

# MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes**  
**March 17, 2003**

(Note audio tape (#3) dated March 17, 2003  
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 by Chair Bill Dewey at 6:00 p.m.

## **2. ROLL CALL**

**Members Present:** Diane Edgin, Steve Clayton, Mark Drain, Theresa Kirkpatrick, Bill Dewey, Bob Sund. It was announced that Marilyn Johnston has resigned.

**Staff Present:** Bob Fink, Allan Borden, Darren Nienaber, Susie Ellingson, Rose Swier, Kristin French.

## **3. APPROVAL OF MINUTES**

None.

## **4. NEW BUSINESS**

(#0020) Theresa Kirkpatrick: I just wanted everyone to know that I received a letter this week. The letter was written to Mr. Fink and it comes from Mr. Davis. It addresses the proposals that were made public March 6<sup>th</sup> in the Mason County Journal. The letter is from Mr. Davis and gives his opinions about it. I just want to state that I do not know Mr. Davis. I spoke with him once last year on an unrelated matter and I just want everyone to know that I don't know why he sent me this letter. It was carbon copied to Jaynie Kamin, Allan Tahja and myself.

(#0040) Allan Borden: What is the subject of the letter?

(#0042) Theresa Kirkpatrick: The subject of the letter is the proposed geological changes that apparently the Planning Commission, according to the March 6<sup>th</sup> Journal, will be reviewing these in the future and it was addressed to Mr. Fink dated March 9<sup>th</sup>.

(#0055) Bill Dewey: The purpose of our meeting tonight is a public hearing on Off-Street Parking in Rural Residential Areas. The first item of business will be Allan with the staff report.

(#0065) Allan Borden: I'm Allan Borden with the Department of Community Development. The regulations proposed tonight are a part of the Mason County Development Regulations which address land uses in Mason County. Mason County provides the following basis for proposing these off-street parking standards in Rural Residential and In-Holding Areas. Past complaints have raised the issues of inadvertent

## Planning Advisory Commission Minutes, March 17, 2003

contamination of stored vehicles and that the collection of vehicles was incompatible with the rural character of the area. The progress of the accumulation of vehicles on a property becomes a concern about the primary use of a property and that the repair and/or sale of vehicles and parts is also an incompatible use. These are all basis for trying to develop these regulations. The visual intrusion of vehicle accumulations in the area begins to affect the value of nearby properties in the rural residential zones. Such land uses are contrary to the Comprehensive Plan policy that calls for all vehicle repair, painting, and body work activities, including the storage of refuse and auto parts, should be designed to take place in an enclosed or site obscuring structure. That's RU Policy 149 out of the Comp Plan. These standards are straight forward. The first attribute is the number of vehicles on a property are listed. It's either 5 vehicles on a parcel with no residence or 10 vehicles on a parcel with a residence. Vehicles that are kept in enclosed buildings are not considered in the number of limits in the standards. The movement of vehicles and the duration on a subject parcel are part of those standards. The accumulation on parcels made nonconforming by these standards will need to come into compliance by July 1, 2004. The definition of terms of residence, vehicle, and parcels of common ownership are also included. In addition, five alternative sets of standards include options that were discussed in previous workshops. First option deals with screening by vegetation or a fence along vehicle accumulations. The second, the use of carports instead of an enclosed building. Third one is an exemption for historic vehicles. The fourth one is the exemption for the accumulations existing when the regulations were adopted and the fifth one is to take no action using the existing health services solid waste programs procedures for vehicle collections.

Your discussion tonight should be directed at these preferred set of standards and the five alternatives presented. Based on public comment and the discussion you should recommend the combination of standards as your findings tonight. I wanted to bring to your attention in the development standards themselves, on page 1 under #7 it says that a residence is defined as a site-built or modular home permanently installed on a parcel. As an oversight, I forgot to include in that definition, in addition to site-built or modular home, the term 'manufactured home'. Also, I wanted to bring up on Option A where it is in bold includes the terminology having to do with screening by vegetation or fence or wall. That text has been included in both #1 and #2 and I just wanted to clarify that maybe we could work on better verbiage that it is not intended that on a parcel that has a residence that even if you only have one or two vehicles they would not have to be fenced or screened. That wasn't the intent. However, I don't have a recommendation for that verbiage at this time.

(#0278) Bill Dewey: I was looking at the Environmental Health regulations and I noticed that there is a recommendation that directs that on lots larger than a half acre up to 3 inoperable vehicles may be stored in public view. I wondered if maybe 3 might would be a number we would want to settle on to make it consistent.

(#0298) Allan Borden: There's also the possibility that you may not want to go with this option based upon testimony. If you do choose to do and include this intent in proposed regulations it should probably be made much clearer. That's my staff report and what I tried to do was summarize what was in the written staff report as the basis for coming up with these regulations. I just want to emphasize that these regulations are proposed mainly oriented to land use not to the existence of junk or inoperable vehicles. It focuses on car collections and accumulations becoming what appears to be a primary use on a residential piece of property.

(#0348) Mark Drain: This does pertain to more than cars, right? Does it include riding lawn movers and motorcycles?

(#0354) Bill Dewey: Under #8 is defines vehicles as cars, trucks, recreational vehicles, trailers, all-terrain vehicles, motorcycles, boats, airplanes, and earthmoving, logging or construction equipment.

(#0362) Diane Edgin: I think you should include tractors in there.

(#0364) Allan Borden: Someone brought to my attention that you might want to include vans or busses. Busses can't be construed under any of these vehicle types. A van could be a type of truck.

(#0400) Bill Dewey: We could say 'vehicles include but are not limited to'.

(#0414) Allan Borden: I can make that change on the preferred draft version and it would carry over to the other alternatives. It would read 'vehicles in this section include but are not limited to cars, trucks,

## Planning Advisory Commission Minutes, March 17, 2003

recreational vehicles, trailers, all-terrain vehicles, motorcycles, boats, airplanes, and earthmoving, logging or construction equipment'.

(#0432) Bill Dewey: Any questions for Allan? Then we will now open the public hearing. James Killian?

(#0446) James Killian: My name is James Killian and I live at E 120 Snowcrest Lane here in Shelton. First of all, I would like to urge the committee to consider much more stringent requirements on the parking. The 10 vehicles and especially the 5 on undeveloped properties, I fail to understand how putting 5 vehicles on an undeveloped property accomplishes the goals of land management. It creates hazards, it creates rodent problems and it's open to safety issues, etc. I understand an undeveloped property is a property that has no structure, no services; how can anyone say they're parking them there to restore them or to keep them or to take care of them? I've looked at the requirements in our neighboring counties of Kitsap and Thurston. They are more stringent than what Mason County is considering. They have limited junk vehicles; they have defined junk vehicles and they give a list of definitions and qualifications that determine a junk vehicle. Kitsap County says that if there are three or more of these conditions that it is junk; it is not allowed. The reason that I think it is of concern is if Mason County is more lenient on car storage or collection of automobiles or vehicles then we are susceptible to collecting those vehicles from our neighboring counties. This was brought out in the November 14, 2002 of the Shelton Journal. A family moved here and one of the reasons they moved was they thought Mason County was more friendly to car collections. So we have seen this happen; it may be more likely to happen if we stay more lax in our requirements. At the last November meeting several points were brought up and among these was that these cars were collections; they were investments. They were to provide retirement funds and educational funds. I have to think about what is a collectable. When you invest in a collectable, be it vehicles, or art, or coins, you certainly don't invest in these and let them deteriorate over time. You invest in them in the hopes that in time they will become worth more money. When you take several vehicles and you park them in an open unprotected area they deteriorate. It's just the laws of nature. As in any collectible, one of the prime factors in determining its value is condition. If the condition of the collectable deteriorates, its value deteriorates. So when some people will testify that these are sources of retirement and college funds, I have to question the validity of that argument by the fact that by storing these outside in an unprotected area they are losing investment dollars. Also, the issue of screening in my opinion does not relieve any environmental impact of a collection of vehicles on a property. It may block them from view but in Kitsap County they viewed screening as almost detrimental to the aesthetics of the neighborhood and the value of property as much as the collectible vehicles. This seems to be a very sensitive issue and I believe the Deputy Prosecuting Attorney said at the November meeting this is one of the largest complaints we see in Mason County. That simply indicates that it is an issue that people take with great passion therefore it will be a difficult decision but I think it is prudent for the committee to recommend to the BOCC that they do what is best for the entire community for Mason County.

