#0265) Tim Wing stated that what is being considered is the staff recommended changes and also the recommendation from Terri to change the threshold in the UGA to 40 acres.

(#0275) Terri Jeffreys made a motion that we accept the final draft before us with the amendments recommended in the staff report included into the final draft and we decrease the minimum threshold acreage in the UGA's to 40 acres.

(#0285) Jay Hupp seconded the motion.

(#0300) Tim Wing called for any further discussion and then he called for the question. Motion passes. The third item on the agenda, Critical Areas Ordinance pertaining to wetlands, will be continued until October 30th. Tim stated that we would extend the period for public comment, written only, until that October 16th.

(#0335) Jay Hupp re-emphasized his feelings towards the process that's going on with the update of the CAO. Jay reiterated that the Allyn process was the epitome of what is an open and public process, he says that what's going on with the CAO process this year is the epitome of what should not be going on as far as the public process. He stated he has voiced an objection to this when it first came up last year and it has developed into a lot of community discomfort with what's going on. This body has a responsibility to do whatever it can do to make that a more proper public process. Not only the force that's been put on the decisions to move forward with the details of how we are recommending changes to the CAO, the force that's come from outside this community, the briefings we've had, we absolute non-evaluation or appreciation of the responsibility to balance those elements with the GMA that are demanded. We see it even more with the

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most recent feedback from DOE, which Jay reads quite frankly as a threat. Jay says he is uncomfortable with us swallowing that and passing it on to the BOCC as if we've exercised our minds through the proper balancing of the 14 elements of the GMA.

(#0400) Tim Wing asked Jay if he was comfortable with the schedule to address this proposal.

(#0435) Jay Hupp stated he's not sure he is, but he feels he's the only one objecting to this issue right now.

(#0440) Diane Edgin stated that no matter how many times you advertise things and there's a website for people to go to a look it up, what can you do to bring them in.

(#0450) Jay Hupp stated that one of the problems is the way it's advertised. There has to be more than a legal notice in the Journal.

(#0480) Wendy Ervin stated that the Wetlands and the Fish and Wildlife are the largest arena for what amounts to takings that we deal with.

(#0485) Terri Jeffreys stated that we need to consider the local circumstances and how these proposed revisions will affect our planning efforts to date. How much land is affected, how much land will possibly be taken out of availability to build, and will that be replaced in other places. There needs to be some kind of analysis. Terri stated that there are a lot of documents on the disks that we were given for a reason, and that was to put into the public record everything out there that is also considered BAS. Whether or not it was approved and reviewed by DOE doesn't necessarily mean it can fall under BAS. There's a lot of documentation on the disks and it's purposeful so that it is in the record so that any future consideration will have to be closed record consideration. These are the things that were not brought to us as a body by staff or the consultants as alternate ways to address CAO protections.

(#0550) Wendy Ervin stated that thoughts have flooded through her mind over the last couple of weeks dealing with things like the Skok River and she added that in a lot of what you read there's this base implication that the Native Americans have a higher standard of stewardship for the environment than does anyone else. This is something of an emotional thing that permeates much of what we're given to read. She further stated that she drives through that higher standard every day on her way home and she sees piles of garbage, trailers with plastic tarps over them, and when they're improving something it's because they put a bigger tarp on it. This is the example I drive through of their stewardship of the environment so I don't trust that they know best what to do with the Skok River. Yet when you're reading this, they have this big stake and they have this higher purpose, etc., and this all seems to be shoved under the same carpet with BAS and she doesn't see the examples in front of her. BAS said that after Mount St. Helens blew that river was going to be barren forever, but two years later the salmon are making it up the river. I agree with Jay when he said it needs to be looked at a lot harder.

(#0655) Tim Wing inquired about the process and if we are up against a deadline to complete this.

(#0660) Steve Goins responded that we are up against a deadline with the state. They're mandating us to adopt our CAO by December 1st.

(#0666) Jay Hupp inquired what would happen if we didn't meet the deadline.

(#0670) Steve Goins responded that we would be deemed out of compliance.

(#0675) Jay Hupp inquired if we were flat deemed out of compliance even if we asked for an extension.

(#0680) Steve Goins stated there was some consideration of that in 2005 when this new schedule was established. A lot of jurisdictions were having trouble meeting their deadlines then and they essentially gave us another year to do this. Steve continued on stating that his understanding was that they felt that was the extension given to us.

(#0700) Tim Wing stated that he's hearing pretty strong concerns with this board and at a minimum we should

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ask you to sit down with Emmett and discuss the BAS issue and alternatives to that and what kind of presentations we could have about that, and also discuss better ways to give opportunity to the public for input and discussion. We need to know what options we have as a county and what options this board has in terms of making the final decisions on this issue.

(#0735) Steve Goins stated that he would attempt to get with Bob and Emmett to try to develop a strategy to address your concerns that we could bring back before you at our next meeting on the 16th.

(#0750) Jay Hupp stated that we're not comfortable with moving ahead without doing more than just reading what is put in front of us and passing it on. We'd like to know what the alternatives are and what the ramifications.

(#0795) Terri Jeffreys added that she is very disappointed with the consultants and she feels like the PAC was not given very much option or alternatives. It was a very boilerplate presentation.

(#0805) Tim Wing stated that he does see elements of it that does offer more flexibility. There are places in here that you don't have to have as much of a buffer as you did under the old rules. It's important that we seek other public input. It's not all negative land taking.

(#0900) Terri Jeffreys ended the meeting with an additional agenda item. She stated that a few meetings back she had asked the PAC to consider requesting that the WRIA 16 Watershed Planning Unit allow the PAC to be represented on the planning unit. Terri also volunteered to be the member that would sit on that planning unit. You agreed and allowed me to draft a letter. I have a draft here tonight for you to review. She inquired if the PAC should be requesting that the BOCC ask the Planning Unit to make this consideration or should this go straight from the PAC to the Planning Unit. Susie will inquire as to what the correct process is and she is now just looking for approval of the basic content of the letter.

(#0950) The PAC agreed that the content of the letter seems fine. There was a motion made, seconded and passed that the PAC endorse the content of the letter and send it to the appropriate parties involved.

(1000) There was a discussion regarding the upcoming PAC schedule and Wendy Ervin inquired when the Washington Home Center matter coming back. She stated the decision that came out of that meeting was to get together with the county and bring it back to us on November 6th.

(#1050) Steve Goins pointed out that the December 4th meeting has a pretty light agenda at this point and the purpose of that is that we're anticipating that there may be items that get continued so we left that as a placeholder, and that might be the date that issue is brought back.

Meeting adjourned.