

# MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes**  
**October 20, 2008**

(Note audio tape (#2) dated October 20, 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 temporary Chair Diane Edgin. Chair Bill Dewey then joined the meeting.

## **2. ROLL CALL**

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

**Staff Present:** Bob Fink, Allan Borden, Kell McAboy.

## **3. APPROVAL OF MINUTES**

None.

## **4. NEW BUSINESS**

(#0050) Allan Borden opened up the public hearing on the rezone request by Doug Smythe and Jennifer Whipple to rezone a 26.65 acre parcel currently designated as Agricultural Resource Lands to Rural Residential 10 zone. This request was initially reviewed on September 15, 2008. The PAC discussed the merits of the Smythe request application, comments by the applicant, and the conclusions of staff. During their discussion, the PAC members brought up the point that if they supported the staff conclusions, would the applicant have some options to divide the subject parcel and sell a portion to another individual. They voted to table the review of the request and asked staff to talk with other individuals in the Department of Community Development to determine the options of Mr. Smythe to divide or develop the property. Once additional information was revealed, the request should be brought back to the PAC for further review. From discussions with Bob Fink and Michael MacSems, staff determined that Mr. Smythe has some alternatives to either divide the property or work the neighboring properties to modify existing lot sizes in order to attain his

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goal of selling a portion of the 26.65 acre parcel. One of the land options he has is to do a cluster subdivision where the lots could vary between 20,000 sf in size and 2 acres in size, and the proposal could include conservation areas along the stream and wetland areas. He could also create a lot that's at least 10 acres in size that could be subject to a sale as long as that property remained in the current designation. Another alternative would be doing a BLA with other existing ag land parcels. Allan added that he continues to conclude that the rezone request be recommended for denial as he still has other options. Your options tonight are to make a motion either to follow my recommendation, or modify my recommendation with your own decision.

(#0300) Tim Wing inquired what Mr. Smythe's inclinations to do are.

(#0320) Allan Borden explained that he isn't sure, but he has been talking to his adjoining neighbors regarding a possible BLA.

(#0350) Tim Wing inquired why this group has to make a decision on this issue at this time.

(#0385) Allan Borden responded that you don't have to make a decision. Your recommendation could simply be to ask that the public comments and staff report be passed on to the BOCC.

(#0400) Jim Reece made a motion to deny the rezone request as other options are available to accomplish the applicant's objectives.

(#0440) Tim Wing noted he has concerns about this as in his opinion the property was not zoned properly in the first place. If this person runs into problems trying to utilize some of the options, or for whatever reason he would like to change this to rural residential, then I would be in favor of allowing him to do that.

(#0475) Debbie Jacobs inquired if we close this application, can he reapply again for the same rezone.

(#0485) Allan Borden stated that he could. He would have to submit a new application with fees again. The deadline would be next June. He also has the option to withdraw his application at this time. He probably would be subject to some cost if he were to resubmit his application.

(#0500) Tim Wing reiterated his concern about denying this application, and would like the PAC to consider just tabling it at this time.

(#0550) Allan Borden explained that it's a two level review. The designation of those lands has to meet the criteria as spelled out in the Comp Plan. In the staff report, I reviewed each criteria and how the property either met or did not meet the criteria. That's black and white. Unless Mr. Smythe can show something other than the information I provided, there's really no advantage in delaying further review of the request.

(#0620) Bill Dewey noted that after having the discussion with Mr. Smythe about these options, his preferred option was to still move forward with his request for the rezone.

(#0650) Allan Borden stated that is correct, and that he comprehends that in order to change designation, he has to meet the criteria.

(#0660) Don LeMaster noted that that land meets all the criteria for ag resource lands and therefore doesn't meet the criteria for rural residential. So if we recommend denial, he still has these other options available under the existing rules.

(#0675) Allan Borden stated that is correct.

(#0690) Tim Wing reiterated his view is that the property was not zoned properly in the first place, and that it should not be zoned as it is. So when you take a piece of property that I think is zoned incorrectly, and then apply the criteria about how to rezone it, that doesn't work. If I were proposing to approve his request, I would base it on the fact that it was zoned incorrectly in the first place. He further stated he would like to just not make a decision on this, especially without the owner of the property here.

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(#0735) Jennifer Whipple, co-applicant, stated she was in attendance.

(#0760) Bill Dewey added Allan raises the point that in his opinion, it was zoned correctly and it didn't meet the criteria, but if the applicant's desired outcome is to have it rezoned, then Tim's argument is a way to get there. That it's a mapping error, and that we grant the rezone based on that.

(#0800) Debbie Jacobs inquired that since he's not withdrawing the application, and if we don't make a decision on it, is it going to go to the BOCC.

(#0820) Allan Borden stated if you take no action, I can't forward the application to the BOCC for review. Your options are to follow staff's recommendation, make your own recommendation, or make a motion to forward the request to the BOCC without a recommendation.

(#0835) Bill Dewey inquired if there was an option to just table the request until the other options were pursued.

(#0845) Allan Borden responded that if you table it, you stop the review process and it will not go to the BOCC.

(#0860) Don LeMaster noted that the applicant's request was to keep 16 acres, and sell off 10 acres. He made that pretty clear.

(#0870) Bill Dewey asked Ms. Whipple to help clarify their options.

(#0880) Jennifer Whipple, co-applicant, stated that when they met with Mr. Borden, what we were told is it could not be taken out of ag resource lands, so our options were BLA with other two property owners, or going to Mr. MacSems for a large lot subdivision. As I recall those were the only two choices we had. And yes, they would work for us. However, we have not gone to the other homeowners to see if they in fact wanted to purchase some of the property. If we can table it, I think that would work for us. To us, the property does not meet the ag resource lands designation.

(#0925) Bill Dewey noted it appears the applicant's desire is to table it until the other options could be pursued.

