

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes
March 19, 2007

(Note audio tape (#2) dated March 19, 2007
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 Chair Bill Dewey at 6:00 p.m.

2. ROLL CALL

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

Staff Present: Bob Fink and Allan Borden.

3. APPROVAL OF MINUTES

The minutes from the January 8, 2007, January 22, 2007, and February 12, 2007 meetings were approved as presented with the following requested changes:

January 22, 2007:

On page 9 under (#0265) it should read: "I think this would just exacerbate it".

February 22, 2007:

On page 3 under (#0630) it should read: "If the Tribe says 'we shave the authority', then the county no longer has the authority, but if the Tribe says 'we will coordinate with you and whatever recommendation there is we want to have input on it' ".

4. NEW BUSINESS

(#0115) Bill Dewey opened the public hearing stating there are two items on the agenda this evening. One is the continuation of the Gary Gribble rezone request and, as the February 12th minutes reflected, the public comment portion of the hearing has been closed. So we are here tonight just to deliberate the testimony to date. We also have a public hearing for consideration of an amendment to the county development regulations regarding the Rural Commercial 3 zoning.

(#0160) Terri Jeffreys stated that she is recusing herself from the deliberation on the Gary Gribble rezone request.

(#0175) Allan Borden summarized that this property is located in the vicinity of Potlatch on Highway 101. It's a 6.82 acre parcel and the request is to rezone the parcel from Rural Residential 5 to Rural Tourist Campground zone. The property is located just south of the Tacoma Power Electric Station on the west side of Highway 101. There is a mix of residential and commercial development to the south. Under this zone to Rural Tourist Campground, lodging facilities such as RV parks and campgrounds are allowed and some of the accessory uses, once that type of facility is established, would be self storage and some retail as accessory uses. There are some limitations on the zone that deal with floor area ratio, there are critical areas present, there is seepage that is of concern on the property that would have to be dealt with if the property is subsequently developed. One of the issues that came up in the previous hearings had to do with the fact that this property is located within the Skokomish Tribal Reservation. The question from several of the PAC members was does the county have authority to proceed with reviewing development and even reviewing rezone requests? I spoke with Mr. Gribble and he bought the property in 2005 and I brought this information to T.J. Martin, our deputy prosecuting attorney, and on his initiative he went to the title insurance company and traced the history of the ownership of this property. The memo I sent you summarizes the findings. Mr. Martin has concluded that the property, from it's 1911 grant from the US General Lands Office, has never been subject to Indian Tribal Real Estate Laws, including the Tribal Trust Land Law. Mr. Gribble is the current fee simple owner of this property. Mr. Martin also strongly urges that Mason County should consult with the Skokomish Tribe on any review or evaluation of land uses on this property.

(#0360) Jay Hupp inquired of Bob or Allan what was the consultation involved with the Skokomish Tribe and the original setting up of zoning out there.

(#0375) Bob Fink responded it was a process done over several years. Legal interpretations have changed over time and the original presumption was that the county did not have authority to zone within the Tribal boundaries based on court cases. The county believes it has authority for land use controls and other controls on land that's not owned by the Tribe or Tribal members, even though it may be within the reservation.

(#0400) Jay Hupp noted it's fairly clear that the county has the authority to zone fee simple land whether it's inside or outside the reservation. My question is what was the consultation or the cooperative or not cooperative environment around the decision to zone properties inside the confines of the reservation when we first did it?

(#0420) Bob Fink explained this is the first time the county has attempted to rezone land intentionally within the Tribal boundary.

(#0425) Jay Hupp continued on by inquiring what was the discussion, if any, between the county and the Tribe when it was first zoned in 1996 or before.

(#0430) Bob Fink stated he could not answer that question.

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(#0435) Bill Dewey inquired of Allan if the staff report indicated that if there was an RV park put on this property are there limitations on the length of time people can stay there. He also inquired if this could become a residential park.