(#0655) Eric Jorstad: My name is Eric Jorstad. I live at 131 SE Arcadia. I hope this whole thing isn't futile. I've had people talk to me that I can make a difference in my community and actions that happen. For everybody that's out there I believe that everybody has an idea how things should be done and I can see their side. I can see where Mason County needs clean up but on the other hand I don't like to step on toes. There are car collections out there that are very much active and are very concerned about the environment. One of the myths is that a sitting car can harm the environment. Generally a car that is functioning is more apt to harm the environment than one that is sitting. A lot of the cars, if we have any problem whatsoever, we drain the fluids on them and we do the best to block them or cover them. We don't have tons of money to build giant buildings with specialized floors. A lot of these cars require a parts car. If we slam the lid shut on a lot of these cars it's going to drive prices up on parts cars and parts. If I'm building a vintage automobile, it takes sometimes up to 3 parts cars and they try to get these cars in, disassemble them, store them, and try to protect them in order to assemble a vehicle. I do this several places around the county besides my own, which is in the UGA. I'm very concerned about everyone else's concerns on how things are. I think there's a lot of people out there that are ruining it for us that are really trying to comply even though we don't have to. Martin's collection has been passed by the health department, the screening, fine trimmed lawn and nice house. I said go put a few of the cars out back even though I know you're driving them, let's keep it from flowing out the gate. My truck has the collector plate and I've been working on exempting 30 year old vehicles. If you read the RCW on license plates for collector cars it says they have to be in good functioning order to be on the highway. They're not the ones in the sticker bushes. How we're going to define that I don't know. I wasn't very happy with our workshop. I was flat out told several times that we're not going to do it this way or no we're not going to take your

## Planning Advisory Commission Minutes, March 17, 2003

suggestions. It upset me greatly to where I finally had to stand on the fact that we needed to define some discernment over a collector vehicle that is obviously a part of our community. All these vehicles have a standing in our community. They're a part of our heritage and they're a part of our lives. These are vintage vehicles that we're trying to protect. Personally, I think the original health laws that are established in this county, if they could be more enforced would work. But it looks like we want more than that according to this paperwork. If we're going to go for something more just be careful. We have a lot of citizens in this community that enjoy the automobile and I think we try to police ourselves to go the extra mile. I've seen the 'car farm' and they're terrible. Yet you can go to other places and the cars are parked neatly. We've got hopes and we've got dreams and that's what America is about. I don't know how we can do this but it has to have some form of definition between of what is a collector car.

(#0950) Steve Clayton: You mentioned earlier that you have some vehicles inside the UGA and some outside of the UGA?

(#0954) Eric Jorstad: My whole collection is in the UGA, however, I work several places around the county for people on collector cars.

(#0965) Steve Clayton: So your personal collection is within the UGA and these standards don't apply to you but this is more of a concern about other peoples parcels?

(#0968) Eric Jorstad: Yes, I am speaking for a lot of people.

(#0990) Bill Dewey: Eric, under Option C that has the exemption for the historic vehicles, this is something you proposed in the work session that you were a part of?

(#0998) Eric Jorstad: Yes.

(#1000) Bill Dewey: Is it 30 years that triggers when you can get a collectors plate?

(#1002) Eric Jorstad: What I proposed to Allan was the fact that somebody needed to get a hold of the RCW and read the exact language. There are several RCW's; one for 30 years, one for 40 years, etc. The basic format that the legislators intent was to have a designation for special interest automobiles. Thirty years is basically the deadline; their intent was that these vehicles be fully functional and ready for the road. This is my compromise trying to save some form of ability to have these cars. What about the parts cars? If I have a rare vehicle and I collect a parts car that's going to be it my mainstay for parts because parts aren't available..

(#1040) Bill Dewey: If you have a parts car, do you have a collectors plate on it?

(#1042) Eric Jorstad: Very seldom; no.

(#1052) Bill Dewey: The reason I ask that is the way this is worded now is that the vehicle has to be 30 years or older and in possession of a state issued collectors plate. So you would have to have a collectors plate on it to qualify for the exemption.

(#1060) Eric Jorstad: Yes, that would be the basic thought. That is a compromise.

(#1110) Vivian Mitchell: My name is Vivian Mitchell and I live in Shorecrest. I'm here talking for all the people in Shorecrest. We have 843 lots out there so that's 843 taxpayers. At the last tax sale a few of the lots went up for sale and two of them were not sold and they now belong to Mason County. On the subject of these junk cars along property, there isn't any way that the owners in Shorecrest or prospective buyers in Shorecrest can reach that area without passing by some of these properties. I realize that the solid waste regulations are battling very hard to get them fixed. It is lowering the value of all the property around them. I've always understood that if you are wrecking cars and taking part off of cars and putting them on other cars that that's a business. I understood from the state that that has to be screened from public view. I don't know how these properties are being graded on what they're doing. If it looks like a junkyard it must be a junkyard. I realize what's trash to one is treasure to another. The first time we drove to Shorecrest my husband was a little concerned and that was 18 years ago. And I've watched the areas outside of

## Planning Advisory Commission Minutes, March 17, 2003

Shorecrest get worse and worse and we're working very hard to solve our problems now in Shorecrest because we have some enforcement capability and wonderful backup from Rose in Solid Waste.

(#1205) Bill Dewey: So the preferred option that staff has put forward tonight is for 5 vehicles on an undeveloped parcel and with a residence 10. What are your thoughts on that?

(#1215) Vivian Mitchell: I know of one parcel where the owner just passed away and there are way more than that. I don't know how large his parcel is. I know what you can't see on that property that was visible even 10 years ago. There must be 12 cars or more in the back of his property which is part of the watershed to Oakland Bay and they're buried in berry vines and brush. I think they should be more strict on these kinds of things than they are. If they're going to run a business then they need a business license and they need to put up their accepted screening on these properties.

(#1275) Renae Zazueta: My name is Renae Zazueta and my address is E 20 Snowcrest Lane. The first thing I'd like to say is I don't know how one person can speak for 800 people. If you love something it's worth fighting for. If you work hard and pay for something you own it. We'll fight to keep it but we shouldn't have to fight to keep what we already own. We own all our vehicles. Now a days when people are struggling to make car payments we don't and I'm proud of that. When we got a loan from the bank to buy our house I don't remember the county signing the papers with us. To change the law to make us criminals is an outrage. The Journal article that we gave you Herb Baze talks of the special use permit that Bob Fink took away. Now how can anybody keep their collection? We haven't broken any laws, we have complied with the county, the state and other agencies and we have gone above and beyond what was asked of us so we should be rewarded not punished. So I'll ask you, please give us, the Zazuetas, the grandfather clause on our properties. We have gone through great pains to put up a fence. Now I read that the fence is more offensive than the cars? What do you want? To change the law based on a neighborhood dispute would be devastating to the rest of the county who gets along with their neighbors. This would create neighborhood disputes where there are none. These cars are on our property and they have titles to them and they are not abandoned. We are responsible property owners. We do care and we do go through great pains to drain the fluids out of the vehicles or put absorbent pads under the vehicles to catch the fluids. There's a lot of alleging going on; we want proof. We have proof that property values have not gone down but have gone up dramatically in the area that I live. As far as the rural character; rural character can be destroyed just by building a house. When you develop large lands and you put up houses aren't you ruining the rural character? They say it's the cars that is ruining the rural character.

