

# MASON COUNTY PLANNING ADVISORY COMMISSION

**Minutes**  
**January 24, 2005**

(Note audio tape (#2) dated January 24, 2005  
counter (#) for exact details of discussion)

*(This document is not intended to be a verbatim transcript)*

=====

## **1. CALL TO ORDER**

The meeting was called to order by Vice-Chair Steve Clayton at 6:00 p.m.

## **2. ROLL CALL**

**Members Present:** Steve Clayton, Wendy Ervin, Terri Jeffreys, Tim Wing, and Mark Drain. Bill Dewey and Diane Edgin were excused.

**Staff Present:** Bob Fink, Darren Nienaber, Allan Borden.

## **3. APPROVAL OF MINUTES**

The minutes from the August 16, 2004 meeting were approved as presented.

## **4. NEW BUSINESS**

(#0095) Steve Clayton: Tonight we're having a discussion on the 2005 Comp Plan updates.

(#0105) Bob Fink: I'm Bob Fink with the Mason County Planning Department. Tonight I want to introduce to the PAC a new planner that will be working mostly on long range planning. Her name is Barbara Adkins. With that introduction we'll get to the discussion. I've distributed tonight a public participation plan draft for a work program and public participation guidelines for the coming year. In the coming year I know you're all aware the county is under an obligation to the GMA to review its Comprehensive Plan and Development Regulations to see if they're currently in compliance with the GMA as it's been updated and modified. Also, if there are changes needed in the plan, to make those changes and to be done by December 1, 2005. The county is also interested in updating the Comp Plan for a variety of reasons. One reasons is to review the success of the plan and to see if updates are required from that to improve the plans implementation, to keep the plan current with local needs, to keep the plan looking approximately twenty years into the future and what we'll look at doing this year is to look at the time horizon into 2025 trying to plan out to that time. Also to incorporate any new information, changes in law, correction of errors, or clarification of intent. Any problems we can fix and any tweaking to the plan and regulations we can do to improve it to make it correct. Before you, and this is your first opportunity to review it, is a draft public participation plan. It's the intention that after you have a chance to review it we'll take up the discussion on it. There's also a table or schedule that lays out what the basic meetings will be over the course of the year. It's the intention that we bring this participation plan just as a plan or policy to the BOCC for official action after a public hearing probably to be held in the first part of February. So that's our program. So if you want to recess the meeting for fifteen

## Planning Advisory Commission Minutes, January 24, 2005

minutes then we'll take this up again at that time.

*Recess in meeting for PAC to review the draft public participation plan.*

(#0245) Bob Fink: Just to give you a little more introduction on it, you can see the different phases. Phase I is basically what we're in now and will culminate when the Board officially adopts this public participation plan. The second phase is basically where we'll be doing data collection and one of our primary purposes is to identify what are likely areas of updating; in other words, due to preliminary review according to the GMA and what areas need to be updated. There was a question of whether we have some idea of what those areas are and the answer is 'yes'. We've identified a number of areas where we think updating is needed. There are parts of the transportation element that need updating and others. We've gone through a process of review and identified what we as staff can identify as things that need to be changed because of changes in the statute since previous actions were taken by the county. Also, we've identified things that need to be updated simply through the passage of time so that we can move to a time horizon of 2025. We'll continue to work on that over the next month or so and then go out to the public. We're also doing an analysis of what the growth trends have been over the last ten years and some things we'll be going back further to give people a prospective of how things have changed over the last several decades.

(#0300) Mark Drain: If I'm not mistaken the last two years growth in the county has been level. Is that a significant factor for future planning?

(#0310) Bob Fink: If you're talking about residential growth from ten years ago there was a peak in growth and it started dropping and it bottomed out probably about three years ago. Then it's been increasing since that time but it's no where near the level that it was in the mid 90's. We'll identify those trends and any other information that we think will be valuable in doing the review and information that needs to be updated. We have a new population projection from the Office of Financial Management, which will be used to project our 2025 population growth. There will be issues just coming from that update because of the passage of time. We'll get that preliminary work done and have some public workshops and get feedback from people. One of the most important phases is Phase II. One of the most important things about Phase II and Phase III is really getting on the table issues of concern, some of which may not be identified in a strict review of looking at what changes to the ACT may have done. There may be some issues that people think should be addressed and we want to get those issues out on the table and start looking at them. At the end of Phase III it's expected that the BOCC will take official action and say that these are the things that need to be updated or amended and these other things don't have to be and won't be amended or updated. Then from that point on, by July or August, then the county will work on actually implementing those amendments or making those amendments that they've identified as needing to be done and also those that the county wants to do for other reasons, not just in response to the GMA.

(#0400) Tim Wing: That touches on a question I've had throughout this is that much of what this process seems to be is to make sure that we're in compliance with the GMA. What if there are people who just want to change the plan; not because they have to but because they think it would be wise?