(#0450) Allan Borden explained the current regulations for RTC say that the owner of the operation of the park has to keep records and that there is 120-day residency limitation at the site.

(#0475) Wendy Ervin inquired if there are Tribal reservation properties zoned or is that just county properties that are zoned.

(#0500) Allan Borden responded he is not aware that any of the properties in the vicinity are actually recognized as trust land.

(#0520) Bill Dewey inquired about the easement from City of Tacoma and if there are any restrictions in it.

(#0535) Allan Borden stated that in other power line right of ways they do not allow any improvements and any trees greater than 10 feet in height. Tacoma Public Utilities would have to review it to make sure they continue to have access to maintain their power lines.

(#0600) Bill Dewey noted that in the minutes someone had testified with concern about potential encroachment on their well. That was in regards to the 100 foot radius.

(#0635) Allan Borden responded that would have to be evaluated at the time of the proposal.

(#0660) Bill Dewey inquired about the impacts to traffic on the highway. Some of the testimony also talks about a blind curve at the parcel.

(#0675) Allan Borden explained the road does curve slightly but there's just a lot of activity there and adding another access there would mean even more activity.

(#0700) Tim Wing stated that many of the issues and concerns that have been raised and many of them will be dealt with by the regulations. As an example, if they want to put this in and bring more traffic onto this highway, DOT will analyze that and if they decide there's too much traffic there already, they may tell them to put in turn lanes. There are other issues like the protection of the well radius, stormwater, septic systems, they would have to pass each of those tests in a way that protects the environment.

(#0725) In order to get the discussion moving, Tim Wing made a motion to accept the proposed rezone request change from RR 5 to RTC.

(#0750) Jay Hupp seconded the motion with an amendment that the BOCC not proceed with a decision until they have adequately discussed the issues with the Tribe.

(#0785) Tim Wing accepted the amendment to the motion.

(#0800) Jay Hupp added his intent with the friendly amendment to the motion was to make sure the BOCC have the discussion with the Tribe.

(#0815) Wendy Ervin referred to the February 12th minutes where Clifford Brecht testified that he wanted to buy this parcel but was told there were wetlands on it. The lower half was so deep we couldn't walk on it. I don't know what he meant by that, was it deep water or deep

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undergrowth? He further testified he gave up on the idea because it was going to cost a lot of money and effort just to put in one septic tank that works. The application says there are no wetlands. That's in direct conflict with what the application says.

(#0875) Clifford Brecht, who was in the audience, added that when they walked the property, you couldn't walk in it without going knee deep in mud and sod, which is that first half, right where the septic tank is proposed. Staff says that it isn't that wet; I insist that it is. Clifford inquired how they determined that. Before this is rezoned, I think a sanitation engineer should do an investigation.

(#0925) Gary Gribble stated that even before he bought the property he investigated the county records to see if the professionals have checked it to establish it to see if there is any designated wetlands, and there is not.

(#1000) Bill Dewey noted the staff reports says there is no seasonal drainage, although ground seepage is visible at the southern side of the property.

(#1010) Allan Borden stated that is correct.

(#1040) Tim Wing noted the PAC needs to balance a couple of issues. One, is do you establish a different zoning so that if this gentleman can pass all the rigorous tests and he can proceed, and to pass them will cost quite a bit of money. Or, two, do you ask him to pass all those rigorous tests and not even know whether he's going to be able to get the rezone. This group is not in a position to judge, in my opinion, whether or not that property can be protected environmentally.

(#1080) Bill Dewey inquired if there has been a wetlands assessment done on this property.

(#1100) Allan Borden responded that a wetlands assessment has not been done on this property but in the environmental review portion of the staff report it notes that the soils lower down and the ones on the upper side have either very good drainage or excessive drainage, which means water will go through the soil profile moderate to great. Stormwater management also needs to be taken into consideration.