(#1410) Martin Zazueta: My name is Martin Zazueta and I live at E 20 Snowcrest Lane. We're not Pierce County nor King County. We're a rural county. Therefore different laws should apply. In Kitsap County collections are grandfathered in all the time. In Kitsap County, no limit. In Thurston County licensed vehicles, no limit. At the meeting I was at, all of them as far as I know, there was never any discussion on having to work inside being mandatory. If I want to work outside on my property I should be able to. This is about property rights. I already have a time limit on what hours I can work on my cars. In the past when I wanted to build a garage on my property across the street I was told I couldn't. Now in 2003 I'm told I could but when I requested that in writing I'm confused as to what the law really does say. We, the Zazuetas, are requesting our collection be grandfathered in on E 21 and E 20 Snowcrest Lane, Shelton, WA. We, the Zazuetas, recommend taking no action, no new standards established, and existing procedures on collections of vehicles applied through the health services solid waste program. As Arlene Hyatt of the Department of Health, Mason County, says that she can do her job.

(#1475) Theresa Kirkpatrick: How large is your collection?

(#1478) Marin Zazueta: About 45.

(#1482) Theresa Kirkpatrick: Is that on both properties?

(#1485) Martin Zazueta: Yes, there's only one across the street.

(#1488) Bob Sund: On how big a parcel?

(#1490) Martin Zazueta: About 1 1/4 acre.

## Planning Advisory Commission Minutes, March 17, 2003

(#1492) Theresa Kirkpatrick: There are other houses nearby?

(#1494) Martin Zazueta: There's a neighbor behind me. I live next to the road. Across the street is mine. Next to me, no one lives there. Up the hill there's houses.

(#1500) Bob Sund: How do you classify your collection? Are they antiques, classics?

(#1502) Martin Zazueta: Most of them are 30 years or older. Most of them have collector plates on them already or they have tabs on them. I will hand out this information to you. It's articles from the paper about the property values of my neighborhood, letters I wrote.

(#1555) Louis Cofoni: My name is Louis Cofoni. On option 1 it says 10 vehicles on a property with a residence. Standard 2 is 5 on a piece of ground with no residence on it. My appeal is make it zero. Since pictures are worth a thousand words I will hand out to you this article in the Journal from October of last year. It shows a property that used to have a lot of trees around it. A lady was a school bus driver and she sold it to another gentleman and those trees hid what he was putting in the woods. This gentleman needed some money so he found someone who would cut the trees down so he could get some money. The pictures are what was seen once the trees were gone. That's what you'll be giving your department of health more work that they really don't need. You're opening up a pandora's box by even allowing 1 car on a parcel that's not lived on. You have heard this evening about personal rights. What about other peoples personal rights to enjoy their property? Up to this point, that wasn't addressed. You have a lot of people in Mason County who keep their property in good shape. Let me go back to standard 1 where it says 10 vehicles. I have already stated that 10 is fine with me but 5 is not okay. Dropping down to option #2 where it mentions a carport. If a carport had a concrete floor I wouldn't object to it. You're giving someone 10 vehicles flat out. If you have a two-car garage, the cars inside do not go against your 10 count. If you have 10 vehicles and a two-car garage that brings it up to 12 vehicles. If you have a carport with a concrete floor that could give you 1 or 2 more vehicles. So we're talking about the possibility of 13 or 15 cars either way. What numbers are we talking about tonight? I've heard 45 cars by Mr. Zazueta. Where is the break off point? There has to be a point that the majority of the people of Mason County should be thought of. Ms. Mitchell mentioned where she lives. She has a problem that will only get worse by parking vehicles on a vacant parcel of land. We've heard Kitsap County and Thurston County thrown about and I know this is Mason County. It appears to me that Mason County is going the extra mile to try to satisfy groups of people. What about the majority of people that don't have collections of vehicles? Where is Mason County's officials obligations to them? There are certain things that I wish would be considered. I took some things out of the other ordinances that I think we can incorporate into this. From Ordinance 12815 from Thurston County it states that there shall be no vehicles on the front yard of houses except the daily drivers. All other vehicles will be in the back yard. The one I took from Kitsap County they say under Ordinance 261 that you cannot have any vehicles in your back yard that comes close to 175 feet from the boundaries of your neighbors. That's a bit radical but it's something to think about. Option 3 regarding exemption from new standards for historical vehicles. I heard people talk about all the cars on one particular parcel are daily drivers. I don't know where Eric is living but he doesn't live near where I live. I don't see every collector car being driven. Option 4 regarding grandfathering. I lump that into Option 5 about take no action. It's the same thing. Option 5, take no action, would mean that the ladies over here their job would get even worse. Mr. Zazueta has testified that he has 45. Those cars on 1 1/4 acre. You have an 1,100 square foot house, a garage, a carport; all that on 1 1/4 acre. We've heard about collector plates. I have a '65 Mustang; I restored it. I don't have a collector plate on it because I don't wish to take advantage of the law. I also have some pictures for you to look at here. I do hope if you do vote on it tonight or just pass it onto the BOCC, Options 1 and 2 are considered; scratch 3 or 4.

(#2978) Constance Ibsen: My name is Constance Ibsen and I live at 6500 E State Route 106 in Union. I think that Louis was really hitting on one of the founding principals of good public policy and that is that it be consistent. It should also be enforceable. When I first read the article in the Journal and then I became aware of the 5 and 10 I said it would be better to not have anything at all. I'm glad to see that we have this 'take no action'. I would prefer that the committee take no action and, in fact, try to give additional enforcement to the health department than to take any of these other actions. I don't know why we're doing this. I have a term called 'composting'. Right in my neighborhood in Dalby Road we have 2 huge composting of cars and boats and trailers and nothing has been done. Rose has been working on the Dalby

## Planning Advisory Commission Minutes, March 17, 2003

sites for one year solid and they're still there. I would urge you to do Option E and take no action and recommend that you recommend to the BOCC that they beef up enforcement for the existing laws on solid waste.

(#2195) Deborah Lund: My name is Deborah Lund and I live in Shelton. I don't want to take a lot of time but I want to say that we went to all the meetings and somehow I got involved with this situation with this property on Harstine Island. There was an ad in the paper and I ended up with these two separate sites. The health department has had to address them because right now the way it stands in the county the health department goes out and they have to determine the situation. On these two sites there were collections. They have cars that a lot of them are over 30 years old but they also have anything in between. It starts out with a few and then more, more and more until there's no more room. Then for some reason it goes from the cars to more. Pretty soon there's diapers. I'm thinking that any of this is possible in my neighborhood. It's really bad because, although they say property values are not necessarily affected, we went to have our house appraised and two years ago it appraised for \$25,000.00 less than it had the year before but our taxes are still going up. We were not happy about that. Looking over the proposals I thought the original one with the 5 on vacant land was too many. Zero is much better because you don't want to see junk cars sitting on a vacant piece of property. The 10 is perfectly fine. It's a lot more than other counties have but I think that's okay because even we have a couple of projects we're working on. The only thing I had a problem with was with the definition of vehicle. I think that needs a little bit of work for clarification like Allan said he would look at. Option A, it's pretty much the same except for the highlighted area that talks about the vegetation or fencing. From what I've seen and what I'm experiencing in my neighborhood, whether it's vegetation or fencing it is still visible because of the lay of the land. The other one that I liked was Option B just because it gives you more leeway because of the carport that qualifies with the concrete flooring so they don't count. On Option C, this one I don't like. There are a lot of vehicles around that have the plates for historical vehicles and they're not driven. I think it just opens the door for more problems because they're easy to get. As far as D, by grandfathering a lot of these sites that we're talking about that the county has been trying to clean up or the ones that fall in that gray area, that this opens the door for them to just continue on with what they're doing. It encourages a lot of other types of activities. I do think the first one is doable but there needs to be more clarification. I think it should be the original one except I think it should be zero on the vacant lots.