(#0955) Jennifer Whipple stated that would work for them. However, the additional fees would be a concern.

(#0975) Bill Dewey stated if we table it that would also resolve having to pay any additional fees. We would just bring it back to life at the time you found these options did not work for you.

(#0985) Don LeMaster noted Allan stated the process of the review stops at this point if we table it.

(#1000) Allan Borden reiterated that if you table it, Smythe and Whipple could work with DCD on either a BLA or land division in it's current designation.

(#1010) Jim Reece inquired about statutory requirements on how long an item can be tabled.

(#1020) Allan Borden responded that there was a request that was reviewed in 2005 that was basically put in suspension until the applicant modified their request. The BOCC just heard that case in October of 2008.

(#1030) Tim Wing made a motion to table this rezone request. There was a second, a vote was taken, and the motion to table rezone request 08-03 passed.

(#1100) Allan Borden opened the public hearing on the rezone request David Berry to rezone a 17.11 acre parcel from Rural Residential 20 to Rural Residential 10. This property is located along the south side of Brockdale Road. The property is located 2.5 miles from the Shelton UGA. The applicant states that with the existing range of adjacent parcel sizes, the rezone request will allow the property owner to divide the property in the future but not significantly change current land use densities in the vicinity and provide for a transition

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zone designation across Brockdale Road. The parcel has not been subject to timber management by the applicant, but his parcel to the north of Brockdale Road was recently cut. The 1300 foot wide by 563 foot deep parcel has a driveway access point but no other improvements. A wetland occupies much of the southeast to west area of the parcel and a 35% slope is situated to the north of the wetland, leaving a narrow area of the property outside of the critical area. Criterion 1 regarding public health, safety and welfare is met based on staff evaluation. Criterion 2 regarding consistency with the Comp Plan is met based upon staff evaluation that RR 10 zone is the most consistent designation for the subject parcel because of the transition. Criterion 3 regarding sprawling low-density rural development, is met. Criterion 4 regarding demand for urban service in rural areas has been met. This will not happen on this property under either designation. Criterion 5 regarding GMA goal to encourage development in urban areas would not create a level of development that would affect the Shelton UGA located 2.5 miles to the south. Criterion 6 regarding open space retention and conserve habitat is met as the DR's call out that the wetland boundary has to be delineated for proposed development. Criterion 7 regarding pressure to change land use designations of other lands is met as the rezone application is not seeking the highest zoning classification in the area and will not stimulate adjoining properties to seek new land classification. Criterion 8 regarding corrective rezone of lands is not applicable to this request. Staff would conclude under the proposed request to go from Rural Residential 20 to Rural Residential 10 zone would still remain consistent with the Comp Plan and goals for appropriate zoning designation.

(#1450) Bill Dewey opened up the public comment portion of the public hearing.

(#1475) Lloyd Sheehan stated that Manke Lumber logged the south side of Brockdale and there's a culvert by my property plugged up at the other end. He explained it took out everything he had. He has since spent a lot of money to fix the problem as it wasn't on the county's property. His concern is if you give permission to build there, where exactly will they be building on the property, and will the runoff change where it's going to come back and flow back down onto my property. (*Mr. Sheehan showed the PAC the location of his property on the map*). He stated he doesn't want to be wiped out again as it cost him approximately \$20,000 to fix the problem. Mr. Butros did assist with as much as he could to help rectify the problem.

(#1600) Bill Dewey closed the public comment portion of the public hearing. Based on the last testimony, Bill inquired about Criteria 1, which says 'development allowed by the proposed rezone designation shall not damage public health, safety and welfare'. Do you have any concept as to whether the development of this property might result in this gentleman's concerns?

(#1650) Allan Borden responded he would anticipate the proposed lots are going to occur in the northeast corner of the property. If the culvert is taking water across the road, then the proposed rezone is not likely to affect his property. The area that potentially could be developed is uphill, and there could be water running on the south side of the road coming downhill to Mr. Sheehan's property, and then would have to go through the culvert. That's a possible problem.

(#1675) Miscellaneous discussion regarding exact location of culvert to proximity of proposed development.

(#1825) Don LeMaster noted the contour is downhill, but it's quite some distance downstream of the other parcel.

(#1850) Bill Dewey stated that if it's a concern that they're aware of, it's something that could be mitigated for in the development of the property. It's more of a development concern.

(#1865) Don LeMaster added if someone applies for a building permit, those development issues will arise then.

(#1875) Allan Borden also stated they will arise in the subdivision request where the stormwater development will go.

(#1900) Don LeMaster made a motion to recommend approval of the rezone request as noted in the staff report.

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(#1910) There was a second to the motion, a vote taken and the motion passed.

(#1940) Charlie Butros opened the public hearing on the Update of Mason County Stormwater Management Program for the Hoodspout Rural Activity Center. Charlie explained that Dr. Joe Simmler of Otak Inc. is here tonight, and is the lead consultant on the Stormwater Plans that have been developed. We have been developing stormwater plans for Allyn, Belfair, and this third one for Hoodspout, as well as a Comprehensive Stormwater Plan for the county. Unfortunately, we have had to do these in what I consider is the reverse logical order. We would have normally prepared the stormwater plan for the county, and subsequently stormwater plans for the UGA's and the RAC's, but because of schedule requirements by the GMHB we had to do it reverse order. Tonight, we have for your review, the stormwater plan for Hoodspout, which is consistent with the plans that were developed for Allyn and Belfair, consistent in approach and philosophy. We will hopefully have a Summary Plan available by the end of November to present to you for countywide implementation. The Implementation Program will refine and expand on the plan that hopefully is presented to you by the end of the year and define how we intend to move forward with the plan implementation. We needed to answer some of the questions for the overall program as we developed the plans for Allyn, Belfair, and now Hoodspout. In parallel we had to adopt some new regulations and ordinances, and you have been involved with those. They include the Stormwater Utility Ordinance, the Low Impact Development Ordinance, and adoption of the 2005 Stormwater Management Plan issued by DOE. Those were all adopted in June and took affect for Allyn and Belfair at that time. The approach is to adopt the 2005 Manual for the county as a staggered step approach. Initially Allyn and Belfair, and then adopt it for some of the more sensitive water bodies. Shellfish protection districts are next, and then marine recovery areas are in year 3, and RAC's in year 4, and year 5 we will adopt it countywide. The reason why we didn't do it all at once is due to staffing constraints and availability of funding.

