

# MASON COUNTY PLANNING ADVISORY COMMISSION

## SEPTEMBER 19, 2016

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

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### Call to Order

Bill Dewey called the meeting to order at 6:02 p.m.

### Roll Call

**Present:** Bill Dewey, Rob Drexler, Marilyn Vogler, Kevin Shutty, Deb Soper, Vicki Wilson, James Thomas (arrived at 6:45 p.m.)

**Staff:** Barbara Adkins

### Regular Business

**Adoption of Agenda-** Marilyn asked if an addition could be made to the agenda. She explained that she would like to discuss recreational vehicle storage, which the Board of County Commissioners (BOCC) changed to become self-storage in the Shelton UGA. Bill agreed to discuss this at the end of the meeting under new business.

**Approval of minutes- June 13, 2016:** No comments or corrections. Rob made a motion to approve the minutes as written. Motion seconded by Vicki. All in favor, motion carried.

**June 20, 2016:** No comments or correction. Vicki made a motion to approve the minutes as written. Motion seconded by Kevin. All in favor, motion carried.

**June 27, 2016:** Vicki stated that on page 6 under H. Mining Regulations she would like to see the following correction because it did not make sense as written. She suggested the following change:

*In section 8. Marine Beaches and Lake Shores, Vicki pointed out ~~that~~ the mining prohibition on the shorelands of hood canal ~~“shorelands” is used,~~ and questioned if it should be placed in the classification table. Rebecca concurred that it should be included in the table.*

No other comments. Marilyn made a motion to accept the minutes as amended. Motion seconded by Rob. All in favor, motion carried.

**Public Comment-** Rick Calvin spoke on behalf of the Mason County Historic Preservation Commission (HPC) in regards to Chapter II. He acknowledged that the PAC decided not to add anything not required for the update, but added that at the August 15, 2016 meeting he had spoken with them about the possibility of an addition for the HPC and was unsure if anything had resulted from that. Marilyn suggested that because it deals with housing, it may fit better in Chapter III. Bill asked Barbara if she had any thoughts on where HPC language should be placed. She advised him that it is ultimately up to the PAC. Marilyn

asked if the wording in question was aimed at usable residential housing to which Rick responded yes. He gave an example of repurposing older structures, such as warehouses, for housing. Marilyn suggested speaking about it later because she believes it would fit within Chapter III. Rick agreed to wait until the public comment portion of the hearing was opened.

**Public Hearing-** Revisions to Chapter III of the Mason County Comprehensive Plan

*Presenter: Barbara Adkins, Department of Community Services*

Barbara quickly summarized the staff report and pointed out the changes that need to be updated. She noted that the only items from the periodic update checklist for Chapter III is for *goals, policies and objectives for the preservation, improvement, and development of housing.* (Page 7 of the Periodic Update Checklist)

In Chapter III, Barbara explained that she added updated policies on the housing portion. She noted that a comment letter came in from Jeff Cary who could not attend the meeting. The updated housing policies within the chapter came from Vicki Kirkpatrick, who no longer works for Mason County. Barbara suggested putting this portion of the chapter off for the time being due to the fact that Vicki Kirkpatrick and the staff familiar with housing have since left the county. Bill discussed how the meeting held on September 28, 2015 was confusing because the PAC was unsure where the information came from so they did not act on it. Barbara stated that she does not understand the housing policies well enough to answer questions on where the information came from. She voiced concern over the fact that even if someone is hired to fill these positions, they will not be up to speed in the time frame they are trying to work with. Marilyn said that something does need to be done with the housing portion of the chapter and suggested perhaps someone from another county or the state should be called upon for input. Bill agreed with Marilyn.

Bill opened public comment at 6:23 p.m.