(#1125) Bill Dewey reiterated if there is a wetland on the property, he has concerns with Criteria #6 and that it would go against the GMA goal to encourage retention of open space, to conserve fish and wildlife habitat, and generally to protect the environment, including air and water quality.

(#1145) Tim Wing stated he doesn't disagree with Bill but that hasn't been done. They've walked it; it's not on the books as a wetland and there has to be some kind of an analysis done, and the question we face is do you deny someone the right to try or say we're not going to let you do this because maybe there's a wetland.

(#1165) PAC was in agreement with Tim's statement.

(#1170) Wendy Ervin made an observation regarding the slope and that the drainfield would be on the upslope.

(#1200) Bill Dewey noted that while staff makes some arguments that there are comparable uses in the near vicinity, if you look at the zoning map it shows long term commercial forest to the west, RR 5 to the north, RR 5 to the southwest, RC 1 on the southeast, and RR 5 across the street. It seems like it's predominately surrounded by other RR 5's. I'm specifically speaking to rezone Criteria #2 where it says the zone designation shall be consistent with the Mason County Comprehensive Plan, Development Regulations, and other county ordinances, and with the GMA. I'm mostly focused on

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the statement where it says that the designation shall match the characteristics of the area to be rezoned better than any other zone designation. You do have some other activities in the vicinity, but not adjacent to it. You have strictly residential all around this parcel.

(#1250) Wendy Ervin commented that that this large area that is the Tacoma Public Utilities, the fact that it is zoned RR 5 is rather academic because they're not going to parcel off 5 acre lots and put houses in that. That's utilities property and it's not going to be residential. That takes that entirely out of the picture of who is zoned what.

(#1300) Jay Hupp stated with all that as consideration, the predominate surrounding property is certainly residential, but on the other hand, you have a US Highway that runs right through the middle of this and if there's any commercial development that would make sense, it makes sense along the highway.

(#1340) Wendy Ervin noted the staff report states he wants to develop nearer to the road and then it says the upper area shall remain natural and untouched. Somebody else said something about the old growth timber and he's not suggesting do anything to the old growth timber.

(#1375) Diane Edgin stated that Highway 101 is a designated scenic highway and there really isn't that many places to stay out there. What RV parks there are, some of them are membership type campgrounds and not available to the general public. There aren't that many places that are close to water access so that's a plus for it. All the hoops he has to jump through are out of our jurisdiction as to what we do. My biggest concern is for the canal itself, which is a bigger problem than we're ever going to solve right here. Because of the water quality issues alone, if they decide to grant him the right to put this in here, he's probably going to meet some of the toughest water requirements that will ever come down.

(#1420) Dennis Pickard noted that proposed application is for probably about as intense development as would be feasible under the proposed zoning change. So the proposed zoning gives some options for a less intensive development if all of the other issues we've been talking about are hurdles that can't be overcome because of site conditions and other restrictions. So there are some less intensive options but no more intensive options that would be applicable under the zone.

(#1475) Wendy Ervin noted that he's giving a lot of extra space to the individual RV spaces with them being 2000 sf instead of the required 1000 sf so there will be enough room to separate each space with landscaping.

(#1500) Tim Wing stated he has concerns and inquired about the proposed density, and if we change the zoning, is he locked into that.

(#1525) Allan Borden responded he has to meet the Mobile Home and RV Park Ordinance standards on spaces and buffers. He could, however, deviate from this particular plan.

(#1535) Tim Wing inquired if there's a requirement for him to keep the old growth timber.

(#1545) Gary Gribble explained that's not really an issue at this time. It was classified as timberland and I was able to cut that whole property and I paid to have that removed so it's not timberland anymore. I can't do that. There is no old growth timber on that land. I had the property surveyed by a professional logger and even DNR said there's no old growth timber.

(#1585) Tim Wing stated he wants everyone here in the group as well as the public to know that you're not obligated to go with only this much density.