(#2100) Joe Simmler of Otak stated he has had the privilege of working with the county the last two years taking the stormwater program from it's early conception of the idea of what we should do with stormwater, and where shall we go with it in the future. The county has made some very important steps in developing a comprehensive stormwater program. This is just a piece of it. Next we will be putting together the programmatic document for the entire county. In the discussion tonight we will be looking at stormwater issues, regulatory compliance, implementation and costs. Regarding existing facilities and capital needs, we surveyed some of the drainage areas, we talked with the maintenance people, we also sent out a questionnaire to the public asking any drainage problems they might be having, and the importance of stormwater and stormwater management to the area. We received good input and a lot of them reported the system worked pretty well. There were some areas that were close to capacity with maintenance issues along the North Finch Creek and North School House Hill Roads.

(#2400) Don LeMaster inquired about the Finch Creek drainage study and the CIP#4, which comes down off of North Hill. He explained his office building is directly across from that, and just recently he had to put a sump pump under building because of the extensive hydrology, and that it's flooding out his septic system. That area right there is a collection area for all of the water coming off of North Hill Road. That's a fairly significant area of concern for all the residential houses down the east side of Highway 101.

(#2550) Joe Simmler stated we have come up with four projects, which include North Hill Drainage Improvements, North School House Hill Road Ditch Improvements, SR119 to Finch Creek: Replace half-pipe with an 18 inch culvert, and Filterra Device for Water quality Retrofit (retrofits 0.8 acre of County Road). Most of these have to do with permanent enhancements to the conveyance system to compliment the recommendations for enhanced maintenance as well. We looked at the regulatory compliance needs. The ones that apply right now are the Puget Sound Water Quality Management Plan, and although the county does not have a National Pollutant Discharge Elimination System (NPDES) Permit, it is coming in the future. One of the things the Public Works Department asked us to do was to project out. What is going to be needed in the future? In doing that we compared the Puget Sound Water Quality requirements to those of the future NPDES Phase II Stormwater Permit, and there is a considerable overlap. A lot of the activities we're promoting here will satisfy both.

(#2630) Miscellaneous discussion regarding the elements of a Comprehensive Stormwater Program, which include drainage issues and the regulatory requirements. Stormwater is broken up into different activities and elements, which are listed on page 6 of the draft. This is used as the structure for evaluating what activities

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are being used right now by the county, which are new ones, and how effective they are. There was also a discussion regarding the costs involved with these different activities. Funding options and sources were also explained.

(#2900) Joe Simmler explained the public review process that has taken place. We hope to receive your comments tonight, and take it before the BOCC in November.

(#2930) Don LeMaster inquired about the funding source through SEPA Mitigation and System Development Charges and whether it was coming out of the county coffers.

(#2940) Joe Simmler explained they will come in as development opportunities occur.

(#2950) Don LeMaster inquired if they are achieved through mitigation by the developer.

(#2950) Joe Simmler responded they will come largely from the developer.

(#2960) Bill Dewey inquired about the public review process, and how well the public workshop was attended.

(#2970) Joe Simmler stated there were not very many people in attendance.

(#2980) Charlie Butros added the workshop was held at the Hoodspport library, and there were about 8 or 10 people in attendance, including commissioners from the Port, PUD Commissioner, and some local residents.

(#3000) Bill Dewey inquired how involved have the people in Hoodspport been involved with this.

(#3020) Charlie Butros responded the questionnaire was issued, there was information exchange with them at the workshop, and through the questionnaire. There really weren't many comments that required changes on the plan. The comments from the plan came from DOE, Puget Sound Partnership, and from Bob Hager of the Lower Hood Canal Water Coalition. Those comments required some modification of the plan. Charlie Butros stated there were more questions regarding clarification and questions of approach. We answered the questions and explained that our approach will allow us to refine and develop this countywide program that will apply the regulations over an extended period of time. Their concerns and questions were primarily focused on when would we implement the 2005 regulations in the Hoodspport RAC. We responded to that by indicating that in our plan that was going to be in year 4. Our step plan had RAC's applying that 2005 in year 4. There was a very different response in Hoodspport than we had in either Allyn or Belfair. Hoodspport was mainly interested in getting an understanding of what the approach was.

(#3200) Bill Dewey opened up the public comment portion of the hearing. There was no one in attendance who wished to testify, so the public comment portion of the hearing was closed. Bill Dewey noted he has been involved with stormwater for a long time as it affects the industry he's involved with. He stated it's a challenge to understand whether this is adequate or not. From the discussions with the Allyn and Belfair plans, he noted he was surprised there weren't more concerns raised by the community in Hoodspport as far as how is this going to be paid for.

(#3440) Don LeMaster commented that as a resident and business owner in Hoodspport, he stated that over the last 5 years since he's been there, he is getting a feel for how that community looks at different projects and how they respond to them. There's a huge amount of people there who are retired, and they are pretty apathetic about these kinds of things unless there are numbers that are thrown around as to what the costs are going to be, especially regarding the sewer system. When they said the sewer would cost around 25 million, that really got a lot of attention.

(#3500) Bill Dewey inquired if there has been a number talked about as to what a utility district parcel fee might be.

