

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes
April 20, 2009

(Note audio tape (#2) dated April 20, 2009
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 Dennis Pickard. It was announced that Tim Wing is resigning his seat on the Commission as of 4/24/09.

2. ROLL CALL

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

Staff Present: Barbara Adkins, Kell McAboy, and Susie Ellingson.

3. APPROVAL OF MINUTES

None.

4. NEW BUSINESS

(#0025) Dennis Pickard announced that Tim Wing is taking leave of the PAC. On behalf of all who has served with him, thank him very much for his dedicated service.

(#0035) Tim Wing stated it has been an honor to serve with the PAC and County Staff and has appreciated the opportunity.

(#0050) Dennis Pickard noted this is a workshop for educational purposes for the PAC members. It is not a public hearing, and we are not being asked to make any recommendation to the next level. We may be able to take some questions at the end of the workshop. There will be many opportunities going forward for public input both at the PAC level and at the BOCC level.

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(#0080) Barbara Adkins, Department of Community Development, opened the workshop on the proposed zoning regulations on the Shelton Urban Growth Area. In January of 08, the Shelton UGA Sub-Area Plan was adopted. Once you have a plan, you have to have an instrument that now implements that plan, which is the development regulations before you tonight. Shortly after that in June, we hired a consultant firm, Shea, Carr, and Jewell, who are represented here tonight to help with your questions. They began working with an appointed advisory committee. Some of the members were appointed by the county, and others were appointed by the city. The City of Shelton applied for a planning grant from CTED (Community Trade and Economic Development Council) which was to pay for creating these development regulations. We're also doing a interlocal government agreement between the City and County to help implement these regulations. We have proposed nine chapters that you have before you.

(#0200) Tim Wing inquired what the makeup of the committee was.

(#0210) Barbara Adkins stated there was Port of Shelton representation, Shellfish growers representation, EDC, Shelton Chamber, Homebuilders Association, Realtors, and several local business people.

(#0250) Jean Carr, consultant. explained the committee went through and helped provide the content of these chapters, and then, at the end of our exercise which lasted several months, recommended forwarding these chapters to the PAC. For most of the chapters we started with the existing City of Shelton regulations because the zoning map that was adopted for the UGA established zones that mimic the Shelton zoning chapters. We did establish the Public Institutional Zoning District to address large, state owned facilities. The Parking Chapter is based on County standards. Starting with the first chapter, the City of Shelton had previously adopted an Airport Industrial District and it was designed to acknowledge Sanderson Field for the unique area that it is. To a large extent, this chapter refers to the master planning and regulations that were developed by the Port for the airport. You will largely see in this chapter under permitted uses references that master plan, which details a long list of things that are allowed and not allowed. It also sets up some pretty flexible standards for setbacks and open space requirements acknowledging the unique aspects of the airport. It references the standard county height limit of 36', unless it's a special airport facility, as well as design review.

(#0400) Dennis Pickard inquired if the Port's Master Plan has provisions for parking and landscaping requirements.

(#0405) Jean Carr stated they have provisions but are less detailed and are really just guidelines.

(#0435) Jim Reece inquired about references to FAA requirements for glide paths.

(#0440) Jean Carr explained that is something that the Port would deal with and not the county.

(#0480) Jay Hupp, Port of Shelton Commissioners, and also a member of the committee. Jay stated the glide slope information and air protection around the airport is in the Airport Overlay, which has been adopted by both the county and city. It not being references specifically in this chapter became an issue before the committee. The decision was not to include it rather than go against the decision of the committee I would just say that we pushed hard for that and it didn't happen. You would just need to reference the Airport Overlay. The Port of Shelton Comprehensive Plan has provisions to cover hazardous waste and those kinds of issues.

(#0535) Tim Wing inquired if there are issues that have come up in the committee where there's dissension about things, we'd appreciate it if you could at least say that not everybody agreed on this, as the PAC is eventually going to hear from public testimony and too often we're asked to make a decision almost the same night we hear that. If we have an idea of the pros and cons on particular issues that would be very useful.

(#0575) Jean Carr talked about the Commercial Industrial District explaining it is a district intended to provide for industrial type land uses, as well as some commercial in support of those industrial uses. This chapter in particular is quite similar to the way it was originally written in the Shelton code. One of the differences, though, is that we specifically list permitted uses in the body of each chapter. The committee worked very hard on what the land uses ought to be. There is also language addressing the hazardous waste issues.