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(#1600) Gary Gribble responded he doesn't think it's fair to try to speak as an example of fact of old growth, or wetlands, when there is nothing there. If I can't trust Mason County with their experts, who can I trust? I did a feasibility study on this before I even bought it. It's not fair to start pulling things out of the air that aren't established by government regulations.

(#1630) Tim Wing added it's also not fair to say in our meeting here that there's a plan to leave the old growth timber. We're all assuming amongst ourselves that there's old growth timber and that it's going to stay there. That's not part of what we're doing here. The changing of the zoning would not necessarily protect that. I know that if you did not have that in long term forestry and you wanted to do logging there, you would have to get some kind of approval from Mason County and that is one more hurdle that would protect the environment. I think you should be given an opportunity to go through those hurdles.

(#1670) Gary Gribble stated his whole purpose for this is that there is a boat launch right across the street. That gets filled up and people park on Highway 101. The reason I made them 2000 sf is that I want people to comfortably be able to park their RV and their boat trailer right next to it and not have to leave it down the road or make a traffic congestion on 101.

(#1700) Bill Dewey stated that we need to limit what's coming from the audience. We need to keep clarification specific to prior testimony and we're getting beyond that now. We need to keep our discussion specific to the motion on the floor.

(#1710) Tim Wing inquired if we pass this can we say to the BOCC that special attention must be paid to environmental protection on this project.

(#1725) Allan Borden responded you can't condition your review. I've tried to include in the staff report that there are conditions on site that require careful review and evaluation depending on what the proposal is.

(#1735) Wendy Ervin noted in terms of this forested area in the back, it appears to me that if this is RR 5, or whether it's tourist, the condition of the forest are the same that he can only cut down the same number of trees either way. It doesn't affect that at all.

(#1760) Tim Wing also noted that with many of the applications and permits that he would have to get that people in the area would be aware of those applications and would have an opportunity to speak about them.

(#1780) Allan Borden responded that is correct. If you approve the rezone, a proposed RV park would require the RV park / campground permit and it's a public review process. Surrounding property owners would be notified, notices in the paper, notices posted onsite, and heard by the county Hearings Examiner. He evaluates the proposal and can even put conditions of approval on that proposal.

(#1800) Bill Dewey noted there is a motion on the table to accept staff's recommendations for approval of the rezone from RR 5 to RTC, along with the amendment that the BOCC coordinate with the Tribe.

(#1820) Jay Hupp stated his point is that there needs to be specific intent for a government to government communication on this issue. Whether we like that or not, it's the real world.

(#1830) Bill Dewey called for further discussion on the motion. The vote was called for and the motion passed to rezone the Gary Gribble property from RR 5 to RTC. Our second public hearing is consideration of an amendment to the county development regulations regarding Rural

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Commercial 3 zoning. Let the record show that Terri Jeffreys has rejoined the PAC for this hearing. (#1900) Bob Fink, Planning Manager with the Department of Community Development, opened this hearing. The proposal would be to provide a new process to have buildings larger than 7,500 sf in the RAC's, particularly in Hoodspout and Union. This issue came up during a project review for a grocery store, but is not intended to be specific for that proposal. What that project did show us was that there's no current provision for allowing larger buildings for commercial purposes except for the variance procedure, which would be difficult for a property owner to pursue. The primary interest that we identified in this situation would be to preserve the rural and community character of the area. It's largely an aesthetic issue. The change that this would allow, after public review, essentially doesn't allow more square footage on the property; the floor area ratio is the same. What this provision would allow you to do is have a larger building on the site, rather than limit it with a cap of 7,500 sf. The reason for retaining the bulk of these areas is to try to preserve that rural character. The proposal as an alternative does affect the design of what that structure is to try to reduce the visual impact of a larger structure by breaking up the facade or turning the facade away from public view. There are a number of options that would be possible in the design and layout of the building. It would go through a public review to make sure it was done in a way that was reasonable and this would allow for a larger building when one is needed based on the provision of these services to the market area of the rural population and the tourists that come to the area.

