

# MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes**  
**September 15, 2008**

(Note audio tape (#2) dated September 15, 2008  
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 at 6:00 pm by Chair Bill Dewey.

## **2. ROLL CALL**

**Members Present:** Bill Dewey, Tim Wing, Dennis Pickard, Jim Reece, Diane Edgin, Debbie Jacobs, and Don LeMaster.

**Staff Present:** Barbara Adkins, Allan Borden, Kell McAboy.

## **3. APPROVAL OF MINUTES**

The minutes from the July 21, 2008 and August 18, 2008 meetings were approved as presented.

## **4. NEW BUSINESS**

(#0090) Barbara Adkins opened the public hearing on the Capital Facilities Element of the Mason County Comprehensive Plan. There were some changes made since our last meeting, and they came from John Keates, Director of the Parks Department. The edits you asked for have also been incorporated. You inquired about the square footage of 3<sup>rd</sup> and Pine, and that was added into the Sheriff's square footage. You also inquired about a date for their strategic plan, and they prefer to not put a date in there as that would obligate them to meet that date deadline. You also had some questions about some things that were deleted from Utilities. Tom Moore is here to answer any questions you may have about projects that were added or deleted.

(#0165) Diane Edgin inquired about the Harstine Island Water System.

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(#0175) Tom Moore, Deputy Director of the Utilities and Waste Management Department, explained they have formed their own Utility District. They had an election and they formed a utility district and their intent is to assume control of the water and sewer facilities within the Harstine Pointe Development. The District is funded currently through a tax assessment that doesn't take effect until 2009 so they have no money until the first half of taxes are due at the end of April. The county loaned them \$20,000 out of the enterprise fund so they have enough money to meet their expenses until they get their first round of tax revenue. Regarding the transfer of assets, there was some discussion if the county will turn over those assets to them, as we would like to get out of the sewer and water business totally. The county would like to hire a consultant, for both financial and legal reasons, to make sure this transfer takes place correctly to identify any costs associated with that or obligations associated with those systems. With respect to some of the Capital Facilities worksheets, we've completed a number of projects so they are off the table. We also may be pushing some back with regard to being able to complete some of them.

(#0300) Bill Dewey noted with regard to the North Bay Sewer project, they were crossed out.

(#0315) Tom Moore explained the Allyn Pump Station is done. The improvements to the other pump station will be completed, including the installation of a stationary generator for emergency power. Basin analysis is ongoing, and some improvements to the Wastewater Plant should be completed, however, as growth occurs that is an ongoing situation there as well.

(#0350) Don LeMaster inquired about the status of Hoodspport system.

(#0400) Tom Moore responded we are in the process of soliciting candidates for the Tri-Party Agreement to build three wastewater plants. The first one will be in the Potlatch area as they have the money thanks to a million dollars from State Parks. We have the design money for the other two and we're going to hire a project manager to coordinate all of those things. Once that person is on board, we will go out and seek construction funding for the other treatment plants.

(#0500) Don LeMaster noted the last public meeting that was held in Hoodspport there was some question as to whether or not the downtown Hoodspport corridor will be the initial area or whether they will include the Finch Creek drainage with the first plant.

(#0515) Tom Moore stated the Finch Creek area where there are failing septic systems will be included. Then the downtown corridor. How far we go up School House Road will be determined at a later stage. The facility plan is still in the approval process regarding the federal funds process. It's a high priority project, and the fact that we're partnering with the Tribe and PUD and Mason County, we're all looking forward to getting all three projects completed. Hood Canal has also been placed on a priority list similar to Lake Washington on a national level.

(#0550) Don LeMaster inquired about the hookup fees and the concerns with that.

(#0575) Tom Moore noted that hookup fees and construction costs can be mitigated with grants and low interest loans. What grants and loans can't help you with is operations and maintenance. That is going to be a fairly small system in a relatively remote area. We're hoping to get some savings by operating and designing all three systems similar, etc., to mitigate those costs.

(#0700) Jim Reece commented on the improvements scheduled in 2009 regarding the Mason Lake Boat Launch Renovation. He explained they have a huge problem there with noxious weeds and allowing more boaters to launch there could significantly increase that problem.

(#0720) Barbara Adkins stated he should call John Keates at the Parks Department to voice his concerns.

(#0750) Don LeMaster inquired about Foothills Park, and that it is in the process of going back to federal ownership, and then will be deeded to the Port of Hoodspport. He noted it is still listed on page 50 of the document.

(#0800) Barbara Adkins stated her notes from John Keates did not include removing that from the list at this

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time. It may have to show up in next years edits.

(#0850) Bill Dewey opened up the public comment portion of the hearing. There was no one from the public wishing to testify, so Bill closed the public comment portion of the hearing.

(#0900) Tim Wing made a motion to accept the revised plan and recommend it for approval to the BOCC. There was a second, a vote was taken, and the motion passed.