(#2808) Bill Schaal: My name is Bill Schaal and I live at Shorecrest, 191 E Kingston. Shorecrest has a tremendous problem with cars. It's been a dumping center for some time. The sheriff is well aware of it. We have a potential for a lot of cars in cul-de-sacs with some of them on the road or on the edge of the road. Today I saw 9 cars and none of them were being occupied and only some of them were licensed. The one thing I would like to see would be to have you folks make sure that any law that you pass allows us in a community to handle the cars within the community. If we set standards of 1 car or 2 cars we are not going against a county ordinance in stopping the collection of cars. We don't have any problem with people that keep a car on their property as long as it's taken care of. What we really have is people that are doing repairs and we cannot limit the number of cars at the present time so that's my concern.

(#2915) Vivian Mitchell: It says in here all vehicle accumulations on a parcel made nonconforming by these regulations shall be removed from the parcel by July 1, 2004. That sounds really good and I hope it would be enforceable. It says that these limits shall apply to vehicles located on a parcel for more than 7 days. Who is going to go out and monitor when that vehicle got there and keep track of whether it's been there more than 7 days?

(#2945) Allan Borden: The day you phone it in and report it.

(#3000) LaMonte Holbrook: My name is LaMonte Holbrook and I live at SE 1380 Binns Swigger Lp Rd in Shelton. One thing I'd like to address: a car that pollutes more setting there? Who is going to believe that? I'm concerned about the 30 or older. I think before you take a final vote, I can get 1,000 signatures around this county within 30 days and I want legal representation because some of this stuff is just bazaar. To be fair, I think you should have somebody on your committee who is a car type person. That's almost bias. That's almost like having an all black jury with a white man or the opposite. I understand your concern about junk cars. I spend my days taking care of junk cars. As for mine, I have no fluids in any of them. They're on blocks, all my engines are in the garage. I do all recycling. The environmental mess is with some of the junkyards and the way they get away with it is because they have a license to pollute or a

## Planning Advisory Commission Minutes, March 17, 2003

business license. Is this all coming down to money? The user fee? Give me one month to get legal representation for us car people and I'll bring you 1,000 signatures and at least we can come up with something to where the 30 years and older vehicles are not counted. This is our heritage. Please give us a continuance so we can come up with the signatures.

(#3166) Bob Sund: I don't think we're interested in the signatures as much as we are the verbiage as to what would be appropriate.

(#3178) LaMonte Holbrook: The cars that are 30 years and older. It was also brought up about the car with a bunch of garbage in it. That's two issues, isn't? Doesn't that have something to do with the health department? The laws that you have are good laws if they were just enforced. If you pass this law I'm selling all my cars and I'm gone. Maybe that's what you all want. I have 22 cars that run. I've got 13 more that are parts. I drive them daily. This is a hobby and you can't just take that away.

(#3380) Larry King: I'm Larry King and I represent Tow King and Mason County Salvage on Cloquallum Road. The main things I'm looking at here is it doesn't take into account any of your existing licensed businesses. I believe Option A with some sort of consideration for Option C being worded into it. Then turning the vehicles into operable vehicles. The state has regulations in effect that define a junk vehicle statewide no matter what county it's in. Junk vehicles should go back to solid waste jurisdiction. The property on Dalby Road we have put in a bid to clean that up. The place on Harstine that had the ad in the paper would have been cleaned out probably six months ago if they hadn't put the ad in.

(#3565) Guy Rear: My name is Guy Rear and I live in Shelton. We've addressed this this evening pretty much as though automobiles were our primary interest. I go with your recommended options. I prefer nothing on the vacant lot but I could live with 3. My concern goes to something other than automobiles. What do we do if somebody decides to park 10 pieces of construction equipment behind a house on a 1 acre lot? What if somebody decides to park 10 motorhomes? I would recommend that you consider an either or thing that limits a percentage of the total square footage of the lot that can be occupied by anything.

(# 3635) James Killian: There's been a lot of dialogue this evening about the cars that are 30 years old or older. I have a question for the collectors. How many is enough? Most of them have collector plates on them but if you read the RCW in order to get a collector plate it has to be in operating condition. There was a comment about the property values. We all know there are two sets of property values. The county assessment and market value. Market value is what is of most concern to me.

(#3762) Don Emery: My name is Don Emery and I live out on Highway 3. How many are enough? I've been at this for 50 years and there is no such thing as enough. You may consider 10 cars is more than you can really use but I'm only one person and I can only drive one at a time. A lot of your regulations that you've come up with is where it states about logging equipment. To start with, we have County Commissioners that have a shop out at Bayshore that does not have drainage systems for their vehicles. The schools don't either. You don't really speak for the people of this county at all. We all have to pay taxes. Also, like the gentleman said, there's no representation on your board to who is going to say what is good and what is bad. You have to understand that when you're buying a car you may want to be saving it for someone else. Sometimes it takes someone 20 years to put a car together so what you're doing is you're limiting cars that people can have. There's no way you can restrict logging equipment. You're putting Manke, Simpson both out of business. You have no jurisdiction whatsoever over airplanes. This is a federally licensed vehicle.

(#0160) Allan Borden: Mr. Emery, you have to realize that this doesn't apply to all properties in the county. It only applies to rural residential property. Simpson and Manke, their logging equipment on their timberlands, is not covered under these regulations.

(#0222) Eric Jorstad: I've asked for easier removal. Somehow we need to get these hulks moved. Regarding the vintage plates, the law states they have to be functional for the highway. What's functional for the highway is legal. If it's sitting there with no engine in it with a plate on it then it becomes a junk car. You have a date on this of July 1, 2004. I would ask that anybody that has a current building permit by that date be given some leniency. That would show the intent of housing these cars.

## Planning Advisory Commission Minutes, March 17, 2003

(#0305) Rose Swier: My name is Rose Swier and I am with the Environmental Health Department. Part of how our program is challenged is that it only goes so far. Part of that is that they can have the excess inoperable vehicles, they can store them out of public view and public view is something that comes up in court on occasion. Whether or not it is an inoperable vehicle, we'd need to have the permission and also the time to go out and verify that each and every vehicle on that property operates. There was one out in Union and he lived in Renton and he had over a dozen cars on this lot and it bothered his neighbors. They weren't junk vehicles and they looked like they operated and he said they did operate but would not allow us to trespass to verify whether they did operate or not. So we couldn't prove that they were inoperable. He eventually, through the pressure of his neighbors, moved most of the vehicles. They were on a vacant lot. A junk vehicle and a hulk vehicle are argued about at times because there is an RCW that we do use in solid waste enforcement and it states that it has to meet three of the four requirements to be a hulk vehicle. Sometimes I consider them to be hulk vehicles when the owner doesn't consider them to be hulk vehicles. We do enforce against places like on Harstine Island where there were 100 cars and there's garbage and it's a junkyard but it's not a regulated junkyard. Junkyards are regulated by Planning, which is a separate issue, which is why we're trying to change this ordinance. But there's no definition of what a junkyard is. So this place out in Harstine Island anybody would look at it and say it's a junkyard and it's non approved. I regulate it under solid waste and the people are issued several infractions and they don't really care about their credit. One guy amassed \$5,000 in civil infractions because I wrote him that many tickets for his junk vehicles and they continued to be stored on that lot. I then took him to the Hearings Examiner where he was assessed another additional \$5,000 in fines which became liens against the property. The property was already behind in taxes so it was sold and when they sold it the county sold it to a guy who had solid waste issues with us already on property he owned in Tahuya. So now I'm enforcing against him to remove the vehicles from that property. We'll probably end up liening the property again and the county will end up owning the property. In response to the hulk vehicle permit process, they just allow us to verify whether it's a junk vehicle or not. We're not the Department of Licensing so that's a completely separate issue.