(#0410) Bob Fink: This is an opportunity for people to come forward and ask for changes. Then they would enter that in as comments and basically what happened to the comments would depend on the merit as it goes through the public process before the PAC and then the BOCC whether they want to act on it or not. Certainly I think the county is interested in making improvements to the plan where improvements can be done but I think they're also very interested in maintaining the compliance of the county regulations and Comp Plan with the GMA. I can tell you just as a matter of interest that already appeals have been filed on the 2004 updates for several counties, including Pierce, Thurston and Clark Counties. So we'll try to be very thorough in making sure that the process is followed correctly, that the issues that are raised are addressed in a reasonable way and that the decisions that are made are justifiable and that's one of the purposes of this process is to do that and to let the public know how to enter into the process and get their concerns heard.

(#0460) Terri Jeffreys: Are the appeals based on the process? Is there a trend on how they're focused? For instance, if in the compliance report, you chose not to look at an element that somebody would bring that forward and appeal the fact that you didn't bring that forward?

(#0482) Bob Fink: We don't really know that.

## Planning Advisory Commission Minutes, January 24, 2005

(#0488) Darren Nienaber: Pierce County felt that they did not need to adopt a shoreline buffer so they didn't. They said that's not within the scope of our amendment; we don't think it's required. So then they were petitioned on that. As far as I can tell the challenges are all over the map.

(#0500) Bob Fink: The clock is still running for the most part so there may well be more challenges to last years adoption.

(#0505) Terri Jeffreys: It's a 90 day period after it's adopted?

(#0508) Bob Fink: It's 60 days from the notice of adoption so if you figure about two weeks for notice of adoption then you're a month and a half. It's also true that CTED released a newsletter and they had done a review of those adopted amendments or statements of review that they received to date and by the end of the year they had not received those statements from the majority of the counties and cities. Whether that means they're still trying to crunch them out at the end or they haven't sent them in yet for whatever reason we don't know but some of them may not have been acted on.

(#0535) Tim Wing: Let me follow up on my question about the difference between identifying things that need to be addressed in order to stay in compliance versus those things that a community or a group of citizens in an area may want to see changed that aren't necessarily a problem in terms of keeping this in compliance. The early part of this process focuses on, I think, the department coming up with issues that they think might keep us from being in compliance and I'm wanting to know what efforts there will be to inform the public that they can work together to make proposals that might change the plan that don't have much to do with whether or not it stays in compliance. Is there any way for a community or a group of people in a community to say that they think this or that should change without it necessarily being a problem to the GMA?

(#0575) Bob Fink: It's only a problem to the GMA if it's an issue with the substance of what's being proposed and there's no way to know that without knowing what's being proposed. The people proposing it could make a judgment on whether they think it's something doable or not. I think part of our scrutiny, as well as the PAC's scrutiny and the final determination of the BOCC is going to be is this something that's in compliance with the GMA or not? This review isn't limited to the update of the GMA and it's not limited to simply extending the plan out 25 years. As I've said if there are things that could be done to improve implementation, if there are local needs that haven't been addressed, if there's opinions that things could be changed, those certainly can be put on the table for discussion and what will happen to them will depend on the merit of what's proposed. They could be proposed by an individual or by a group. There's some reference here, the county will be continuing to work with the Allyn Community Association and their planning group. I presume we'll be continuing to work with the Belfair Community with some format and with the City of Shelton and with the UGA's. I understand there's people in Hoodspout that are interested in looking at issues there that will may be brought on the table this year. One of the fundamental things that will happen when you change your time horizon and you're looking to 2025 and you have a different population that you're working with is what the interaction of that expected growth is with the current designation of the UGA's. Not that we're trying to change those areas but it will be an issue that is raised. The other thing the county is doing mentioned in here is the county will be adopting or hopefully will be able to adopt an economic development element. When we have an opportunity to look at the economic development element and come up with recommendations for things that the county could do for economic development there may be consequences from that that will call for other amendments or other revisions. I know that one of the things we'll be looking at is how our regulations are affecting development and how do we deal with those affects? Is there some way we can facilitate the development or is there some way to provide additional lands that aren't restricted by critical areas and other restrictions that aren't currently zoned for that kind of commercial or industrial development? Do we have enough land for those purposes zoned now that aren't restricted by the sensitive areas that often people run into when they try to develop sites intensely. I don't know everything that will be changed but this is an opportunity for any party to come forward and say we really need to change this or that for the following reasons and that will be something that will be reviewed. It may not be acted on or it may be built on and taken even further depending on the merits of what's proposed.

(#0712) Tim Wing: This is a particular threshold in time. This is a required time by the ACT itself that you have to have this back in compliance at this juncture.