Rick Calvin spoke once more. He said that the line they are interested in adding is:

*Encourage the preservation of existing historic structures for use or conversion to single or multi-family houses*

He stated that originally that statement was planned for Chapter II, but it would still work in this chapter under Housing Goals and Policies around 8.7. Marilyn suggested adding it between 8.8 and 8.9. Bill agreed that would be an appropriate location and said the PAC would talk more about it after public comment was closed. Rick talked about the opportunities available to the HPC at the state level in regards to funding if this is added to the Comprehensive Plan. Waiting for another year to have this language added may put them in jeopardy of receiving funding. He said that the core of the HPC is to establish a clear understanding of historic resources and recommendations for policies for land use development protection.

Vicki said that she would be comfortable adding the requested language. Rob stated that he doesn't think the PAC should be picking and choosing what to accept.

Terri Thompson asked about GLU 2 on page one of Chapter III which reads:

*Acknowledge and protect the rights of private property owners when doing comprehensive planning and implementation; prohibit arbitrary and discriminatory actions and preserve reasonable uses for properties which fall under the regulations.*

She asked if a stronger policy could be implemented because she has seen many people affected by incoming businesses such as storage facilities. She discussed the fact that property owners should be informed of their zoning so they know what can or cannot be built. Terri then addressed *Groundwater Management* on page 62. She said the first two items need to be strengthened. The words “should be” need to be changed. She suggested looking at the state laws for wording. She read item 4:

*Ground water quality should be protected and aquifer contamination or degradation prevented through comprehensive management of the ground water resource.*

After reading she referred to an aquifer report she gave the PAC members at the March 23, 2015 meeting. Terri discussed the need to protect the aquifers and drinking water now.

Public comment closed at 6:44 p.m.

The PAC began going through the changes made within the chapter to make sure there were no questions or concerns. Because no staff was available to discuss the Housing chapter beginning on page 65, there was discussion on whether or not a motion would need to be made to adopt pages 1-65. Marilyn made a motion to accept pages 1-65. Motion seconded by Kevin. More discussion was had, and it was decided to not formally accept a motion at this time.

Vicki questioned why all of the Comprehensive Plan meetings are hearings instead of workshops. Rob noted that he spoke to David Windom who said he would rather have hearings. Rob said he did not ask for clarification, so Barbara was asked to speak with David to obtain more information.

Bill touched upon the request from the Historic Preservation Commission and where they could add the requested verbiage. He mentioned previous consideration to add it to *Housing Goals and Policies* between 8.8 and 8.9. At this time, James Thomas voiced concern over the fact that tiny homes and micro housing was not defined in this chapter. All of the Commission agreed that should be added. Barbara clarified that these would be definitions added to the definition sections, not Chapter III. She explained that these definitions are not mandated changes and asked if they still wanted to move forward. They were all in agreement that these definitions should be added.

Bill once again addressed the HPC request and asked the PAC if they would all be in agreement to add the requested language between 8.8 and 8.9. Rob said he would not like to have it added because it would be a new addition and is not part of the mandatory changes they agreed on. He added that he would rather take everything on but if nothing new is going to be allowed then they should not pick and choose. Marilyn said that one of the things they’re asked to look at on their checklist is goals, policies, and objectives for the preservation, improvement, and development of housing. (Page 7- Periodic update checklist for counties). She said that this language is very broad so the HPC language could be reviewed and added. There was some deliberation between the members regarding this. Bill stated that he is unsure how to deal with the housing section because the staff that developed it cannot speak to it. He asked how the rest of the PAC would like to

proceed. Deb noted that if they add this language, they will not be consistent with their decision to only approve what is mandated. Barbara intervened and said that the Housing element is a separate chapter that will be brought forward at a later date. When that is presented, the policies from Chapter III can also be reviewed once again. Marilyn the HPC language should just be considered “not mandated” so they can move forward. Rob said he agreed. Barbara asked if edits and HPC language was to be rejected at this time, to which Rob and Marilyn said yes. Barbara announced that the housing chapter would on the November meeting.

Before moving on, Vicki noted that she was keeping a list of future topics to revisit. Thus far she has Economic Development, water quality and quantity (CARA issues), and housing.