(#0935) Allan Borden of the Department of Community Development opened up the public hearing on the rezone request by Doug Smythe and Jennifer Whipple to rezone 26.65 acres currently designated as Agricultural Resource Lands to be rezoned as Rural Residential 10 along State Highway 108. The process in the review of this rezone request is first the evaluation whether the subject parcel still meets or does not meet the designation criteria for Agricultural Resource Lands as it did at the time the designation was finalized in 2000. If the parcel does not meet the criteria, the designation from Resource Lands to Rural Lands cannot be approved and the appropriate Rural zone can be further considered. Under CWPP 8.2 states Ag Lands shall maintain and enhance natural resource based industries including productive timber, agriculture, and fisheries industries. It shall also encourage the conservation of productive forest lands and agricultural lands and discourage incompatible uses. Under the Mason County Resource Ordinance, Chapter 17.01.061, the criteria has not been met. Staff would conclude that the subject 26.65-acre parcel still meets Criteria A, B, C, and D of the Agricultural Resource Lands designation as addressed in the Mason County Resource Ordinance. Keeping the property in this designation will meet the Comprehensive Plan Countywide Planning Policy 8.2 to maintain the supply of productive farmland, conserve these areas in compatible land uses, and protect these lands from incompatible adjacent land uses. Further review for the submitted request to rezone the property to Rural Residential 10 zone will not be considered.

(#1500) Miscellaneous discussion regarding proximity issues and criteria.

(#1750) Kell McAboy explained that she has recently mapped ag lands, and some of the parcels were designated ag lands as they were surrounded by other ag lands. They were specifically designated even though they were under 10 acres.

(#1785) Allan Borden also added that between 1999 and 2000, several of the adjoining parcels that are small right now were brought into the ag resource land because they met the proximity criteria.

(#1840) Bill Dewey inquired about the criteria and what are the qualifications for meeting them.

(#1855) Allan Borden explained that the first three criteria have to be met to qualify.

(#1900) Bill Dewey noted an error on the staff report which read 'Rural Residential 10 (1 dwelling unit per 5 acres)', should read '(1 dwelling unit per 10 acres)'.

(#1955) Miscellaneous discussion regarding single-family residences on ARL's, and boundaries.

(#2500) Bill Dewey opened the public comment portion of the hearing.

(#2510) Doug Smythe, applicant, stated he purchased this property last year from Howard Wick. I plan to retire on this piece of property. When I purchased this property, Mr. Wick informed me it would be possible to break off ten acres of the north part of the property to sell. I don't have the funds to properly purchase the entire 26.65 acres. I did not know at the time of the purchase the land was zone agriculture. I want to be able to divide the property into two parcels, and build a residence on the southern parcel, and sell the northern parcel. I'm not a farmer and don't plan on being a farmer. The property itself is not conducive for farming. The topographical map shows it's hilly and unstable for agriculture. It's full of alders and blackberries, and has never been farmed. Out of the 26 acres there's only a small area in the middle for farming. Mr. Borden states the parcel has been used as a farm. If you were to use this parcel as a farm, it says you can have one cow during grazing periods for 1 acre, because of the Cloquallum soils. If you have one cow per acre on farmable land, you can only leave it in there during grazing season. That leaves only seven months to have a cow there. I just want to split this parcel into two lots, one at 10 acres, and I would

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like to have the remaining 16 acres.

(#3000) Debbie Jacobs inquired if he had formally requested a land division to the county.

(#3100) Doug Smythe replied the county told him he could do a subdivision, but he does not desire to divide the property in that manner. He also indicated he is paying taxes on residential land.

(#3250) Miscellaneous discussion regarding tax designations versus zoning designations.

(#3300) Dennis Pickard inquired if he had discussed a boundary line adjustment with the county.

(#3350) Doug Smythe stated he has not. He just wants to break off 10 acres and sell it off.

(#3450) Miscellaneous discussion regarding possible ways for him to achieve his goals with the property.

(#0100) Bill Dewey inquired of Allan Borden if he could provide any additional guidance as to what his course of action might be. He should be able to accomplish that division of land and still leave it in ag lands.

(#0150) Allan Borden responded the DR's state 'clustered subdivisions are required for all residential subdivisions or short plats located in ag lands, long term commercial forest, or mineral lands. No lot for which the construction of a residential lot is proposed under this section shall exceed two acres in gross land area.' 'In ag resource lands, no open space lot shall be less than ten acres in size.' Additionally it states 'Land division for the purpose other than residential development shall have a minimum lot size of ten acres for ag resource land'. He could do a boundary line adjustment with his neighbor to sell off 4 acres, then he would have 22 acres so he could create a 10 acre lot and a 12 acre lot under the subdivision provision.

(#0225) Miscellaneous discussion.