(#3550) Charlie Butros stated that was a question that was asked at the meeting, and our answer is that has not been developed yet. We're looking at doing this over an extended period of time. The approach was that fees would not be applied for another 3 years, or perhaps longer. We are going to go through a step to evaluate what the fee needs are, and exploring those other revenue alternatives that are identified in the

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table. That will drive us to establishing fees in the various areas. An individual utility fee is established for that property owner. A typical fee will vary depending on the program needs, and of the other funding that's available for the program, and it ranges from \$3 or \$4 per month per parcel all the way to \$12 or \$14 per parcel, or even higher. At this point, we don't know what our needs are. The initial fees over the first 3 years are funded through a grant we have through DOE. With that, a good portion of that funding will go toward evaluating the specific needs, and how we apply the stormwater needs and regulations. The study sets the groundwork for Hoodspport, but how do we do it countywide? That's what we will be doing over the next two years and continuing our outreach education and public interaction. It's based on the impervious surface of the parcel. With residential parcels, they will take an average impervious surface for a developed residential lot. Businesses will be based on the actual impervious surface.

(#0175) Bill Dewey commented that one of the concerns he had with the Allyn plan was the lack of monitoring, particularly up front prior to the implementation of the plan, so you knew if you were having an affect on water quality. How will monitoring be handled in Hoodspport?

(#0185) Charlie Butros responded the same way we're doing it in Allyn and Belfair right now. The main driver for monitoring is fecal coliform. We are currently gathering data in the areas that have sensitive water bodies; Oakland Bay, Annas Bay, Allyn and Belfair. What we are using that information for is prioritizing treatment projects. In the areas where we have the highest counts, we will be taking the initial steps in those areas. In Belfair, we're trying to identify the priority for a treatment site in Belfair based on those counts. In Allyn, we've already applied a couple of treatment sites on the beaches and in the drainages adjacent to the culverts where we've had high counts. We have just ordered 200 filter bags to apply to the drainages in various areas along Annas Bay, Oakland Bay, Allyn and Belfair. We will then expand that monitoring to include other contaminants: hydrocarbons, metals, nutrients, and other metals that typically degrade water quality. That will happen over a period of a year to a year and a half. We have met with the Evergreen College chemistry department head who will help us in analyzing some of those samples.

(#0260) Bill Dewey noted the shellfish beds adjacent to Hoodspport have been closed to harvest for many years. That is obviously attributed to both the stormwater and septic situation there in Hoodspport. That community is going to be investigating infrastructure in the years to come to deal with both those issues. It would be nice to have as a goal to reward that community for all their efforts to try to get that beach reopened to harvest.

(#0300) Don LeMaster stated he walks the beach there all the time and has never seen a sign prohibiting harvesting of shellfish.

(#0310) Bill Dewey explained the Puget Sound Partnership is doing coliform survey work to show that the public's not aware there's a problem in the Puget Sound. If you posted the shellfish beaches showing they were polluted and closed, you might get some people rallying around that. Bill also explained they've had successes with community shellfish areas in other parts of Puget Sound, where the community gets involved in planting shellfish with the idea of getting fecal cleaned up in time to be able to harvest the shellfish, and in those cases, they were done on public beaches so when the shellfish is sold, the revenue from the shellfish was used to fund water quality projects.

(#0365) Charlie Butros explained they are in the process of partnering with the Conservation District and the Extension Office that have both done water quality and stormwater management outreach and education to help us with that need for stormwater in the county.

(#0410) Jim Reece stated he lives on Mason Lake, and at the end of the lake, there used to be 3 pipes that went under Trails Road and when it would rain and the water would rise, it would fill the 3 pipes and wash over the road and go out Sherwood Creek. That seemed to work for a long time. Then about 10 years ago, they decided to put in 5 larger pipes and raise the road 3 feet. Now when it rains, the water fills the 5 pipes, tries to get over the road, but instead floods people out. I bring that example up because we did something at Mason Lake to improve stormwater, and now it's flooding people out. I'd rather not see that happen in Hoodspport.

(#0475) Charlie Butros stated he has not heard of that problem at Mason Lake, but noted that is a good

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example of an evaluation that needs to be done on the capacity of the conduits that are under the road. (#0520) Jim Reece talked about putting in catch basins with a pipe so the overflow comes up and the water settles before it goes out, with a way to do some filtering of the water inside the catch basin before it goes out into the lake. He inquired if there was any educational opportunities for people to understand this.

(#0550) Charlie Butros explained you can get a small parcel drainage package. If you were building a home today, one of the requirements that was put in place in November of 2006 was 'a small parcel drainage requirement'. That is a set of rules that was established for single residential lot development that had previously been exempt to allow the type of runoff you are describing. Today, that is not allowed. You are now required to treat the runoff coming off of impervious surfaces in the area of your home building to run them into dry wells on the property; infiltrate them, or run them across vegetative surfaces. In regards to any retrofit, we will be trying to deal with some of the runoff in conveyances that exist along county roads. Many of the discharges previously had been hard lined from the downspout, hard piped to the county road ditch. Historically that was allowed, but not with today's standards. Charlie also explained they are working with DOT to install some conveyance systems in the state right-of-ways.

(#0800) Bill Dewey stated he is satisfied with the discussion we've had tonight. Personally, I'm comfortable with recommending it being adopted and forwarded onto the BOCC. Diane Edgin made that motion to forward the plan as submitted onto the BOCC. There was a second, a vote, and the motion passed.