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Prohibited uses are also listed, as well as a 45' height limitation. We added some language in the special uses section that allows for additional retail or service uses.

(#0650) Bill Dewey inquired why junk yards/car wreckage/salvage are prohibited uses.

(#0685) Jean Carr explained it is currently a prohibited use in this zone in the City of Shelton. It tends to be a use that people are concerned about the aesthetics. In most urban areas you tend to not see these uses unless they are a hold over from times gone by.

(#0720) Diane Edgin noted we don't allow them in the rural areas, and we're not going to allow them in the UGA's where there is railways. It makes more sense for them to be in a commercial district where they can be shipped out by rail.

(#0735) Tim Wing shared the same concern. It's a recycling of automobiles. If you can't do it in the rural areas, and can't do it in the urban areas, then you can't do that in this county. I don't think that's what people want. If this is adopted, is there no place in the county to have a car recycling business.

(#0775) Diane Edgin stated on page 2, under 'D' should say sales also. Same thing under 'J'.

(#0850) Dennis Pickard inquired about the hazardous substance language.

(#0900) Jean Carr responded generally when you look at hazardous substances language it's usually less specific than this language. This language is from the state regulations.

(#0950) Tim Wing inquired if the EDC representative was happy with the regulations for the industrial zone.

(#0975) Matt Matayoshi of the EDC explained they worked on these regulations through three different meetings and what we came up with is good. Regarding the hazardous substances language, I advocated that hazardous materials are dealt with the state and federal regulations. To repeat that hear may set us up for conflicts.

(#1000) Jean Carr explained the Industrial District. This district provides for moderate to heavy industrial development in order to provide needed goods, materials, and services to ensure the economic vitality of the City of Shelton, UGA, and Mason County. There are permitted uses and similar or related uses.

(#1065) Dennis Pickard stated this would be an appropriate district to consider allowing junk yards/car wreckage/salvage as permitted uses. The PAC has expressed an interest in having it specifically called out in some district in the UGA. On page 1, under Permitted Uses, it talks about standards established by recognized public or quasi-public agencies, and inquired the vagueness of the language.

(#1120) Jean Carr explained they were trying to capture that these industrial activities in particular tend to be regulated by a multitude of agencies. Those might be DOE, or other state levels, as well as more local and regional agencies. There is also the Air Pollution Control Authority, which fits into the quasi-public agency category. There are a lot of groups that regulate industrial activities.

(#1150) Dennis Pickard suggested saying something to the effect of 'recognizing public or quasi-public agencies with jurisdiction over the subject matter or some other limiting language.

(#1165) Tim Wing stated he shares the view that if they need to be agencies that have jurisdiction, there's a lot of people who put out standards, some of which don't necessarily apply.

(#1180) Dennis Pickard noted on page 2, the living quarters section differs from the section in the Commercial Industrial in terms of the language.

(#1200) Jean Carr stated which ever one you prefer, we can use that.

(#1225) Dennis Pickard noted on page 3 under .070 it talks about minimum lot size, and then minimum lot coverage which stated 'no maximum'.

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(#1235) Jean Carr stated that was a typo. There wouldn't be a minimum lot coverage.

(#1240) Discussion about self-storage facilities being prohibited.

(#1275) Jean Carr stated the primary reason that those facilities get limited, especially in industrial type zones, is that they tend to take up a lot of land area, and aren't a productive type use that's intended in an industrial area where you're trying to create jobs and products.

(#1375) Tim Wing stated they should be somewhere near residential development.

(#1425) Bill Dewey inquired about the differences between Commercial Industrial and Industrial. He stated his understanding is Commercial Industrial is for light manufacturing, and the Industrial is moderate to heavy industrial. Looking at the list, there are a couple under Commercial Industrial that stand out that they're in the wrong place, and should actually be in Industrial. Those include heavy machinery, metal coating, galvanizing, electroplating, manufacture and assembly, etc. Those aren't necessarily light industrial.

(#1500) Don LeMaster inquired what criteria was used to determine the different uses between the two districts.

(#1540) Jean Carr explained the list was primarily developed using the existing permitted and prohibited uses in the matrix. We tried to pull out representative things. The list in commercial industrial tends to be a little more exhaustive as it allows more commercial type things.