(#2020) Terri Jeffreys inquired about the tourist in the area and in the proposed language there was no mention of tourist population being a part of that market and is that just an assumption.

(#2050) Bob Fink responded if you look at the language it says it's principally the surrounding rural area. I think it would just be a matter of clarification if you feel that adding it would be beneficial.

(#2065) Bill Dewey inquired about how many instances there would be where you're likely to have businesses exceeding the square footage.

(#2080) Bob Fink responded that we don't know how often this might come forward. The figure of 7,500 sf is a relatively small size for a commercial structure. This is the first proposal we've had like this. There is a reason for the limit which is discussed in the information packet you have before you. There are also reasons why you may want to have larger buildings. It is also discussed that there are probably not a lot of areas in Hoodspout or Union that are large enough lots for these structures.

(#2150) Wendy Ervin noted this is limited to Hoodspout and Union. She inquired about the likelihood that down the road that somebody is going to ask to have this extended to some other RAC.

(#2160) Bob Fink responded the only other RAC's are the two Taylor Town RAC's. It is addressed in the staff report why we wouldn't include it at this time. There are issues with access and there's a lot more potential there. The market you reach on 101 between Shelton and Olympia is different than the 101 corridor that's north of Hoodspout. I don't know that this couldn't be allowed at some point in the future in Taylor Town, because there is a large amount of review we would need to give it and the amount of public comment and planning for it, as well as the issues regarding the Lynch Road access.

(#2200) Jay Hupp acknowledged that we do have to recognize that in Taylor Town north there's a 12,000 sf building and in Taylor Town south, just outside the RAC, there's a 20,000 sf building recently built and if it's visual rural character you're trying to preserve, the visual rural character of Taylor Town south is Taylor Shellfish. It makes sense to me if you're going to extend this to Hoodspout and Union it would include Taylor Town, both north and south.

(#2250) Bill Dewey inquired of Bob to explain the difference as far as an applicants process.

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(#2265) Bob Fink explained that both require advertisement and public hearing. Both go to the Hearings Examiner for consideration. The primary difference is the criteria that you have to meet for a variance process versus a special use permit process. The critical difference in the criteria is for a variance to be approved you have to show that you don't have reasonable use of the property if you don't receive the variance. That may be a difficult test for someone to achieve. Hypothetically you'd have to argue that this is the only appropriate site for this business and this business has to be this big or else it can't operate. It's a much tougher test than under the special use permit.

(#2350) Bill Dewey opened the public testimony portion of the hearing.

(#2375) Mike Purvis testified first. He stated he is the individual who wants to build a store in Hoodspport. You mentioned you have buildings in Taylor Town that are bigger than this, but we have buildings in Hoodspport that are bigger than this, too. That in itself seems strange that we are even discussing this at this point. We also have a town that's had a grocery store clear back into the 1800's, and the grocery market has changed so much that you can no longer operate a 4,000 sf store and get supplies. We, the Hoodspport community, would like to have a store in our community. Also, you mention criteria #6. This building we want to build is so ecologically good for the community, it has a 250 foot bioswale in front of it where we now have a huge water issue. DOT has sent in a letter saying they would like to see this happen. The Tribe would like to see this happen. The Port is for it. Mason County Planning seems to be for it. We've got huge distances from our town to other towns. We will save on gasoline and save on air. Our heating and lighting will be extremely ecological. When you talk about size, I had people run studies for me and they said 4 sf per person is what you usually size a store for. I talked with someone from United Groceries and they said a store under 12,000 sf anywhere will fail. My biggest issue is that we really need to preserve these little towns that have so much history.

(#2500) Jay Hupp inquired where the location of the store would be.