(#0900) Charlie Butros opened the public hearing on the Transportation Element on the Mason County Comprehensive Plan. At the last meeting on September 29<sup>th</sup>, we had an extensive discussion regarding how to approach the evaluation of needs for roads in the UGA's, and how to prioritize those as we look at projects countywide. Tim Wing developed some proposed language to amend the agreement and he sent out to all of you. Hans is handing out some language which will help clarify the language to our existing project priority. In Section 23 of the Transportation Element, there is a listing of items that are the basis for prioritizing projects that we use for the 6-year plan. In those, current service rating is one of the criteria, current and service ratings are two of the criteria for the evaluations. The clarification that we are proposing is as follows: 'County transportation improvement projects are prioritized in an organized, analytical manner that promotes a comprehensive transportation program. Project prioritization relies on a matrix that includes such factors as Traffic Volumes, Road Deficiencies, Accidents, and Service Rating. The service rating criterion is divided into four general categories: economic; recreation; service oriented; and community oriented. The infrastructure needs of the unincorporated UGA's would be identified and included in the prioritization matrix in this category'. In the existing matrix, we have an element that can be used to accomplish the end that Tim Wing was proposing. I would like to comment on what he had proposed. The first item he proposed is 'Mason County will, by the end of 2009, have a comprehensive road plan in place for the UGA's of Belfair and Allyn'. The study we are undertaking for Belfair, under the leadership of Kell McAboy, is probably going to be able to meet that need. As far as Allyn, I'm eager to see how the consultants apply the evaluation process for Belfair so that we can learn from that and apply it to Allyn. Whether or not we'll be done by the end of 2009, I'm not sure, as I'm not sure what the schedule for the grant is.

(#1100) Kell McAboy explained we will need to have a product to the PAC by the end of June of 2009. So for Belfair, we will meet that portion of request of the deadline.

(#1120) Charlie Butros explained that from there how we take that information and apply it to Allyn is still something we haven't worked out. Allyn's road network is a little different and less complex than Belfair's. Belfair has a totally different set of factors. In Allyn, there's been a road plan already established from the plat that was filed in 1889. There are already three of those roads that have been adopted by the BOCC as future county roads. How we expand on that network should be easier. Whether we can get it done by the end of 2009 will remain to be seen. The response I have to the schedule items that Tim is proposing in his amendment is that I'm not sure we want to commit to that in the Transportation Element. I would propose that we would not commit to that in this element. This fits more into the long range planning than it does the annual or 6-year project planning. As far as selecting the new priority system, that is what we have been identifying and we need to continue to work on that, but I don't agree, as I've stated before, that the highest priority to road projects be given in the UGA's. Our chartered responsibility, based on state statute, is preservation and maintenance of existing road infrastructure. Putting the highest priority on developing new roads in UGA's is inconsistent with that charter.



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(#1220) Bill Dewey noted, in fairness to Tim as he is not here, in Tim's comment #2, he's talking about a new priority system for selecting road projects. He still says giving the highest priority to road projects that are considered emergencies and safety issues which require immediate attention. So he's not saying UGA's first. He was trying to capture what you shared with us that has traditionally been your priority. Do you agree with that first paragraph?

(#1250) Charlie Butros responded he agrees with the first two sentences. His other sentence, 'Other road projects will be evaluated and prioritized with significant weight being given to those projects which are within the County's unincorporated UGA areas', I cannot agree with. At this point, the funding that we have is not specific to UGA's, and the position that Mr. Wing has made on several occasions is that we need to put into a priority system a higher rating or ranking to assure that roads in the unincorporated UGA's get a higher priority. Recognizing he did consider emergencies and safety issues, maintenance and preservation drives us toward investing funding to protect the existing investment in our infrastructure. We have seen areas where under investing in preservation and maintenance creates degradation to the point where you need to replace a road or replace a bridge. We think that is the wrong approach to take from a maintenance and preservation standpoint. What he's trying to say is we should not redirect funds that are intended for maintenance and preservation to building new roads in the UGA's, but that road projects in the UGA's be allowed to compete for the funding that's available with other projects countywide. We don't disagree with that.

(#1320) Don LeMaster added that what Tim want's to have happen is to have those projects have a higher priority than what would appear in your 6-year plan. He wants to have the goals to have a higher priority for the investment in the UGA roads than what appears in the 6-year plan.

(#1350) Charlie Butros stated he understands that, but in relooking at the prioritization and the process for prioritization, that's in there right now. How we weight it differently is a question that we will need some time to take to review.

(#1375) Don LeMaster stated what I understand is that your current prioritization system has encompassed this procedure as it stands. Therefore, those projections on your 6-year plan were prioritized given this method. So what I hear you saying, Charlie, is that you don't think there should be any difference in the way you do business.

(#1400) Charlie Butros responded yes, and no. What I'm proposing is that we use the current prioritization with a clarification that points out that the infrastructure needs of the unincorporated UGA's would be identified and included in the prioritization matrix as part of the category for current rating and future service rating. We've had the current and future service ratings of the roads in the basis for evaluation of projects before, but there was never a criteria that identified UGA and non-UGA factors. What we're proposing, as a response to the recommendation, is we'll differentiate those in those areas. One of the roads in the UGA that is projected to have a service rating, or a level of service 'D' on it is Old Belfair Highway. So for Old Belfair Highway with that future service rating, if we establish that UGA road will get specific additional attention in the future rating area, when we get to a point on future rating for Old Belfair Highway where it's looking like it needs additional attention, we'll add it to the list of projects that are being reviewed for additional funding to expand their capacity. Today there isn't any differentiation between UGA roads and non-UGA roads because we've been treating them the same across the board. Roads are roads.

(#1500) Bill Dewey stated the approach with the current service rating only deals with existing roads.

(#1520) Charlie Butros responded that is correct.

(#1525) Don LeMaster stated that is part of the issue for me.

(#1535) Bill Dewey inquired of Charlie if he is proposing this paragraph be inserted at Section 23.

(#1550) Charlie Butros responded that we are proposing to add this additional language be included to clarify in Section 23 the additional attention that needs to be given to future service ratings in the UGA's.

