



MASON COUNTY

PLANNING ADVISORY COMMISSION

MASON COUNTY COMMUNITY SERVICES

615 W. ALDER STREET, SHELTON, WA 98584

Meetings held at: Commissioners' Chambers

411 N. 5th Street Shelton, WA 98584

REGULAR MEETING (4th Monday via Zoom)

February 22, 2021

MINUTES

1. CALL TO ORDER AND ROLL CALL

At 6:00 p.m. Brian Smith, Planning Advisory Commission Vice Chair, called the meeting to order. The following commissioners were in attendance:

**Isaiah Johnston
Brian Smith**

**Mac McLean
Joseph Myers**

Timothy Opiela

Excused: Aaron Cleveland

Staff: Kell Rowen – Planning Manager

Marissa Watson – Long Range Planner

Mariah Frazier – Clerical

2. REGULAR BUSINESS

A. APPROVAL OF MEETING MINUTES

Commissioner McLean made a motion to approve the December 21, 2020 minutes. Motion was seconded by Commissioner Johnston.

Vote:

5 in favor

0 opposed

Motion passed

B. CHANGES TO THE AGENDA

None

C. CONFLICT OF INTEREST

Commissioner Smith mentioned he is the President of the Lake Limerick HOA, and as an association, they own dams, lakes, and docks that fall under SMP jurisdiction. Commissioner Smith stated that his position with the HOA doesn't benefit him any differently than any HOA member nor anyone living in SMP jurisdiction, that neither he nor the HOA to his knowledge have pending or planned permit applications, and therefore he doesn't believe he has a conflict of interest with regard to tonight's agenda items. Similarly, Commissioner

This is a short summary of the action that took place during the meeting. The audio recording of the meeting can be found on the Planning Advisory Commission page of the Mason County website.

McLean stated he is a board member for the Salmon Center, and that it would not be a conflict of interest.

D. NEXT REGULAR MEETING(S)

March 15, 2021

E. COMMITTEE/STAFF UPDATES

None.

F. OTHER BUSINESS

Election of Chair and Vice Chair- Commissioner Smith asked to address the election of Chair and Vice Chair to the end of the meeting.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS – 6:05 p.m.

- Todd Parker – Mr. Parker with Mason County Public Health spoke about the Housing and Behavioral Health Advisory Board and how their goals regarding affordable housing could align with the Planning Advisory Committee. Mr. Parker talked about some House Bills related to affordable housing and funding for projects. He specifically focused on HB1590 which is a 0.1%/1% sales tax increase that passed in March 2020. Previously, this increase had to be approved by voters, but HB1590 allows local government to implement by vote of the council or commission. Mr. Parker wrapped up his comments by ask for a letter of support to the BOCC to adopt HB1590.

Commissioner Smith thanked Mr. Parker and asked him to provide a copy of the bill, as well as any other information for review prior to signing a letter. With the current legislative session coming to an end, Kell stated being able to work with the Housing and Behavioral Health Board on new housing legislation that is passed to update the comp plan.

Before Mr. Parker left, Commissioner Opiela asked about private sector funding, specifically referencing Kitsap Mental Health Association and what they have been doing. Mr. Parker said he has been meaning to reach out to KMHA to see what could be done jointly or implemented in Mason County. He also stated that with HB1590, it included private sector, not only local government.

Public Comment closed – 6:20 p.m.

4. WORKSHOP - 6:21 p.m.

Shoreline Master Program Periodic Update: Title 17.50 – 6:21 p.m.

Marissa Watson, Long Range Planner, presented a slideshow to explain the Periodic Review of the Shoreline Master Program stating the goal of this workshop is to get feedback on the proposed amendments from PAC and public. She explained the purpose of the periodic review was to check for consistency between the SMP and state legislation, the comprehensive plan, and development regulations, as well as clarifying language and adding new data. This review is not intended to review baseline conditions, ecological functions, changes to shoreline environmental designations, or shoreline maps.

Marissa wrapped up the more formal part of her presentation by identifying the proposed amendments for compliance and consistency, as well as those proposed by staff. The amendments had been sent out a week or so prior for review in anticipation of this workshop. PAC members briefly discussed how they'd like to address the proposed amendments, deciding on focusing on those identified by staff specifically for input, rather than going through every proposal. Commissioner McLean stated, with agreement from other commissioners, that the majority of the changes were due to statutory changes, and therefore required minimal discussion.