(#0475) Diane Edgin: We can actually go in and arrest someone for a health law violations and put them in jail. Where are we on this? Do you just keep fining them?

(#0486) Rose Swier: There's one case that's been open since 1995 and I've been pestering the Prosecutors Office to have the guy arrested. He's been to the Prosecutor already before we had ticket writing ability. The Prosecutors Office is apparently very busy.

(#0505) Bob Sund: Can't the Hearings Officer do anything?

(#0508) Rose Swier: He's been to the Hearings Officer and he has fines assessed against his property but if he keeps paying his taxes we have to wait three years.

(#0515) Bob Sund: The Hearings Officer doesn't have the prerogative to do anything more than fines?

(#0518) Rose Swier: We don't have an abatement fund in Mason County. If we did we could clean the property up and charge against the property.

(#0534) Steve Clayton: A couple of the options we're looking at is limiting the number on occupied parcels and also on unoccupied. How prevalent is vehicles on unoccupied parcels?

(#0540) Rose Swier: I'd say it's pretty prevalent. I see lots on a regular basis that have more than 10 vehicles that I've never received complaints against. We don't collect complaints because we have enough already and we don't harass the public. Some of them are agricultural uses and people don't complain because it's in an area where everybody around them has the same thing going on.

(#0575) Steve Clayton: One of the options we're looking at is on a vacant parcel limiting them to 5 vehicles. What are your thoughts on that particular aspect?

(#0582) Rose Swier: Isn't there some way people can still camp and use their property for recreation? I could see that Mason County could end up as a storage yard for counties that don't allow people to store their vehicles on vacant lots. Land is cheap in some places.

## Planning Advisory Commission Minutes, March 17, 2003

(#0632) Steve Clayton: One of the options is permitted carports. From your viewpoint is that something that is enforceable? Is that something that would create a problem for you?

(#0645) Rose Swier: I don't think so. If it was a junk vehicle I would be able to see that it was a junk vehicle in the carport and it would be regulated under health code regulation.

(#0660) Theresa Kirkpatrick: Would any of these regulations proposed make your job easier? Or do we really need to address putting an abatement fund together?

(#0670) Rose Swier: That would be most excellent. The issue of whether this really helps solid waste enforcement, I'm not sure that it hurts it or helps it at all. It does go a little further.

(#0700) Bill Dewey: If you were looking for any one single thing to help your program what would you think would be most beneficial? Is the abatement fund one that stands out?

(#0708) Darren Nienaber: Rose, isn't there a Solid Waste Advisory Committee?

(#0710) Rose Swier: Yes, there is.

(#0712) Darren Nienaber: So that would be their pervue regarding the abatement fund issues. The staff report indicated that the purpose of this is to address the issues that Environmental Health doesn't have jurisdiction. These regulations are more Planning related issues.

(#0765) Kristin French: My name is Kristin French and I do code enforcement for the Planning Department. To summarize where this was all coming from was that I would do site inspections with Environmental Health staff and where their regulations fell short they were asking how these sites did not constitute a junkyard or an auto wrecking facility or something of that nature that we indicate that we regulate in our Development Regulations. We have a matrix and it identifies junkyards, it identifies auto wrecking facilities, auto sales facilities, but most of those uses are not permitted in the rural residential areas of the county. Environmental Health would turn to me and say that this is clearly a junkyard; how is it that you're not taking action? I would shrug my shoulders because if you have 30 inoperable vehicles and the person has attempted to screen them from public view and Environmental Health walks away because they've met their basic regulations then that's what we're left with. We have complaints wondering why no action has been taken and we're looking for something that's a black and white standard. It's hard to prove that people are selling cars or it's hard to prove that they're working on them. It's hard to do that behind the scenes investigation if you have a property owner that's not cooperative. This numerical approach is our attempt to address it for people.

(#0832) Bill Dewey: Darren, in the Environmental Health regulations they can have any number of inoperable vehicles on the property if they're out of view?

(#0840) Darren Nienaber: Yes.

(#0842) Bill Dewey: How would that not be in conflict if we pass an ordinance that limited it to 10 vehicles?

(#0845) Darren Nienaber: They would have to meet both standards. They're not conflicting; they're concurrent. Your property has to be in compliance with Environmental Health and Planning.

(#0854) Bill Dewey: So if Planning adopted 10 and Environmental Health had any number, the 10 would supercede the any number?

(#0860) Darren Nienaber: Yes. To be clear, with the Preferred Option, you could have 50 cars but 40 of them would have to be in a garage.

(#0880) Steve Clayton: Are the vacant lots used as dumping grounds or do people really use them for less obnoxious uses?

(#0884) Kristin French: Probably quite a mixture. You have people who do a nice job of fencing a vacate lot and they park maybe 20 vehicles on it; it offends the neighbors but the cars aren't junk. There's a wide

## Planning Advisory Commission Minutes, March 17, 2003

range out there.

(#0923) Steve Clayton: What about the sites that are not problematic that we would actually be penalizing people that owned property and have a couple of cars on it?

(#0945) Kristin French: I think with the 5 you're trying to achieve the bare minimum. You're trying to keep a lid on some massive problems without overly infringing on people who might have legitimate reasons to have the cars there. You're not going to please everyone. I personally think 5 is okay. I think you might have the potential for some problems but I think it's better than what we have now.

(#0985) Bill Dewey: I appreciate everyone's comments and I will now close the public hearing and go to discussion.

*Break in meeting.*

(#1000) Bill Dewey: We're back in session now. Let's begin our discussion.

(#1020) Diane Edgin: We were talking earlier about the 5 and the 10 and I made the comment about how many things we have. I've got two, 2 ½ acre parcels. None of my stuff can be seen from the road with the exception of the big camping trailer because it sits up high enough that it might be able to look through the trees and see the roof. They're licensed and everything suits its specific purpose. I have two guest vehicles that don't belong to us that are on the other property and on occasion, because of my husband's association with the hospital he's the one that goes out and looks at the stuff that people wish to donate. A lot of times it's stored there temporarily until we are able to sell it for the hospital. So there's all kinds of different situations that affect people and I think that's one of the points I wanted to bring out. I think what Constance Ibsen said about taking no action but instead improving the enforcement end of this makes a lot more sense. I hate to see us punishing people because they do have a collection of cars and they do take care of them.

(#1128) Mark Drain: There's no reason why all the neighbors should have to take part in someone else's obsession. I think we have to understand that there's enforcement as far as health issues which is a separate thing from land use that we're talking about here so we're trying to develop some standards and regulations that can be enforced that will help deal with property values, neighbors, visual impacts. I think that anybody should be able to collect as many cars as they want but I think that they need to be stored appropriately.

(#1175) Diane Edgin: We have some properties in the rural area that are urban density and that's where we're running into some of the biggest problems. Do we want to grandfather these things in? Maybe there should be a fee for these large collections. We were talking about the abatement fund.

(#1235) Mark Drain: I think I'm a car fanatic but I think I would lean towards stricter regulations. I don't think it has to do with population densities even in the rural area. If I go for five miles and I just see fields and streams and trees in the rural area I don't want to see a vacant lot with a bunch of junk vehicles there. That's as obtrusive to me as if it were in a more populated area. We own rural lands that other people have dumped on and it's our responsibility now. I don't like it.