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(#1555) Don LeMaster stated it begs the existing question of how that impacts the prioritization of future roads; those roads that have not been built yet.

(#1575) Charlie Butros asked of Hans Cregg, Transportation Engineer at Public Works, when we go through the prioritization and evaluation process with the road needs in Belfair, and that is a new road, and we need to add that to the projects list as a new road, and evaluate it against existing road improvements or projects on existing roads, how would you differentiate that through the evaluation process.

(#1690) Hans Cregg explained it is a road project, and usually there is a some kind of indication whether there is a loss of service to the road or the traffic congestion becomes greater, etc., those things are triggered by economic circumstances, and also by traffic circumstances. It is evaluated in the same light as any other road that we plan on improving or expanding. Sometimes building a new road is the most efficient way of doing that.

(#1640) Charlie Butros added it's just another road project, whether I'm building a new road or repairing an old one, or replacing a bridge. That's my response to the point you were making.

(#1675) Diane Edgin commented that we need desperately in this county something to bring in jobs, taxes, etc., to improve the economics. Under the service rating criteria, we don't know what those new businesses are going to be, but they're not going to come here if we don't have the infrastructure, and I know you realize that. I know it's getting there slowly, but we all want it to go faster. If we had a choice between a new road outside of the UGA, and a new road inside the UGA, and it wasn't a safety issue, then I would be more weighted toward the UGA road because it's going to bring the economics that we need.

(#1735) Charlie Butros added that the clarification that we proposed, I think, does what you're asking, as it includes and identifies the UGA focus of attention into the future service rating category that is identified as one of the items for evaluation where it hadn't been before. That's the reason we propose this clarification of the evaluation criteria because before we didn't differentiate, and this will provide the basis for that differentiation. It also helps us by fitting into an existing approach and evaluation process that we use. What you had asked for prior to this was totally revamping our process, which was very difficult for many reasons. That it caused us to re-establish a totally different formula and approach for the way we did business. At this point, we can live with what we've given you; I can't live with the majority of the items that Mr. Wing drafted, especially the 3<sup>rd</sup> one, because from a legality standpoint, we cannot do that. It's not legal for us to be spending county dollars outside of rights-of-way that we operate and maintain. You cannot spend county road dollars in a state right-of-way.

(#1800) Don LeMaster stated he wants to make sure that traffic has a long term plan to try to accommodate these UGA's to accomplish what the Comp Plan wants to accomplish, which is to have the majority of the people in the county residing in those UGA's and RAC's. If there's no way for traffic to prioritize that happening, it won't happen. It will be the 6-year plan, and unless there's some kind of focus from traffic and from you to say 'the long term goal is to have as least congested traffic plans in these UGA's to accommodate as many people as these UGA's can accommodate to bring the business, jobs and people in so they have a better tax base'.

(#1875) Charlie Butros explained when we talked last time about to what degree do you plan and regulate road development? There's obviously a reasonable degree to which you go, and then allow the people making plans for development to assist you with taking through the implementation. Otherwise, if you go too far, you're over regulating and you're constraining development. We are working on a road network for Belfair, and will use that in analyzing the needs for Allyn. My hope is that we can learn enough through the interaction with the consultant on what is needed in Belfair, and start work to apply it to Allyn. We have a road network grid in Allyn; some of the roads on that grid are public easements as they have been used as roadways for an extensive period of time. The BOCC took action to establish three of those roads as future county roads. That's a good step in the direction you're asking us to take, and I think it needs to be expanded on more. Are those the only three roads that need to be county roads in Allyn? Probably not. However, at what point do we continue to identify additional roads in that area before we get to the point at which we are constraining development? I don't think any of us can answer that at this point.

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(#2010) Debbie Jacobs inquired about the prioritization process in regards to establishing the Belfair road plan.

(#2045) Charlie Butros explained that we would adopt the plan through action of the PAC and then later action of the BOCC. Once that plan is adopted, any future development that we have proposed for Belfair would need to be considered against that plan. If there is a huge, 500 home development proposed, when that application for permit comes in, it is considered against that plan. If that 500 home development ends up needing additional roads or expansion of existing roads, that's when we apply it to the priority criteria that is established as a basis for the need of a new project. It's not the plan that drives the new project; it's the need based on what development anticipates a level of service change. If I don't have anything proposed in the way of future development that doesn't change any of the traffic needs in Belfair, there's probably not going to be a need to drive a priority change for consideration.

(#2125) Bill Dewey commented, with that in mind, if a developer wants to put in 500 homes, and it triggers the need for a new road in Belfair, one of the ones that's planned in the grid, and it comes onto your priority and it ends up at the end of your 20-year list.

(#2150) Charlie Butros responded it depends on where it ranks on the priority list. It could end up at the top of the list.

(#2165) Bill Dewey stated it seems somewhat burdensome the way this road project evolves and projects move up the list. So if all of a sudden we have this opportunity where developer comes in to build 500 homes in the UGA, we don't want to do anything that's going to discourage that. So trying to understand how that comes into this service rating, I'm unclear on that.

(#2175) Charlie Butros responded that funding is key issue get driven to the top of the list. Funding is one of the factors in the criteria. Right now one of the ways we get funding for many of these road projects for maintenance and safety projects is based on grants that are available for maintenance and safety. So at this point if we have the funding for a new road, or a road improvement, and that could be funding provided through the development, impact fees, or a part of the development requirements for what is submitted, and that developer is funding all or a part of what is needed there, then it moves in higher in the priority array.

(#2230) Jim Reece stated he has a problem with needing a long range plan for a full development for the county that says 'what is the ultimate population, where does that population reside, and what does the road system look like that needs to surface it'? If you start out with the main roads with 120 foot right-of-way, and down the way you get a 206 foot right-of-way, then it's difficult to have a developer come in and wants to put 500 homes in and have to change from a 120 foot to a 206 foot right-of-way. So it should say that under full road development, this is the kind of road system we think Mason County needs.