Moving along, Commissioner McLean asked for clarification on 17.50.320 regarding building docks on semi-enclosed bodies of water. Marissa explained the purpose of this section of regulation is to assure waters are navigable. Current code makes it nearly impossible to construct a deck in a body of water where fetch is 200ft. The proposed removal of "within two hundred (200) feet of the OHWM on the opposite shoreline" would allow for docks to be constructed as long as they don't impede navigation as outlined in other sections of the SMP and with added language. Kell confirmed with Marissa and Department of Ecology had been consulted and were in support of this change.

Wynnae Wright, Shoreline coordinator for Tacoma Power also asked about section 17.50.320 regarding float stops and if there would be an exemption for Lake Cushman. She explained that DFW also has this requirement but is usually waived by DFW on Lake Cushman. Kell thanked Wynnae for bringing this to attention as she had also had it marked for questioning to Ecology and asked Marissa to check on it.

Commissioner Smith suggested looking at the changes to the definition of "Development," as it was of particular interest to Marissa to get input on. Kell jumped in to give a quick background on why Mason County uses a more expanded definition of development compared to the statutory definition by Ecology, regarding specific projects that have been proposed in the past. She stated this updated version proposed by staff would eliminate a lot of questions that are asked frequently.

Changes proposed by staff were as follows:

Development: A use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any stage of water level. **Development does not include dismantling or removing structures if there is no other associated development or re-development.** Siting a piece of equipment on the ground, such as a portable bar-b-que, is not "development" if the action meets the following criteria:

- It involves no ~~construction~~ **assembly** on site.
- It is not permanently affixed to the ground or other surface or platform.

- It does not exceed four (4) feet in height.
- It does not require a building permit, mechanical permit, or plumbing permit.
- It is not located at or waterward of the ordinary high-water mark.
- It does not include any of the actions listed in the definition for “development”.
- It does not require removal of native vegetation is subject to the SMP vegetation requirements.
- It is not a containerized storage unit.

Commissioner Myers asked for clarification on the distinction between the terms “assembly” and “construction.” Kell explained that many companies now provide structures such as sheds or gazebos that can be brought on site with minimal assembly or construction required. Commissioner Johnston pointed out that these type of assembly structures usually wouldn’t fit within the 4-foot height restriction. Kell agreed and stated that the addition of the 4-foot height restriction does make the distinction between the two less of an issue than without.

Commissioner Opiela asked how on-site and off-site assembly would be addressed as current trends lead to more off-site assembly. In thinking it over, Kell stated the 4-foot restriction would really be helpful as the example she could think of required a prefab structure too big to be placed onsite.

Commissioner Smith then recommended changing the bullet to say “construction or assembly” rather than just one or the other. Kell liked the idea, as did the other commissioners.

Commissioner Myers went back to the conversation earlier about docks in semi enclosed bodies of water and fetch. He had dealt with similar issues previously and was concerned about adjacent docks not being offset to ensure navigation. Marissa explained that the proposed change would allow the opportunity to apply for a dock, but the application would still be reviewed to ensure navigation is possible. Kell also reminded him that the dock can only be 15% of fetch, so with 200 feet, two 30-foot docks would still leave space in between.

Ken VanBuskirk then provided some of his comments on what could be updated in this periodic review. His main concern was inconsistency between DFW, DNR, and Mason County regarding mapping data and inventory of the shoreline. Kell asked a few clarifying questions and stated this periodic review is not re-opening the Inventory and Characterization Map which he was talking about, but rather consistency. Commissioner Smith agreed with Kell and thanked Ken for his comments, saying they are very helpful in considering future work plans.

With nothing further to discuss, Marissa shared her contact information in case anyone had any further questions.

5. OTHER BUSINESS – 7:15 p.m.

Election of Chair and Vice Chair- Beginning with Chair, Commissioner Johnston nominated Commissioner Smith for Chair. Motion was seconded by Commissioner Opiela. After accepting

the nomination, it was approved by acclamation. Commissioner Johnston volunteered for Vice Chair, also approved by acclamation.

6. ADJOURN

Commissioner Smith called the meeting adjourned at 7:19 p.m.