(#2530) Mike Purvis stated it's right next to the present store. We bought an old rundown gas station and a rundown restaurant. *(Mike Purvis shows location on map).*

(#2600) Matt Matayoshi, Executive Director of the Economic Development Council of Mason County, spoke next. The grocery store you just heard Mike Purvis explain a little bit about is one issue that has come forward that is the catalyst for this whole discussion. I also think we will see other projects come forward. The RAC's are set up to serve that community that they are located in, and in this case, in and around the Hoodspport RAC there are approximately 4,000 people. Above Hoodspport at Lake Cushman there are 3,000 residential lots, which is more lots than the City of Shelton has. In order for those people to travel to find a minimal grocery store, or a grocery store of any size, they have to travel a minimum of 17 miles and then up to 80 miles round trip. The opportunity to develop within Hoodspport to increase this square footage to provide services for the people of Hoodspport and to promote tourism opportunities requires that we increase the square footage to historical sizes where buildings of this size were allowed at one point. When you look at building sizes, 15,000 or 20,000 sf is really not that large. As there's a need for basic services, you may see an opportunity for a commercial center within Hoodspport and without a consideration for these limitations, these projects won't occur.

(#2775) Grant Foster, architect for the store project, testified next. Regarding building size, 7,500 sf sounds like a large building but most of you that live in a 2,000 sf house and have a 1,000 sf garage attached to it, you probably have a 3,000 sf structure. We routinely design 5,000 sf houses and we're working on a 9,000 sf house right now. Regarding the variance process, county staff let us know in no uncertain terms that if we applied for a variance, it would not pass. The zoning

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ordinance calls for 7,500 sf and there's no way they could justify a larger structure. Although it may sound like the variance process might make sense because it's a rare use case, apparently it doesn't make sense because a variance would not be a viable means to achieve our ends.

(#2850) Tim Wing inquired how big the QFC and Safeway stores are in Belfair.

(#2865) Mike Purvis indicated they are both over 20,000 sf.

(#2885) Carol Ferguson of Hoodspport testified next. I'm here to support the idea of increasing the size of buildings. There are needs in Hoodspport that are not addressed there because they can't build places big enough. The grocery store is a perfect example. We, as residents, feel we need it desperately. We do have to come into Shelton to shop because Mike isn't able to have enough inventory in his store to satisfy the need. As a resident as far as preserving the look of the town, there are designs that you can do no matter the size of the building that are going to fit in. We would like to be able to shop where we live.

(#2940) Brian Cook of Hoodspport testified next. I have a couple of businesses out that way. I think what you're considering makes a lot of sense, not just for this project, but the variance process in this county is very, very difficult to get through. This just gives us another avenue to consider a worthwhile project. I agree with what everybody has said here. We have a lot of retired people and those retired people do not appreciate having to travel that extra 15 miles to pick up a small amount of groceries. Beyond our tourist population, it serves our residents, too.

(#2985) Patricia McDonald of Hoodspport testified next. If there's anybody that would do a good job on this is Mike and Jerry. They are a class act and they've done a beautiful job of what they've had.

(#2010) Penny Cory of Hoodspport testified next. If you have company coming, you don't run to the deli and pick up a salad; not in Hoodspport. I heard on the radio the other day just exactly what we're experiencing in Hoodspport and that is people are moving to the end of the road. Nobody has mentioned growth. We're growing rapidly in Hoodspport. You can't buy property at Lake Cushman. Those tourists you talk about, when the campgrounds are full and the motels are full, we're talking about a whole lot more than just 4,000 people. I manage the visitors center out there and we had 14,000 visitors last year.

(#3065) Frank Benavente, Port Commissioner, testified next. The Port fully supports this process of letting this store become bigger simply because of the economic development. The Hood Canal provides 90% or better of the tourism funds for the county. That means we serve a lot of tourists. We want this to stay within our area so that we can facilitate what they need and this store would certainly do that. The Port supports this project as a good project and we hope to see it move forward.