(#2300) Charlie Butros talked about the diagram he handed out two meetings ago which is an attempt at what you were just describing. The roads in red are identified as needed for future expanded traffic, and to reduce the length of detour in the event some of the loops were affected either by storms, or other.

(#2345) Bill Dewey inquired of Charlie if the service rating criteria that was handed out to us tonight is the process that is used currently.

(#2355) Charlie Butros explained it is the process we currently use, but many of the factors in that evaluation process, such as, traffic volumes, traffic collisions, roadway width, horizontal curvature, grade, sight distance, clear zone criteria, fund leveraging ability, structural adequacy, drainage, bicycle and pedestrian plan, current service rating, and future service rating; those are the evaluation factors. There are many projects that we have where a good portion of those evaluation factors may or may not apply. For example, the damaged roads from the storm we had last December; several of these do not apply, but the major driving factor is structural adequacy and drainage adequacy for those that were blown out because of the storm.

(#2400) Bill Dewey noted that future and current service rating are at the bottom of that list, and in this revised paragraph you note the service rating criterion is divided into four general categories, which are economic,

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recreation, service oriented, and community oriented. Bill inquired if that is currently the practice of what is done now.

(#2425) Charlie Butros responded this it is.

(#2440) Bill Dewey inquired if we could add another category that accomplishes a special look at the UGA's.

(#2450) Charlie Butros stated they had considered that after the last discussion with you, and we determined that we think that there's a factor in there that addresses the need already. Charlie also noted there is a 5<sup>th</sup> criteria there and that's 'commercial'. Charlie explained the service rating is a classification that identifies service rating 'A', 'B', 'C', 'D', and 'F', is basically how much of the capacity of the existing road are you using. 'F' indicates a failed rating where you have total gridlock. 'D' is increased travel time because of congestion. 'C' is an acceptable travel time, and 'B' and 'A' are under capacity. Currently the majority of the roads in the county are 'B' and 'C' rating.

(#2525) Diane Edgin inquired about the trucking survey that was done, and that perhaps it was not comprehensive enough, and it did not cover all of the local trucking.

(#2585) Charlie Butros explained that in going back to that study it did address a lot of the businesses you had asked about; all trucks that travel the roads were included in that survey.

(#2600) Bill Dewey commented that what you've provided us here for a clarification standpoint articulates what you're doing currently.

(#2620) Charlie Butros added it clarifies it and expands on it as it attempts to identify specific attention to UGA's, which wasn't in there before.

(#2630) Bill Dewey noted he's concerned because Tim Wing is not present, and Dennis is out as well in trying to make sure all their concerns are covered. I appreciate all your clarifications.

(#2725) Charlie Butros noted the public hearing was closed last meeting, so we're trying to determine what amendments to the existing plan were needed to address the issues we had discussed last meeting, and come to a conclusion on moving forward with this.

(#2745) Bill Dewey noted Charlie stated Tim's comment #3 is not doable, and what you've provided with your paragraph as an alternative to #2 from Tim, and regarding #1, the Belfair road study will do that, and Allyn will follow behind.

(#2785) Don LeMaster noted that Tim's earlier concern was to have a goal that Charlie was really on board with the concept of what we were trying to do. I think he said he would be willing to pass it today if he was sure you were on board. It seems that we're working toward getting that identification into place.

(#2835) Bill Dewey stated he agrees with that. I appreciate Charlie's discussion tonight and his clarification regarding #3, that it's something we can't legally do. Under #2, Charlie has provided an alternative, which is what Tim was trying to get at. As far as trying to get Comp Plans in place for Belfair and Allyn, I actually like the idea of saying that in the Comp Plan that we're going to try to achieve that. It sounds like it's doable in Belfair, and I'd like to challenge you to do that for Allyn.

(#2875) Charlie Butros stated he doesn't mind taking a shot at it, and recognizing that depending on our ability to get our arms around what's needed for Allyn, what we may get to is a very, very simplistic plan for Allyn as an initial step. I think we can commit to that by the end of 2009. My feeling is we have narrowed the disagreement gap substantially, but I'm not comfortable in making a commitment because at this point, we're unsure what the resources are with regard to both county staff resources and county staff ability.

(#2965) Bill Dewey noted that because this has been a big cause for Tim, I have some reluctance to take action on this without hearing his comments, along with Dennis.

(#2985) Don LeMaster commented he does feel the level of polarity has reduced considerable, but perhaps

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we should table it until we have everyone here.

(#3010) Diane Edgin commented that it would be good to have Belfair done by the end of 2009, and Allyn by the end of 2010.

(#3040) Miscellaneous discussion about continuing it to the next PAC meeting to be held on November 3<sup>rd</sup>.

(#3200) Charlie Butros recommended to the PAC, for their consideration, is they're okay with the language as we've described it, we can put this in the updated Transportation Element and you can discuss whatever other comments you propose to the BOCC to make on the 3<sup>rd</sup> as added statements or comments and submit those.

(#3250) Bill Dewey stated if you're comfortable with that, let's go ahead and make a recommendation to incorporate this into the Transportation Element, and continue the hearing to the 3<sup>rd</sup>. Let the record show that the PAC supports this, along with #1, and we'd like to see this incorporated into the Transportation Element, and we'll come back for a discussion of that on the 3<sup>rd</sup>. There was a motion, a second, and the motion passed.