(#1600) Dennis Pickard noted there doesn't need to be a fine black line between these two particular zoning districts. There may be some cross over uses.

(#1630) Don LeMaster inquired about mineral extraction. Maybe this is part of that matrix carry over, but it could be construed different than what maybe it was designed to be.

(#1685) Tim Wing inquired what a 'data center' is under permitted uses.

(#1700) Jean Carr stated it relates to 'server farms'.

(#1720) Tim Wing stated that doesn't appear to be industrial in nature.

(#1725) Jean Carr responded this might be an opportunity to take a couple of the more heavy industrial uses and move them to industry and take them out of there and rebalance them. It wouldn't hurt the industrial district to have a data center in it, but it might not be the best place for a data center.

(#1750) Miscellaneous discussion.

(#1900) Jean Carr explained the General Commercial Zone is intended to capture the largest amount of various retail type of activities. It is intended to provide for those commercial uses and activities which are dependent on convenient vehicular access and to provide development standards which enhance pedestrian and transit access.

(#1950) Dennis Pickard noted there should be a specific reference to the air pollution control authority. It needs to be more specific with jurisdictional aspects. Dennis also inquired about the language under Maximum Height where it reads 'If the GC zoned property directly abuts a less intense zoned property' ... and what that entails.

(#2000) Jean Carr explained generally a less intense zone is the GC would allow residential.

(#2020) Miscellaneous discussion.

(#2100) Dennis Pickard stated it should be clearer if it is specific to height limitations versus a less intense

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zone.

(#2140) Jean Carr stated we could add that language.

(#2160) Bill Dewey noted that grocery stores should be added as permitted uses, and maybe a likely district to add self-storage.

(#2175) Miscellaneous discussion.

(#2400) Jean Carr explained the Mixed Use District is intended to provide for a mixture of residential and commercial uses in close proximity to or integrated within the same structure while maintaining a high degree of design standards. She noted this section also contains more specific regulations having to do with lot development so these uses can coexist. There are also open space requirements.

(#2450) Miscellaneous discussion.

(#2750) Jean Carr explained the Neighborhood Residential District is designed to provide for a variety of housing types throughout the Shelton UGA while maintaining neighborhood definition. It allows for single family development and mixing in of slightly higher densities of duplexes and triplexes. Multi family is permitted only under a master plan type of development. We had a large discussion regarding the number of common household pets people could have. We were trying to limit the number of animals you could have when your animals might impact your neighbors. We did not try to limit the number of indoor pets.

(#2800) Jim Reece inquired what the rationale was for limiting two duplexes or triplexes per block.

(#2850) Jean Carr stated that is the limitation that is currently established in the City of Shelton. That's keeping consistent with the City and the UGA.

(#2900) Don LeMaster stated 'Multifamily' is defined as a building containing separate dwelling units and inquired if a tax parcel has four dwelling units on it, is that considered multifamily.

(#2950) Jean Carr stated multifamily is defined as conjoined or attached dwelling units.

(#3000) Bill Dewey inquired if there was any discussion in trying to address pet breeders or puppy mills.

(#3025) Jean Carr explained there's some language in the Shelton code that talks about having so many dogs and unweaned pups. We took that out as it's very difficult to enforce. Jean explained about the Public Institutional Zoning District stating that now usually any large, publicly owned facility generally winds up in the Industrial Zone, and what ends up happening is that when you're trying to gauge how much industrial land is available in the county, you don't have a separate zone for things like the State Patrol facility. They take up a lot of space that looks like you have all this industrial land out there and it's really public lands serving a different purpose.

(#3200) Dennis Pickard noted there was a tremendous amount of discussion on this when we dealt with the UGA last year. He stated he is pleased that we have something that separates those out so we can get a firmer grasp on the economic development issues versus the public services issues.

(#3300) Jean Carr stated by adopting this, it would allow that map to be revisited easily in terms of rezoning, and putting a new zoning designations on some of those larger, public agency uses. We looked at institutional type zoning chapters from other jurisdictions and took the best ideas out of those and put together this chapter for the UGA. It allows taller height limitations as well.

(#3350) Dennis Pickard stated Residential Uses under Permitted Uses would be better suited in the Accessory Uses so not to be misconstrued as a primary use.

(#3400) Jean Carr responded that is a good observation.