(#3100) John O'Laughlin of Hoodspport testified next. There's about 3000 lots up around Cushman and even in the 4 years I've lived here we've probably seen an additional 500 or 600 permanent residents there. I think we deserve to have that store out there. The variance process is extremely difficult. This change will allow great folks to get their grocery store plans approved and get built. I guarantee you that already the improvements they've made in just trying to get this process done have made great changes.

(#3150) Bill Dewey closed the public comment portion of the hearing and opened the PAC discussion.

(#3175) Wendy Ervin noted tourism is a considerable concern and what you want with your tourism

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is to come and to come back. If you have a RAC, the whole point is to serve that rural area and those tourists. They're going to put that into their considerations. I have friends who live at Cushman and they have to plan their day around driving to Shelton or what day they go on. I think it's appropriate to make this change. I would just line out Hoodsport and Union and just say 'located in a RAC'. I make that my motion.

(#3350) Jay Hupp added a friendly amendment that the limitation of 10,000 sf be changed to 20,000 sf.

(#3355) Bob Fink interjected that there is no size limit. This provision would allow much larger buildings if they meet the criteria. This isn't designed specifically for this project. It allows for larger buildings, when the market justifies it, in the service of the rural area.

(#3400) Diane Edgin inquired about the 35 foot height limit.

(#3450) Dennis Pickard noted his concern that even with the permission of a building over 7,500 sf that the standards for that approval might be more cumbersome than are necessary or appropriate in terms of requiring that the facade be broken up if it's larger than widths and heights typical of the neighboring commercial developments. If you happen to be in a neighborhood where you've got small business you might have to break up a facade more.

(#3500) Diane Edgin stated that when we went through this process with GMA and came up with the RAC's, at that time we did not have a looming oil crisis. This makes a lot more sense. Once the floating bridge gets shut down for replacement, there's going to be a boom in traffic down 101 and people are going to see that part of the country that have not seen it before so we may see long range problems and benefits from it.

(#3550) Bill Dewey inquired about staff's recommendation of approval but considers that an initial position pending more public involvement.

(#3600) Bob Fink noted that in this case there wasn't a lot of time for previous hearings or workshops. There wasn't a lot of public comment or opportunity to comment on this proposal and this is what we thought was reasonable given the goals of the Comp Plan and the restrictions of GMA. I would consider this to be a clarification because that was the intent in examining the market. I was just qualifying things saying under the circumstances this was the best we could do. Tonight you heard a lot of support for the proposal. There wasn't a lot of specific comment so I haven't heard a lot of need to change elements of this from the public. You may have some ideas for things you want to tweak.

(#3700) Tim Wing mentioned the methods of considering how to make sure larger buildings are aesthetically pleasing and how they're integrated into a particular proposal.

(#3720) Bob Fink explained that would be part of the public review process, which would include schematics of the structure and the site plan as part of the proposal. Rather than relying on the size of the building alone to protect rural character, you're now saying larger buildings, 40,000 sf potentially, might be buildable, but in order to protect that character we're going to design the structure differently, particularly the facade of the structure. These standards can get very detailed. One option is to break up the facade every 45 feet because that's typical of the size of the structure. The purpose is to preserve the rural character and keep the visual impact down. We tried to leave a lot of discretion in the process where these are approved.

(#025) Tim Wing stated that he's in full support of Hoodsport getting their store but that's not what we're here for tonight. So I want to know if we should recommend that the BOCC adopt this and

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then is there a complete process already laid out?

(#0135) Bob Fink explained there is a process already in existence.

(#0140) Tim Wing stated his concern is not the Hoodspout store; it's whatever else might come along if we approve this.

(#0145) Bob Fink explained the process is a special use permit process and there's other criteria that are standard to that process, including consistency with the Comp Plan that will be looked at through the process. This particular code establishes that some additional criteria that you look at that are appropriate to this situation. Exactly how you design it is what we're discussing here.