(#1268) Theresa Kirkpatrick: One aspect that I'm bringing forward for your consideration, because I've not heard it addressed in the course of these deliberations, is that in my own neighborhood I've experienced collections of cars brought in by individuals and the impact is not just visual or ground water, which are both huge impacts to a residential neighborhood where I live, but an additional impact that really changes the nature of my neighborhood is people coming and going to purchase parts, to drop off parts, I don't know what. It's not unusual for me to not be able to drive out my privately maintained road where most of the residents kick in our dollars and maintain our little dirt road but the property owner that generates the majority of the traffic does not choose to contribute to that fund but there is a tremendous amount of wear and tear on the privately maintained road. It's not unusual for me to drive out in the morning and there might be a transmission laying in the middle of the road or a muffler or whatever. It contributes a huge amount of traffic in and out of my neighborhood which would be very quiet otherwise. That's just another thing to consider when people are swapping car parts and running a quasi business.

## Planning Advisory Commission Minutes, March 17, 2003

(#1326) Steve Clayton: So you're saying a lot of vehicles changes the rural character?

(#1328) Theresa Kirkpatrick: Absolutely. My neighborhood, previous to these endeavors locating there, was generally very quiet. It is not unusual for me to hear banging of metals or the machine they use to rip big metal with at 1:00 am or 2:00 am or 3:00 am. Yes, it has definitely changed the rural character of my neighborhood.

(#1395) Mark Drain: By limiting the number of vehicles you can probably cut down on the people that make a business from those vehicles. If we set a deadline of 2004 or for people to have a permit in hand and then it would give them more time. I know it's not easy to get rid of vehicles in a short amount of time and it's not easy to go get a permit to build a new structure or buy another piece of property to put a structure on and then it takes time to build a structure. The deadline might help to deal with the vehicles responsibly.

(#1455) Theresa Kirkpatrick: When we discussed this issue last fall one of the points that came up of interest was creating a permit for collectors who had over 'x' number of vehicles and then the income that would be generated to the county from those permits could then be used to fund a position where people could go out and inspect them.

(#1490) Darren Nienaber: I'd like to address the permit issue. We had a big staff / Prosecutor's Office discussion on the permit and the feasibility of it. It was with Kristin, Arlene, Rose, Bob and Allan and my unanimous recommendation that the permit would undercut it. It's like if you give out a variance for every application that's ever given out then what is the purpose for the rule? The administration and the enforcement of the permit would create such a hassle that we might as well junk the whole ordinance. If you're going to go that route we might as well go back to what we're doing now.

(#1532) Diane Edgin: Can the county require a bond on something like this?

(#1536) Darren Nienaber: I'd rather not get into the bond business; that's a hassle, too.

(#1538) Steve Clayton: Would we be able to do a special use permit?

(#1540) Darren Nienaber: It's the same thing. For one thing, special use permits could be really expensive and a huge hassle. The idea that was originally discussed was an administrative permit with special use permit conditions. Our recommendation was that it would be so difficult to enforce it would undercut the basic rule that you were trying to get across in the first place.

(#1560) Steve Clayton: I agree that an administrative permit would be unfair because then you've got somebody that's paying a few more dollars to reduce their neighbor's property values and that would be an unfair application. That would not be rural character. Whereas my impression on the special use permit where you go through the Planning Department and they have an opportunity to look at it, see how it fits in with rural character. You have legal notification to the neighbors and therefore you have neighbors input on whether or not to approve it. That would seem to be more applicable.

(#1588) Bob Fink: It seems to me that one of the most common condition that's going to be placed on permits like that is that you hide them; you put them behind an effective screen or fence. If you want these accumulations of vehicles to happen you should just require that they go behind somewhere and not be visible from adjoining property or not visible from the street and allow them to happen. Otherwise we're not going to be able to control them. It would be so expensive and difficult to regulate it as an ongoing operation that it's better off to just screen it. That addresses some of the issues and that addresses a lot of the rural character impacts. It leaves somewhat open the issues of water quality impacts, people running businesses that shouldn't be running businesses, etc. We are looking at an abatement program to get better enforcement and probably in a year or so we will have something that will go through you on the way to the BOCC.

(#1800) Bob Sund: As I read this you talk about a parcel containing so many vehicles and 'parcel' is not very definitive in my mind. A parcel could be like a postage stamp or it could be a 5-acre parcel or it could be a 1-acre parcel. If you're talking about 'x' number of cars on a postage stamp which completely destroys the

## Planning Advisory Commission Minutes, March 17, 2003

rural character but if you talk about 10 cars on 10 acres it's something different.

(#1875) Bob Fink: We discussed that in the workshop. There wasn't a lot of support for treating larger lots that much differently from smaller lots. Partly that has to do with the placement of the vehicle on the lot. On a 10-acre lot if they put the vehicles in the center of the lot it would have a lot less impact than if it was on the edge of the property by the road or on the edge of the property by the neighbor. How do you control that? Simply because they have 10 acres doesn't really tell you how much impact you're going to have from 10 or 50 cars. Depending on the placement of the vehicles the impact could be minimal, as in Diane's example where you can't even see her cars, or it could be a major impact because they lay them all out beside the road.

(#1910) Bob Sund: There has to be a complaint before you're going to address the problem, right?

(#1912) Bob Fink: We would have to know about it. It's usually a complaint. As a practical matter people who have cars and nobody knows about it are probably not going to be enforced against. That's neither good or bad. Technically they may be in violation of the code but with no way of knowing it obviously nothing happens.

(#2025) Mark Drain: All we're talking about are vehicles that aren't stored under completely enclosed garage or structure. You could have your 3 daily drivers and you could have a car collection of 15 cars in a nice warehouse or building.

(#2044) Bob Fink: Right, or you could have a 50 car collection all enclosed.

(#2046) Steve Clayton: What would be your thoughts on under B, no parcel without a residence; if we worded that to a point where we would limit it to 1 vehicle on a parcel under 1 acre and have 5 vehicles on a parcel larger than 1 acre or even larger than a 2 1/2. I'd like to keep our recreational people that want to leave their travel trailer on their little parcel ... I'd like to not hurt them but I also don't want people buying a lot at Timberlakes that's 1200 square feet and parking 5 cars there because it's cheap.

(#2094) Mark Drain: Do you want to limit it to a trailer otherwise you could have a boat trailer or you could have a hulk that sits there. Are we going to hash this out tonight or should we go home and write down all our ideas.

(#2108) Bill Dewey: I'm interested to see where others on the commission are at this point. Are we close to being to make a decision on these regulations?

(#2148) Allan Borden: You could just start by going in reverse order with the proposed options. Start with do you want to take any action.

(#2166) Bill Dewey: Darren, we heard from a gentleman in Shorecrest that didn't want us to do anything that would supercede their ability to do something more restrictive in Shorecrest if they so chose. If the county has an ordinance and Shorecrest wants to have a covenant that's even more strict, they're welcome to do that?

(#2175) Darren Nienaber: That's correct.

(#2188) Bill Dewey: Let's start with Option E, take no action. Is there anybody supporting that option at this point?

(#2195) Steve Clayton: No, I think we need to work on doing something.

(#2200) Diane Edgin: Either that or beef up the environmental regulations so they can do something.

(#2208) Darren Nienaber: The Board of Health adopts the environmental health regulations.

(#2232) Bill Dewey: Okay, on to Option D, the grandfathering clause. Any support?

## Planning Advisory Commission Minutes, March 17, 2003

(#2238) Diane Edgin: I don't want to be grandfathering some of the big messes they've got.

(#2240) Mark Drain: I'll second that.