(#3500) Kell McAboy, Department of Community Development, opened the public hearing for the sign ordinance. We have had two workshops prior to this. The sign ordinance will be adopted into our Development Regulations. The starting point was the interim sign regulations that expired in 2005. We added exemptions to the sign regulations, and then prohibited signs, and temporary signs, as well as addressing bulk and dimensional standards for each of the different zones within the rural areas of the county. The prohibited, exemptions and the temporary sign sections all will apply to the Shelton UGA, but until such time as the City of Shelton has zoning regulations, there are no bulk and dimensional standards. There's one ear mark that I do need to tell you about in the definitions section that's not related to signs. I added a correction to our Accessory Dwelling Unit definition. It deletes the language that would otherwise make you think you could have an accessory dwelling unit added onto or created within your main residence. On page 5, you can see where that's been deleted. *(Kell explained the confusion staff has had with this definition, and the history behind this change, which is actually a correction and not a change to any regulation or policy).* At the workshop, the PAC went back to wanting to allow signs within the right-of-way under certain circumstances so that was included in this draft. That was a change from the first workshop.

(#0095) Bill Dewey noted that it is more comprehensive in that our discussion was focused on real estate signs, and it's all temporary signs.

(#0100) Kell McAboy stated that is correct. So now under the prohibited sign sections on page 2 under (C), it reads 'Signs located in the county right-of-way, except for temporary signs in accordance with the following restrictions', and then it adds the four restrictions, and that's the same language that was in the interim sign ordinance that did expire.

(#0115) Diane Edgin mention the signs at the 'Y' on Harstine Island and someone complained and they had to be removed.

(#0120) Kell McAboy explained that is a county maintained area for the Public Works Department so all signs would be prohibited there.

(#0160) Don LeMaster inquired about the limitation of nonconforming signs to twenty years.

(#0170) Kell McAboy responded that was Tim Wing's desire to put that out to twenty years. The original versions did not have a time limit. So you could have it read that if it's a nonconforming sign, you could keep it as long as you don't make it more nonconforming.

(#0200) Don LeMaster commented he likes the indefinite part of that.

(#0210) Debbie Jacobs stated that Jim's point was that one of the problems we have in having a nicer looking, more conformed controlled sign situation was ultimately to get these nonconforming signs out. That

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way people know that they have a reasonable amount of time to know they until twenty years from now to make that change.

(#0230) Bill Dewey suggested the wording 'continue in use for up to twenty years *FROM* the adoption of this code ...'

(#0300) Diane Edgin inquired what happens if a sign is damaged. Can it be replaced?

(#0310) Kell McAboy responded that in the Development Regulations there is language about nonconforming structures, and if a nonconforming structure or whatever is damaged by the elements, you have up to two years to restore that structure. That would apply to signs as well. However, regarding nonconforming if it's in the right-of-way, it says 'Permanent signs located within any part of the county right-of-way only has one year upon adoption of the code and not the twenty year'. It would then be considered a violation.

I haven't received any feedback regarding bulk and dimensional standards that are listed in here so we will assume that language is satisfied. We did reduce the size allowed for cottage industry from 32 square feet to 12 square feet. I also added in the prohibited section (F) which states 'Advertising Vehicles. Signs that are attached to or placed on or in a vehicle or trailer parked on public or private property such that the primary use or intent becomes advertising. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during normal course of business'. I also added Sandwich board signs to the definitions as to how they are measured.

(#0450) Miscellaneous discussion regarding Advertising Vehicles.

(#0570) Bill Dewey opened up the public comment portion of the hearing.

(#0585) Rob Drexler of Allyn commented that he appreciated that they listened to what we had to say about our real estate signs. Rob stated our clientele needs these signs. It is a challenge sometimes to get people to follow all the rules. He urged the PAC to pass this ordinance as it has been presented.

(#0640) Charlie Butros stated Alan Eaton came and provided you with some information from his first hand experience in operations and maintenance of these signs. We passed an interim ordinance on a trial basis for a while. We've had extensive discussions, voiced our concerns about the maintenance impacts, the potential safety impacts of having these signs in inappropriate areas in the right-of-way. What we found is trying to regulate realtors is like herding cats. Even though a good many of them intended to comply with the requirements of that temporary ordinance, what we found is that there were many instances where it wasn't complied with. Our primary concern is efficiency and safety. The clear zones adjacent to the roadways are intended as safety areas for traveling vehicles to use to get off the roadway if they need to for safety reasons. We had mixed reactions on the interim ordinance, and the majority of the real estate agents complied with the intent of the ordinance. To expect the county public works to out and remove signs that are noncompliant with the ordinance, is inappropriate. It's inappropriate to misuse the right-of-way, and to require the county maintenance forces to take action to correct that. I propose to you that there needs to be tighter regulations on these signs, and I encourage you to reconsider what had been proposed the first time.

(#0750) Bill Dewey noted it seems that whether we allowed it or don't allow these temporary signs in the public right-of-way there's going to be abuse.

(#0785) Charlie Butros responded that it's easier to enforce if the requirement is clearer that no signs are allowed in the maintained area of the right-of-way. If you want them, put them in the unmaintained areas outside the clear zones. That's a lot easier to understand than a requirement that's harder to explain and enforce.

(#0800) Miscellaneous discussion about temporary signs.

(#0940) Charlie Butros noted regarding real estate signs. A real estate sign in the right-of-way in an area that's being maintained or mowed in the county; that is not allowed.

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(#0950) Kell McAboy stated that is prohibited. Even though it's a temporary sign, it cannot meet that #4 criteria.

(#0965) Charlie Butros asked for the definition of 'interfere'.

(#0975) Kell McAboy stated we can change that language to say 'signs may not be placed in drainage areas and other areas maintained by the County Public Works Department'.

(#1000) Miscellaneous discussion.

(#1200) Kell McAboy added a 5<sup>th</sup> criteria regarding the size of the temporary signs not to exceed four square feet.

(#1300) Bill Dewey closed the public comment portion of the hearing. There was a motion and a second to pass the proposed ordinance forward to the BOCC with the suggested changes. The motion passed.

Meeting adjourned.