(#0160) Tim Wing noted that in the RAC standards there's a specific list of activities that can go on there in terms of building and businesses so we're not even going to see a proposal to put a 40,000 sf manufacturing facility in the middle of Tahuya.

(#0170) Bob Fink explained that this RC 3 zone doesn't allow industrial uses. RAC's do allow industrial zoning, but RC 3 zoning, which occurs in RAC's, doesn't allow the industrial activity so you're not going to see a big industrial building based on this.

(#0180) Wendy Ervin inquired of the architect how much does changing up of the facade every 45 feet add to the cost of the building.

(#0195) Grant Foster responded it would add to it but probably not a large amount. The other way I would like to look at it is we have one use and we're trying to make it look like two uses and I'm sure that's conducive to how we want to market a grocery store. Bob was trying to tell us there are probably other ways to meet these criteria and I think it's all involved with the design of the store and you don't want to tie it down to specific things, like you have to have a break every 45 feet. In this store, when we have a big box but we have a roof that runs around it, it breaks it horizontally rather than vertically. Going through the process of the special use permit, that may satisfy that issue. It is more than just the cost; it's also the marketing concept.

(#0235) Bob Fink stated the 45 feet is proposed as a possibility to give some predictability. Even if you did that, it says 'This might be accomplished through indenting portions of the structure to separate portions of the facade, using a variety of architectural styles and building materials, orienting the building so that larger areas of facade are not visible from public ways or parking areas, or by similar techniques'. So it was intentionally left to some design flexibility and that is one of the benefits of a public process and a chance for people to look at and see if it does control the visual impact.

(#0275) John O'Laughlin commented that he's been going in that store almost every day for 4 years and it has been over 2 years that they've been trying to get a permit for this. This is another step with the help of the county staff to get through this mire of issues for these folks that are trying to do this. It's important for all of us out there.

(#0290) Bill Dewey noted there is a motion on the table and essentially looking at the language, under 'A', the site is located in a RAC. Terri, your comments about tourism, we could add that to 'C'.

(#0305) Dennis Pickard commented his concerns were mostly to the specifics in 'B'. The second sentence in B, I would like it to read 'special use permit review which shall consider', instead of 'shall show'. Line out the next two sentences starting with 'Compatibility' and ending with 'units with'. Also the fifth sentence should read 'widths and heights typically found' instead of 'widths and heights typical to that found'. Then line out the alternative language. Leaving the final sentence in.

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So 'B' should read 'The design of the site, structure, and building facade shall be included in the special use permit review which shall consider compatibility with the existing widths and heights typically found in the neighboring commercial development. This might be accomplished through indenting portions of the structure to separate portions of the structure to separate portions of the facade, using a variety of architectural styles and building materials, orienting the building so that larger areas of facade are not visible from public ways or parking areas, or by similar techniques. (#0365) Wendy Ervin amended her motion to reflect the comments made. My motion is to send this onto the BOCC with a recommendation of approval and the changes made under 'A', 'B', and 'C' and as stated above.

(#0415) Diane Edgin inquired about the height issue.

(#0430) Terri Jeffreys stated she is hesitant to bring the height issue up on this particular proposal for the simple reason that height restrictions have a lot to do also with visual blocking. That should be brought up another night.

(#0455) Wendy Ervin suggested when we're considering the height, bring back this ordinance with just a 'D' adding to this because this a special provision for building size.

(#0485) Tim Wing mentioned the fact that they have been at this project for two years. If we pass this tonight, can this move ahead?

(#0500) Bob Fink explained the applicants for the grocery store just received their shoreline approval for the shoreline variance for the structure. So as far as I know this is probably the last hurdle they need to get over besides the specific building permit. This would take them through the special use permit process.

(#0540) Bill Dewey called for further discussion. There was none so the question was called for. The motion passed to approve the amendments to the RC 3 zone with the recommended changes.

Meeting adjourned.