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(#3450) Miscellaneous discussion regarding the 45 foot height limit.

(#3600) Jean Carr explained the parking standards you see here are based almost entirely on the existing county parking regulations. We adjusted some of the widths of the drive aisle requirement. We widened them to match up with current industry standards for parking lot designs. Other than that, it reads as the current county standards are.

(#3700) Tim Wing inquired why the City's parking standards aren't being used.

(#3750) Jean Carr explained the county's parking standards are more flexible and the committee preferred those standards.

(#0175) Bill Dewey stated Allyn and Belfair have LID standards, and he noted this chapter has a section on construction standards but doesn't talk about LID criteria where you're trying to infiltrate onsite. I just think it should be consistent.

(#0220) Dennis Pickard inquired how that would fit with what the City of Shelton is doing.

(#0230) Steve Goins of the City of Shelton explained the City is using the 2005 Stormwater Manual.

(#0255) Jean Carr stated the Landscaping Chapter is based on the standards that exist in the City. It is reorganized and consolidated. There were several members of the committee who felt it would add costs and add additional restrictions to commercial development.

(#0300) Diane Edgin noted under Continuance c) where it talks about bringing legal nonconforming landscaping and/or screening into conformity is a large expense to existing property owners. She stated it would make sense that if they have another piece of property that they need to enhance for the public good to do that instead of spending the funds and disrupting the whole business.

(#0350) Jean Carr stated that is a good idea. There are historic businesses that were developed at a time when there were few requirements, bringing them up to code can be difficult. We could work on adding that. Also, on page 5 under .090 it talks about alternative landscaping plans that sets up a list of options where the county could approve an alternative plan that doesn't specifically meet the standards.

(#0500) Jay Hupp from the Port of Shelton stated one of the things our committee did not have an opportunity to address effectively, and a concern particularly from the Port's prospective, is that there are errors in the maps. For example, the area where the Fairgrounds is intended to go is currently zoned Industrial. That should eventually be reflected as Public. There are also airport areas that are in error on the map as well. The entire Sanderson Field area is zoned Airport Industrial, yet a huge section of that will never have anything to do with Industrial as it is set aside for aviation. He stated he has some fear that if this plan goes forward and is reviewed by the GMHB with those errors in the maps we will run into the same kind of problem the county ran into about ten years ago.

(#0575) Dennis Pickard noted when we last talked about the Shelton UGA the Public Institutional zoning was not an existing classification. He inquired at what point in this process should we be looking to see revised updated zoning maps to incorporate the process we're all going through.

(#0600) Barbara Adkins stated there will be a zoning map that will go with the zoning code, and then the maps that have the errors or wrong designations will be a Comp Plan amendment in the October time frame.

(#0650) Katie Sandridge inquired about the interlocal agreement regarding the requirement of residential densities. The interlocal agreement requires new development to annex into the City.

(#0700) Barbara Adkins explained the interlocal agreement doesn't establish any annexation regulations even for new development. The annexation regulations of the City will remain constant.

(#0725) Steve Goins from the City of Shelton also explained there was a version of that agreement that went

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out that included the language you are citing. There have been some refinements to that agreement and that language has been taken out.

(#0745) Katie Sandridge noted based on county requirements her lot size needs to be something that's determined based on the soil type allowing for the septic system, which is larger than four units per acre. This zoning requirement has a smaller lot size.

(#0800) Miscellaneous discussion regarding clustering and developing to full urban density.

(#0950) Audience member noted his concern for air emissions going from Industrial to Mixed Use. He is also concerned about drainage going into Johns Creek and into the bay. We didn't seem to address that.

(#0965) Barbara Adkins explained that stormwater is still regulated in the UGA.

(#0985) Tim Wing also explained there was a stormwater plan just adopted that addresses the whole county. There will be immediate changes in Allyn and Belfair, then those same changes will be applied to other parts of the county over a three or four year period until the county is using that plan.

(#1000) Barbara Adkins further explained all of the stormwater issues are going to the Department of Ecology. The phasing of it has been approved by Ecology. It has to be implemented in phases because the regulations require different methods and different training. Public Works will be implementing it in over time.

(#1050) Miscellaneous discussion regarding revising the maps.

(#1345) A motion was made, seconded and passed to excuse Jim Reece from the May 18, 2009 meeting.

Workshop adjourned.