

Mason County Planning Advisory Commission

September 14, 2015

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

1. Call to Order

Bill Dewey called the meeting to order at 6:05 p.m.

2. Roll Call

Present: Bill Dewey, Kristy Buck, Vicki Wilson, Steve Van Denver

Excused: Kevin Shutty, Rob Drexler, Tim Duffy

Staff: Michael MacSems

3. Regular Business

- a. Adoption of Agenda
No changes; agenda adopted as written
- b. Approval of Minutes
None
- c. Future meeting dates
No new meeting dates were set

4. Public Hearing- Title 16 Subdivision Ordinance

The purpose of the hearing is to correct discrepancies between the adopted and codified version of the ordinance and to update with gender neutral language.

Presenter- Michael MacSems, Department of Community Development

Michael began by explaining what Title 16 covers. He said that it is the subdivision ordinance and he is the main planner that uses this ordinance. Michael explained that the Mason County Code is online (Via Municode), but does have differences that are not found in the paper version. In order to find the origin of changes, he researched documents back to 1937. His goal is to make sure the language is modernized and to make sure the paper and municode versions match.

Kristy asked if Michael would explain the underlined language within his staff report. He said that underlined and crossed out passages need to be approved by the County Commissioners, then added to the online version. Passages underlined with (Diane) next to it mean the language is already adopted by the Board of County Commissioners and just needs to be forwarded to Municode.

In continuing with review of his staff report, Michael pointed out 16.36.010 (5) and 16.36.010 (7) saying he is unsure how this language made it in to Title 16, because this title should actually conform to RCW 58.17.

Vicki asked about 16.21.080 Mixed Uses, where Michael had a note reading:

The language in the Municode version is the same as that found in Ord. 82-96, but is not the same as the language in Ord. 36.00 (Chapter 16.22 as attached to Ord. 36-00 does not contain any track change markings)

She said she didn't understand the note and asked if there were two ordinances dealing with the same information. Michael answered saying the second portion of the ordinance number refers to the year they were passed, so in this case 1996 and 2000. He said the 2000 version did not have "rural activity centers and rural community centers" so this needs to be changed online. On page 10, Vicki questioned a section of 16.28.170 (3), saying it didn't make sense. After discussing how it should read, Michael changed it to:

*... ~~Lots for single family units inside of urban growth areas.~~ When served by on-site septic systems, lots for single family units inside of urban growth areas (**Diane**) and for multiple-family units shall be as approved by the Mason County hearing examiner.*

Vicki then asked about 16.44.030 saying that the first sentence did not make sense. The current sentence reads:

Whenever any parcel of land is divided into five or more lots, tracts, or parcels of land and any person, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer, any such lot, tract, or parcel without having a final plat of such subdivision.

She said she wasn't sure how it needed to be changed. Michael commented that this is not uncommon when reading code, and that he is leery of adding intent. Marilyn Vogler spoke up and said that what this section is essentially saying is a parcel cannot be advertised to sell before the subdivision is approved. Vicki said she can understand why Michael did not want to make a change without counsel. She suggested addressing it when meeting with the Board of County Commissioners (BOCC). Bill and Kristy agreed. Vicki and Kristy pointed out some small typos to Michael who said he would have them changed before the BOCC hearing.

Steve asked the PAC how they would like to move forward with sending changes to the BOCC. He asked if they should do an itemized list or if it should just be one all-inclusive motion. Everybody agreed that one motion would be sufficient.

Bill Dewey opened the public hearing at 6:38 p.m.

Marilyn Vogler spoke first and tried to address section 16.44.030 once again. She made some suggestions on how to make better sense out of it. She suggested the following changes:

*Whenever any parcel of land is divided into five or more lots, tracts, or parcels of land and any person, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer, any such lot, tract, or parcel without having a final plat of such subdivision-; **P**rovided, if performance of an offer or agreement to sell, lease or otherwise transfer a lot, tract, or parcel of land following preliminary plat approval is expressly conditioned on the ordering of the final plat containing the lot, tract, or parcel-; the offer or agreement is not subject to RCW 58.17.200 or 58.17.300 and does not...*

Bill thanked her for her suggestions, and said they would be proposed to the BOCC as an option.

Constance Ibsen suggested Tim Whitehead, Attorney for Mason County, look at this document due to the fact that it does cite specific law.

Patricia Vandehey addressed 16.23.100. She said that Green Diamond had spoken to the BOCC on July 22, 2014 and asked to have the word “cluster” removed. She questioned how one organization could influence this, and stated that she is against this change.

Michael asked if she is asking the PAC to address this. She said that Green Diamond is trying to get the PAC to approve and recommend the change in this section so the BOCC will change it. Michael informed Patricia that this change has nothing to do with Green Diamond and is only being reviewed to make sure all of the codes are correct based on past adoptions. Patricia said she objects to the change and wants to be on public record.

Constance Ibsen asked the difference between cluster subdivisions and performance subdivisions. Michael explained that performance subdivisions occur in rural lands and cluster subdivisions occur on agricultural resource lands.

No other comments, so Bill closed the public hearing at 6:48 p.m.

Marilyn Vogler asked about the change on page 10 under 16.28.170 (3). She asked if a hearing examiner approval is necessary for multi-family units to be on septic. The answer was unknown and Kristy said she would check at a later time.

Bill said he would entertain a motion to forward the amendments, as amended and commented on, to the board of County Commissioners for approval. So moved by Vicki. Motion seconded by Kristy. All in favor, motion carried.

5. New Business

None

6. Adjournment

Bill Dewey adjourned the meeting at 7:04 p.m.