(#0325) Bill Dewey suggested selling 10 acres designated not for residential, put the larger portion of his lot greater than 10 acres in open space, he'd be able to build a residence on the rest of it. It would seem, based on the staff report, that it is going to be awkward for us to recommend approval of the change of zoning. Based on that, my recommendation would be for Mr. Smythe to work with staff to explore his options for accomplishing the results he needs under the existing zoning designation and deny the request for the rezone.

(#0500) Dennis Pickard made a motion for Mr. Smythe to work with staff to find out what options are available for him under the existing subdivision regulations with the existing zoning, and that we continue this hearing with staff bringing back any revised information to the PAC. There was a second to the motion, but no vote.

(#0550) Tim Wing stated he's not prepared to let this drop. Tim stated he doesn't feel this is ag land, and it's not suitable for farming. It should have been designated residential in the first place. Also, this is very close to other rural residential. Tim made a motion to continue this, and leave it open for him to come back and discuss it with us if need be.

(#0600) There was no further discussion on the motion, a second motion was made, and the motion was passed.

(#0650) Kell McAboy, Community Development, opened the workshop on the Mason County Sign Ordinance. The attached proposal was drafted after meetings with staff in Public Works, Building and Planning Departments, and after the first PAC workshop held on July 21, 2008. Written comments sent in by the City of Shelton and the Port of Shelton were also considered in amending the draft proposal. At the first PAC workshop in July, staff proposed two alternatives. One that prohibited signs from being placed in the County right-of-way, and one that allowed signs in the County right-of-way under certain conditions. After discussion, and an informal hand vote of 5 to 2 showing a majority preferring prohibiting signs in the right-of-way, staff comes back to the PAC with a draft proposal that prohibits signs in the County right-of-way. The proposed sign regulations apply to all rural areas of the county and the Shelton UGA. Currently, there is no zoning for the Shelton UGA, however, Prohibited/Temporary/Non-conforming sections will apply. Special sign permits

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will not be required except as already required by Title 14 Building Construction code, or as may be required by the Public Works Department as indicated. The regulations for signs are addressed in several sections of the DR's, including: Intent of sign regulations, Exemptions to the sign regulations, Prohibited signs, Nonconforming Signs, zoning districts, and Temporary signs. On-premises signs are allowed as both permanent and temporary. Off-premises signs are prohibited in all of the rural areas when they are permanent, but allowed as temporary. Size limits of signs vary, depending on the zoning. Permanent signs in the right-of-way are prohibited, and temporary signs in the right-of-way are also prohibited, unless as approved with a road use permit. Staff's goal in drafting these regulations was to provide fair, simple and clear guidelines for the placement of signs in the rural areas of Mason County and the Shelton UGA. Staff asks that the PAC review and discuss the proposed DR sections relating to signs, make recommended changes to staff regarding bulk-dimensional standards, content of the 'intent' section and anything else that can strengthen the sign regulations for the county. The City of Shelton and Port of Shelton both provided detailed comments that may assist the PAC in making recommended changes to the draft proposal. Planning staff intends on holding a public hearing at the PAC meeting on October 20, 2008.

(#1000) Miscellaneous discussion regarding designating certain areas for community signs, and placement of signs on trees in right-of-ways.

(#1250) Tim Wing talked about a letter he received from Nick Woodson, the Government Affairs Director of the Olympic Peninsula Region. Tim noted it contains some things people need to consider regarding real estate signs. People need to sell their houses, but there needs to be limits to it as well. It says 'open house signs may be posted along the periphery of the public right-of-way ...' Realtors are not supposed to put signs on private property. Other than the internet, signs are the most valuable tool for a realtor to make sure the public knows there's a house for sale. We should focus not so much on the right-of-way, but on the maintained area. We all want to signs out of the county's way so that they can do their job.

(#1500) Miscellaneous discussion regarding liability of signs placed in public right-of-way, and size restrictions.

(#1850) Kell McAboy stated if you are going to allow temporary signs in the right-of-way maintained area, then you restrict the size. However, if it's temporary signs on private property, then there's no real reason for size limitations. That would include political signs, real estate signs, garage sale signs, etc. Off premise signs are prohibited unless it's temporary, and then there wouldn't be a size limit.

(#2000) PAC was in favor of not limiting the size of signs on private property. Just in the public right-of-way.

(#2200) Bill Dewey noted that 'vehicle signs' (billboards on wheels) are not addressed.

(#2250) Kell McAboy suggested incorporating the language from the Port of Shelton's ordinance and bring it back to the public hearing.

(#2300) Bill Dewey inquired about incorporating the suggestion from Patti Miller-Crowley regarding the 'Gateway Corridor'.

(#2350) Kell McAboy suggested incorporating it as an overlay to the DR's.

(#2400) Meeting adjourned.