**Public Hearing** –Continued from July 25, 2016. Rezone of Parcels 32133-40-90022, 32133-40-90023 and 32133-40-90024 from Rural Residential 20 to Rural Commercial 2.

*Presenter: Barbara Adkins, Department of Community Services*

Bill opened the hearing and advised that the staff report was revised and now only 3 parcels will be examined for a possible rezone.

Barbara explained that her changes were shown in blue, and added that items such as the background and foundational information are still the same. At this time, she showed a map of which parcels are in question, pointing out that the lot on the corner is no longer part of the request. She briefly went through the staff report discussing the contents which included minutes from the November 2008 PAC meeting, a traffic study, and comments received against the rezone. Barbara noted that she received 4 comment letters in favor of the project over the weekend.

Marilyn said that she still has concerns over the rezone because of the possibility to develop all 3 parcels. She pointed out the fact that the traffic study was unnecessary because it does not take into account what will be built on the land. Barbara stated that the traffic study was actually not necessary for the rezone. Bill stepped in and noted that because the request and staff report had been revised, he would like to take public testimony before the PAC stepped in to make a decision.

At 7:26 p.m. Bill opened public comment on the revised staff report.

Nathan Stout spoke first. He said that he and Pat Paradise are only focused on building a mini storage, not strip malls or other commercial. Nathan explained the reason the fourth parcel was dropped from the request was to create a buffer between their potential business and the residential area.

Thad Bamford spoke in favor of the rezone. He discussed the fact that there is a need in Mason County for more storage. Thad said that he has a pontoon boat, and a trailer that need to be stored so they can be protected from the elements.

Dwight McKay also spoke in favor of the proposal. He noted the demand in the county and stated that Nathan would make sure he had a nice, clean facility. Dwight discussed the fact that there isn't much zoning in the county that will allow these facilities, and noted that he will

probably need to go in front of the PAC because he would like to open an additional facility in the future.

Lucy Castillo spoke in regards to the comments and responses within the staff report. She stated that the comments seem very “pro-rezone” before going through them.

Comment:

The location of Wilson Recycling was once a proposed storage facility that then changed to the recycling center. The change of use requirements need to be examined so that a solid waste facility cannot be opened at this location.	Wilson Recycling was originally some sort of commercial warehouse that slowly added new components until it eventually became a solid waste and recycling facility. There were a series of reviews together with evaluations by the Department of Ecology. This case is an exception and highly unlikely to occur at the proposed property.
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Lucy said that this answer is an opinion and the last sentence stating, *This case is an exception and highly unlikely to occur at the proposed property*, should not have been included.

The SEPA contained many areas marked “N/A”. Some of the questions in the SEPA are unanswered and some state that no impact will be had.	SEPA’s prepared for non-project actions, such as a rezone, contain fewer specifics as there is no actual proposal being evaluated. The rezone of property leaves it open to a number of uses, the impacts of each would be nearly impossible to predict as this stage.
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She noted that since everybody knows the proposal is for self-storage, this comment should have been omitted. She said that a SEPA should be requested since we know.

Many units are being used to create meth labs, and over time the units are deteriorating.	No evidence or data submitted to support such an argument or to validate prejudice against any legal use of the property.
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Lucy informed everyone that on June 8, 2016 in New Jersey, a storage unit was busted for producing meth, and on September 18, 2016, armed robbery at gunpoint happened in Tennessee. She last touched on the traffic study. Lucy noted that that area is the main detour route when accidents occur on highway 3. She also noted that this request has been denied by the PAC twice, and if they do approve it, the property owners can do whatever they want.

Heidi McCutcheon spoke in favor of the rezone and relayed information on some of the positive aspects of the proposed project. She stated that the number of American households that rent storage facilities has gone up from 8.3% to 9.5%. She also stated that storage facilities have seen an increase in revenue of 10%. Heidi noted that she personally needed to find storage and ended up choosing one along highway 101 due to the fact that it was the only facility with any vacancies. She suggested that this facility would open up some jobs which can make a difference with a few families in the community.