(#2240) Steve Clayton: I say no on the grandfathering.

(#2242) Bill Dewey: I'm there, too.

(#2322) Miscellaneous discussion.

(#2810) Bill Dewey: We had a maybe from Bob on Grandfathering but I didn't hear a lot of support for grandfathering.

(#2812) Bob Sund: I was thinking that we could probably put out a draft without the grandfathering in there if these guys could come up with something realistic that would be appropriate.

(#2832) Bill Dewey: I asked that question back in November as we wrestle with this how to distinguish between a collection and a problem. We heard it repeatedly tonight. All of them are saying the same thing that we've got to deal with the problem but no one has a suggestion on how to make the distinction. It sounds like staff has tried.

(#2844) Darren Nienaber: I couldn't make the distinction. There's another public hearing in front of the BOCC on this. We haven't scheduled a hearing so it would be more than three weeks out. They would certainly time to draft that.

(#2865) Diane Edgin: I would put it in front of the collectors and have them write the standard that they feel they can live with.

(#2872) Bob Fink: Diane, we tried that. We told them to do that; we told them that we would leave the window open for another three weeks before we write this draft that you have before you and we wanted their suggestions but we got no suggestions. The alternatives here are the ones that we came up with to try to address our understanding of their concerns.

(#2915) Bill Dewey: On to the next Option C, historical vehicle exemption. What are your thoughts?

(#2928) Mark Drain: No, I'd keep turning the page.

(#2930) Steve Clayton: I go along with that.

(#2932) Mark Drain: I respect them owning those vehicles but I think that if they are worth what they claim to be then I think they could find good protection for them. It would be too easy for them to acquire the historic plates and just store a decrepit vehicle out in the open.

(#3014) Bill Dewey: I don't hear a lot of support for the historical vehicle exemption. What about the carports in Option B?

(#3080) Mark Drain: I don't think a carport does much for protecting them.

(#3100) Bob Sund: A carport does force some order to it.

(#3135) Mark Drain: A permitted carport would be better.

(#3145) Diane Edgin: Our carports aren't the kind that you have to have a permit because they're not bolted down to anything.

(#3198) Bob Fink: It's based on size. I don't know the exact threshold but that was discussed recently. The smallest ones they sell don't require a building permit but the larger ones do.

(#3200) Theresa Kirkpatrick: Those are the tubular ones strung with vinyl or canvas?

## Planning Advisory Commission Minutes, March 17, 2003

(#3222) Bob Fink: That's correct.

(#3232) Bill Dewey: I don't hear any overwhelming support for carports. We're at fences and vegetation.

(#3248) Theresa Kirkpatrick: If we do fences I believe we should be more specific as to what is acceptable. I can think of one location in Mason County where they did fence a big yard of cars and they put up the junkiest plywood thing that goes three sheets of plywood high. It is so bad. That would not work.

(#3290) Bill Dewey: Is there an interest in trying to figure out what kinds of fences or vegetation might be allowed? Okay, no fences or vegetation.

(#3400) Steve Clayton: A couple wording things on page 1 under #1 and #2. You define vehicles under #8 but under #1 and #2 you say motor vehicles. Rather than confusing people if we deleted the word motor in those two it would be consistent?

(#3480) Allan Borden: That would be fine.

(#3490) Mark Drain: When it says vehicles located on a parcel do we need to be more specific and distinguish between those that aren't in a garage or a barn and those that are out in the elements?

(#3515) Theresa Kirkpatrick: It states that under #4.

(#3525) Diane Edgin: If you're going to go into any definitions at all I would just say watercraft instead of boats. That includes jetskis, etc.

(#3542) Theresa Kirkpatrick: I like the suggestion that was raised earlier of 'included but not limited to' to add to #8.

(#3552) Steve Clayton: Allan, does watercraft work for you instead of boats?

(#3555) Allan Borden: That's fine.

(#3566) Diane Edgin: Under #7 we want to add manufactured homes.

(#3575) Steve Clayton: Under #7 what are your thoughts on putting in 'full time occupied'? There are some dumpy trailers you could put on a lot and park 10 cars next to it.

(#3590) Diane Edgin: We've already got that. We've got people living full time in either motor homes or camping trailers and they're full time residents.

(#3600) Bill Dewey: Next door to me I've got a mobile home that nobody's living in and half a dozen junk cars beside it.

(#3610) Steve Clayton: So under #7 instead of just being a residence add into it defined as a full time occupied.

(#3622) Bob Fink: Almost 30% of the residences in this county are not full time occupied and it's really hard to distinguish them.

(#3634) Steve Clayton: If it's not full time occupied then they should be limited to a lesser number of vehicles on a property.

(#3640) Bob Fink: If you wanted something that's easily enforceable it's very difficult to determine place of residency.

(#3652) Steve Clayton: If there's a dumpy house that nobody lives in and we put in full time occupied then we can write them a citation.

## Planning Advisory Commission Minutes, March 17, 2003

(#3678) Bob Fink: It would be very hard to contradict them if they said they lived there. Some houses would be uninhabitable and there are determinations that can be made for that. We could try that but you'd have to be careful. I'm not sure how we could word that.

(#3763) Bill Dewey: What about a habitable residence? It gets you away from the full time residence.

(#3788) Bob Fink: It's my understanding that the Building Department can determine whether a residence is habitable or not. You can't really necessarily do that with a visual external inspection.

(#3818) Bill Dewey: I see that occupied could raise a red flag because some people would say it's their summer home.

(#3820) Steve Clayton: I don't think we want a summer home to have 10 cars there year round. What I'm looking for is for the summer home you can have a car or two there but not up to the maximum of a full time occupied residence. That's the intent.

(#3868) Theresa Kirkpatrick: You'd have to be very specific about the full time occupancy because I know even homeowners insurance, even from one carrier to the next, there can be a wide disparity of what one insurance company says is full time occupation as opposed to what another does not. I'm just bringing this up that we'd have to be very specific of 'x' number of days constitutes occupancy. That brings up the whole question of who is going to sit and watch out for that.

(#0085) Diane Edgin: We have a lot of people who split their time between here and south.

(#0092) Steve Clayton: I'm saying that they could leave a couple of vehicles there but just not 10.

(#0095) Mark Drain: Getting around the residency factor is maybe the lot size. If they had 10 or 20 acres it wouldn't concern you that much if they had 10 cars on it. When they have a summer home on the canal and have it jammed full of cars that sit there that bothers you more.

(#0105) Theresa Kirkpatrick: That gets back to what Mr. Fink was addressing. If I've got 20 acres and I park all my junk right against the road then it would have an impact on the neighborhood. How do you feel about the word habitable?

(#0150) Darren Nienaber: I think the word occupied is better for enforcement purposes. Otherwise we'd have to drag in the Building Official to determine that.

(#0170) Diane Edgin: I want to go back to #7. You're talking about a site-built manufactured home. How do you term manufactured? Are you talking house trailer, recreational vehicle? A manufactured home and a trailer are two different things.

(#0185) Bob Fink: RV's are a different thing. Manufactured homes, modular homes are all defined in statute and a site-built home is a site-built home.

(#0192) Diane Edgin: Is a trailer, under this, considered the same as a manufactured home?

(#0194) Bob Fink: Not an RV. Under law there is no such thing as a house trailer. There are manufactured homes and modular homes and then there are RV's. House trailers are what's now called manufactured houses.

(#0210) Steve Clayton: So under #7 you're saying that full-time occupied could fit in there and not be a real hindrance on things?

(#0212) Darren Nienaber: It complicates it but in the sense that in either circumstance they still can't have more than 10. I can see where you're coming from but it's still tough to prove.

(#0240) Bob Fink: To my mind it might get you some benefit as far as reducing the number of cars in a few places but it would make enforcement considerably more difficult.