Bob Smith stated that he is in support of this because there is a need for storage in this area. He said the location is good, and it would be a good asset to the community.

Jason Bailey talked about the testimony against the project given at the July 25, 2016 hearing. He discussed the evolution of Wilson Recycling and the impacts it caused within the County. At this time he addressed the applicants and first praised them for not requesting a rezone on the 4<sup>th</sup>

parcel to create the buffer. He questioned what would happen to that parcel since it would not be part of the construction. Pat Paradise explained that he would like to landscape the area to create more of a buffer than currently exists. He added that this buffer would not only create privacy, but would also cut down on traffic noise coming off of McEwan Prairie Road. Nathan Stout said if anything was built on that lot, it would be a caretaker house since it is zoned residential, but the landscaping would still apply. Jason questioned fencing stating that he has never seen a storage facility without barbed wire and chain link fencing. Bill stepped in and said that he would like to keep the focus on the rezone instead of the project because ultimately, that is what they were there to review. Jason said he understood and then discussed the petition that had gone around against the facility. He said storage is needed in the county, but not in an area that is currently zoned residential.

Paul Wildman submitted a book of photos. The photos were of all the storage facilities within Mason County. He said these photos are the reality of what happens when these businesses are opened. Paul declared that changing the zoning to a commercial zoning will dramatically decrease surrounding property values, and whatever is built will be ugly.

Heather West voiced concern over what the two empty parcels would be used for if the change in zoning is approved. She used the available map to show that her driveway sits on McEwan Prairie road, which would create a dangerous situation with the increase traffic from 3 possible businesses. She questioned why all three lots need to be rezoned when the storage unit can only sit on one parcel.

Pat Paradise spoke saying that when the land was purchased, there was no zoning established in the county and the houses there were built after the purchase. Pat submitted a petition which supports the rezone. He noted that these signatures were collected in a day and he feels that if they had gone out sooner, there would have been many more. He ended by stating that the only thing he and Nathan have wanted to do on this property is open a storage facility, nothing else.

Bill asked Pat if the signatures collected were specific to the rezone or to the storage facility. Pat said they were more about the facility because that is their main goal for the property. Bill then asked Jason Bailey about the signatures he discussed on the petition against the rezone. Specifically, if the signatures were against the rezone or the project. Jason said the title of the signature page was "Petition against request for rezone".

Bob Smith said he sees a lack of developable commercial property. He said that his support is not only for the project, but also for more commercial property within Mason County.

Nathan Stout responded to Heather West's comments. He noted that renting storage to large vehicles such as a 30 foot boat or 30 foot RV, the real estate is taken over quickly. He added that if the business takes off like they want, they would like to spread their facility over the other two parcels.

Peggy Schouviller acknowledged the need for storage around Mason Lake, and suggested that the facility be built closer to the lake instead of the proposed location.

At 7:57 p.m. Bill closed public comment.

Marilyn asked if it was possible to combine all three parcels into one large lot. Barbara said the lots could be combined, but it was ultimately up to the owners. Pat noted that they have attempted to do that in the past, but it still didn't get past the PAC. Barbara informed the PAC that if they wanted to see the combination of the parcels happen, that would need to be an agreement made between the applicants and the Board of County Commissioners. Bill suggested that if the PAC would like to move forward on this, they could possibly make a recommendation to approve the rezone subject to a parcel combination. Marilyn said she would be very happy with that.

Marilyn described a very nice, clean facility she saw while visiting Corvallis, Oregon. She suggested that there is a possibility of having a nice facility instead of the unsightly ones most were used to seeing. She said she was not against storage facilities, but did have some concern with the possibility of businesses on all three parcels. She noted that the fact that the applicants were open to combining the parcels does ease her mind some. Marilyn then described the land in question, saying was not ideal for residential and has a large berm behind it.

Rob asked Barbara if adding a development regulation would be feasible. Barbara said that conditioning a rezone on an unrelated process could be agreed upon by the applicants, but it cannot be forced. Dave Windom offered the solution of approving the rezone, then doing a lot consolidation in conjunction with the special use permit. Barbara told the PAC that if the special use permit was denied after combining the parcels, then they may not be able to be separated.

James said that he was leaning towards approval due to the fact that the site is not fit as a residential setting. He said it would be great for commercial and he feels that this would be a benefit to the community in that area. Bill asked if James was in favor of rezoning the parcels separately or combining them into one. James said he was in favor of rezoning the parcels separately, as the application was submitted.

An unknown gentleman in the audience asked why the site was not fit for residential when that is all that surrounds it. Bill said he was unable to answer that.

Vicki voiced some concerns such as expectations property owners should have when moving into an area. She used Michael Gilbreath as an example because at the July 25, 2016 hearing, he had discussed the fact that he recently bought his property near these parcels. She said that creating this change in zoning around someone is difficult, especially when they do their due diligence before moving in. Rob pointed out that in this case, the applicants purchased their land prior to zoning in the County, so in essence it was zoned away from them. Though Vicki agreed, she did point out that the applicants did not step forward in regards to zoning until 2008. Zoning in Mason County was done around 2005.

Barbara addressed Vicki's first concern of what homeowners should expect. She said that parcels currently zoned for residential use can allow essential public facilities with a special use permit. This means that you may expect to have a residential dwelling next to you, but a detention center or a solid waste facility could be built.

Marilyn suggested that lifestyles have dramatically changed within the last 20 years. She said that the number of people that owned recreational vehicles was much smaller, and the kinds of things being stored may require more sophisticated storage than being outside in a driveway.

Deb pointed out that the use isn't being examined, the rezone is. She said that a lot of property was opened up to storage units in the county under Low Intensity Mixed Use zoning. Marilyn said the hearing for that was going in front of the Board of County Commissioners on October 11<sup>th</sup>, so it wasn't passed yet.

An unknown gentleman stated that when he moved to the area 22 years ago, there was no commercial on Brockdale Road. Within the last 15 years it has become residential and commercial.

James made a motion to approve the revised proposal as submitted. Motion seconded by Rob. Marilyn noted that she would be more likely to approve with a request or recommendation to combine the parcels. James stated that he is unsure what is to be gained by combining the parcels if the special use permit applies to all three parcels. Marilyn said that if all three parcels are rezoned, there is a possibility for separate businesses on each parcel which would then be sprawl. After the discussion, James said he would like to withdraw his motion. Rob agreed to withdraw his second. Rob then made a motion to recommend approval with the consolidation of the lots. Motion seconded by James. Bill asked if the motion would be contingent on approval of the special use permit which, if denied would mean the lots would revert back to RR20. Marilyn said she would not like to add that to the motion because the lots are not ideal for residential. All in favor of the motion. Motion carried.

### **New Business**

Marilyn referred to the August 15, 2016 hearing at which they moved forward with allowing addition of recreational storage as an allowed use in Low Intensity Mixed Use zoning. She said that the BOCC changed this to self-storage, instead of recreational storage. She added that a special use permit was not included as a stipulation, meaning that issues such as lighting and buffers cannot be enforced by the Planning Department. Marilyn acknowledged that though the issue had been passed on to the BOCC, the PAC could still issue a statement urging or requesting the special use permit be added. She said adding this stipulation would make it consistent with storage units within the rest of the county. She suggested the following:

*We urge the Commission to add the requirement for special use permitting for self-storage units within the low density mixed use zone of the Shelton Urban Growth Area.*

Rob suggested saying they "urge the requirement for a special use permit". He asked if County Staff saw any possible issue with this. Barbara said that the requirement of a special use permit is standard in the rest of the regulations. Marilyn made a motion to accept the following wording:

*We urge the Commission to add the requirement for a special use permit when applying for self-storage units within the Shelton Urban Growth Area.*

Motion seconded by Rob. All in favor, motion carried.

### **Adjournment**

At 8:37 p.m., Bill adjourned the meeting.