## Planning Advisory Commission Minutes, March 17, 2003

(#0262) Bill Dewey: But it would still be a tool; there's no harm in it.

(#0264) Bob Fink: One of the purposes of this is to try to make it as clean as possible. The cleaner it is the more consistent your enforcement will be.

(#0266) Darren Nienaber: That's correct.

(#0274) Bob Sund: But the enforcement is still going to respond to a complaint.

(#0275) Bob Fink: Mostly. If there's 20 cars visible from the highway when you drive by or you're called out for a building permit inspection and you go out there and inspect the building and you see a field full of cars it might come from that. It won't necessarily come only from complaints. It might be done in the course of events when a county official sees something that they clearly know is a violation. They should file a report for investigation. It's one thing to not know and not investigate but it's another thing to see something that's very clear is a violation and not follow up on it.

(#0300) Theresa Kirkpatrick: Is that a new policy of the Planning Department?

(#0302) Bob Fink: There was never any policy in the Planning Department about not reporting a violation. You have to realize that I could drive by and see a house being built and I wouldn't know whether there was a permit for that house or not.

(#0314) Darren Nienaber: One example is we received a complaint where we were enforcing against a boat moorage with a cover that we knew had been installed recently so it was illegal. He told us that there were 5 other coverage moorages but we had no idea if they predated the Shoreline Master Program. We had no idea how old they were so just the existence of them doesn't necessarily mean they're illegal. There is a little bit of liability of the county to report flagrant building violations. You have to do something at that point. That's my advise to them and they know that.

(#0342) Theresa Kirkpatrick: I actually was curious if this policy, not a Building Department Official, but a Planning Department Official that sees a violation of land use ordinances is required to take action?

(#0352) Bob Fink: There's no policy to not follow up on a violation you're aware of. The example that Darren gave is pretty common where you have something that's not legal now but you don't know when it was done and it was legal 5 years ago. We've never had the time to investigate things that are not clear cut.

(#0380) Bob Sund: I'd like to make a motion. Under #2 have it say 'no parcel having an inhabitable residence shall have more than 10 vehicles located on the parcel'.

(#0388) Steve Clayton: We already defined residence below in #7.

(#0395) Darren Nienaber: We were talking before that the big purpose of this was to be able to get an easily enforceable ordinance because right now what Kristin has to work with is very, very difficult. Having thought about mt, I like the idea of full-time occupied and I see where you're coming from but I think from Kristin's standpoint every time she comes to a house she's going to have to ask herself is that full time or not. One of the reasons why you have this ordinance is that you can't always see how many cars and if they're inoperable or junk and the same thing would be true if you were trying to see if it was inhabitable or not.

(#0455) Bob Fink: My suggestion would be to not do that at this time but go ahead and not try to address that. See if that's a problem. If it's a problem then we will craft something specifically to address that. You could come back and revisit it later.

(#0474) Bill Dewey: Let's work our way down these regulations.

(#0476) Steve Clayton: Under #1, what are your thoughts on having an acreage limitation there as in a parcel under an acre being limited to 2 vehicles and one larger than an acre being limited to 5?

(#0488) Bill Dewey: I heard quite a few times tonight support for the 10 in #2 and support to go to zero in #1.

## Planning Advisory Commission Minutes, March 17, 2003

I'd be inclined to go along with Steve and go with 1 in #1.

(#0496) Steve Clayton: I was thinking 2 because of the 7 day limit and somebody has their trailer parked there and they come in for their summer vacation and they've got another car.

(#0508) Theresa Kirkpatrick: I would propose 3 and perhaps changing it to 14 days since some people take a two week vacation. That way they could have the trailer, the tow car and the run to town car.

(#0522) Steve Clayton: The trouble with that is that you have people that have 10 vehicles on their lot with their house and playing a shuffle game.

(#0530) Bob Sund: I like 2 vehicles.

(#0532) Bill Dewey: Two it is.

(#0535) Bob Sund: Two vehicles of 1 acre or less and 5 on more than 1 acre.

(#0540) Theresa Kirkpatrick: I go for 2 period.

(#0542) Bill Dewey: I'm with Theresa: I go for 2 period.

(#0555) Mark Drain: When you say 2 motor vehicles that includes the camp trailer?

(#0558) Bill Dewey: Yes, and remember we deleted the word motor.

(#0568) Steve Clayton: What is staff's thoughts on 2?

(#0570) Darren Nienaber: It's pretty tight.

(#0572) Bob Fink: We ended up with 5 because we were envisioning that if someone had an RV, then maybe they come up with their boat behind their mobile home and a car so now they've got 4 vehicles with no effort at all. You're trying to not bring people into violation too easily because we don't want people to be in violation. We just want to control a significant accumulation of vehicles.

(#0635) Bill Dewey: Do we want to go to 3 vehicles?

(#0637) Theresa Kirkpatrick: I could go with 3 vehicles.

(#0645) Bill Dewey: Okay, so we'll go with 3 vehicles on a vacant parcel. Let's go on to #2.

(#0650) Diane Edgin: We've got a problem with this one unless we say visible. If they're under a roof we shouldn't be concerned but we don't have that verbiage in it.

(#0662) Bill Dewey: It talks about that under #4.

(#0665) Steve Clayton: If you put the word visible in there then people can say that they built a fence.

(#0682) Diane Edgin: I'm going to make a pitch for the fence again because the more I think about it the more I go back to thinking about the logging. That's still a big industry in this county. We know a lot of small parcels where the owners of the small logging companies store their equipment.

(#0694) Steve Clayton: That's what we have the UGA's for and that's what we have industrial properties for. If you want to store your logging truck ...

(#0702) Diane Edgin: I think a fence is a wonderful tool. I'm looking at the cost to the small business person. If he has to put those trucks under shelter it could cost a lot.

(#0718) Bob Fink: In Grays Harbor, in the residential area in the rural county, they allow one logging truck

## Planning Advisory Commission Minutes, March 17, 2003

per residence because they thought that was appropriate. One logging truck would be allowed but 11 logging trucks wouldn't be allowed.

(#0760) Bill Dewey: Let's go back to #2. I thoroughly support #2 as it's written except to delete 'motor'. I heard a lot of testimony tonight that 10 seemed to work for people. #3 is okay. On to #4. #4 is okay. #5 is okay as written. #6 is okay as written. Under #7 we want to add manufactured home. Under #8, add include but not limited to. Also add vans, buses, and tractors. Also, change boats to watercraft. Under #9, adopt as written.

(#1000) Theresa Kirkpatrick: Under #9 where it says, 'not separated by private or county road'. What if somebody has a couple of parcels and he wants to keep 20 cars instead of 10 cars and he bulldozes through a road between his parcels so he can do that. Could that be a problem?

(#1014) Steve Clayton: He'd only be able to get 13 because the second parcel wouldn't have a parcel on it.

(#1018) Bob Fink: It should be county road only because private roads are easements.

(#1028) Bill Dewey: So are you saying to delete the private road part, Bob?

(#1032) Theresa Kirkpatrick: One gentleman has testified a couple of times that he owns one parcel with a bunch of cars and then the one across the street.

(#1035) Bob Fink: In a sense you're right because he could grant himself an easement between his two parcels and say that it's a private road.

(#1052) Steve Clayton: So Bob is saying we should delete private road and just have county or state road. Change the word private to state.

(#1060) Theresa Kirkpatrick: I would like to propose a motion to the PAC that we recommend to the BOCC the Preferred Draft Version of the Off-Street Parking regulations that include all the changes we recommended.

(#1082) Steve Clayton: I second the motion.

(#1085) Bill Dewey: We have a motion and a second. Any further discussion? Motion passed.

Meeting adjourned.