## Planning Advisory Commission Minutes, January 24, 2005

(#0715) Bob Fink: We're in compliance right now. But we have to update it now.

(#0720) Tim Wing: It seems to me the people in the public need to understand what other options they have in terms of changing it. For example, if this is the only time you can do this and the next time we'll be dealing with it is in 2025 then that puts a sense of urgency on people. That should be explained to people so they don't think this is the only time they have a chance to do this.

(#0735) Bob Fink: That's a reasonable thing to do to put in the introduction. This is not changing the annual amendment. This annual amendment has a particular character because of the mandate to update consistent with the GMA and all the changes to the ACT that may have occurred and that you have to review everything and address all those discrepancies. As we do each annual amendment and we amend something on subdivisions over here we don't necessarily have to address an issue that people think we might have with current compliance over here on wetlands, for instance. They may think that our regulations are not tough enough based on Best Available Science and that doesn't keep us from amending this regulation over here that's unrelated and we're not subject to challenge on this other issue whether they're correct or not. They can't even raise the issue if we're not amending that issue. At this point they can challenge both what we do and what we don't do. If we don't make an amendment that should have been made to address an issue that had to be updated that can be a basis of a challenge in its own right. So there's two reasons. One reason is to get all those issues that people may want to raise out on the table early enough so they can be appropriately addressed. If people don't raise those issues until November 30<sup>th</sup> when the BOCC was ready to take action or a week before that there's simply not going to be time for the county to respond to comments that come in like that prior to the action, prior to December 1<sup>st</sup>, which is our mandated deadline. So we would be in a bind. It's important to cut that line between those areas that have to be updated and those areas that don't have to be updated early in the year and do it in a way it can be appealable and then people presumably won't be able to have a good case that we didn't, for instance, address this housing element but we should have and yet in the middle of the action we adopted the resolution saying this housing element doesn't have to be updated because there haven't been any changes to the law. If they fail to appeal that then they've presumably lost their opportunity to appeal it.

(#0850) Tim Wing: Is that integrated into this?

(#0852) Bob Fink: Yes.

(#0855) Allan Borden: It's a two-step process. First it's reviewing what we need to update. We make a decision on what we don't need to update. Where do we need to do our homework? Do we just need to make number changes to update population, or do we have to go further on the analysis?

(#0875) Mark Drain: So you're speaking of appealing to the county? I mean ultimately they can participate in a minimal amount throughout 2005 but appeal in 2006, right?

(#0885) Bob Fink: Right. As far as a non-action goes, the county is trying to structure this ... one of the things this plan would do is to structure the review so that early in the process there's a decision made on what items don't need action to come into compliance with the GMA. That is the review for those areas that do need to be changed; those areas that don't need to be changed. Presumably after that action is taken and it's appealable to the GMHB if the county at a later time doesn't amend that section then you won't be able to bring a challenge for failure to act on that section. Is that your point?

(#0925) Tim Wing: My biggest concern is that we remain in compliance. I'm sure the county is concerned about that as well but I also want the public to understand that they can make recommendations for changes or propose changes that may not have anything to do with remaining in compliance but they want to see changed. If there's going to be a deadline for those issues and some of them are going to be put on the back burner because we're going to focus on the things that could cause us to be out of compliance then I think the public needs to understand when that can be brought back up and reviewed and changed in the future.

(#0950) Bob Fink: It's really a separate issue. I understand what you're saying and we can put in something that clarifies that. The county can propose to amend things simply because it wants to change it. Those amendments are subject to challenge quite aside from the annual update process. The intention wouldn't be

## Planning Advisory Commission Minutes, January 24, 2005

to adopt any of those until the end of the year. The deadline for bringing those amendments forward really isn't in here. So one way to address your concern is simply to put it in there and be more explicit about that portion of it. That's something we can do.

(#0980) Terri Jeffreys: I'm thinking that your compliance report is a misnomer. I think you should think about changing how you name it like maybe calling it 'proposed scope of work' and include in that your compliance review as well as the summary or somehow show the public input received through the public meetings and then why or why not staff is recommending that be included in the scope of work.

(#0998) Bob Fink: I understand your point but I actually think we need to keep the compliance review and the compliance resolution in there in those terms because that's a separate action and a separate issue than any other amendments the county might be willing to take.

(#1010) Darren Nienaber: To clarify, at the end of the year the county could adopt other changes that might be seen deemed to be in the public interest. For the purposes of this report it's compliant with the GMA report.

(#1022) Terri Jeffreys: Perhaps a separate report should be done that summarizes and reviews the public input and addresses what the public may want.

(#1034) Darren Nienaber: Ordinarily, by law, the process to get something adopted as the planning department proposes it or comments from the BOCC you may get the planning department to sponsor something or propose something; that's the law. To create a citizen right to propose something you're going to get the strangest things you've ever seen. People will insist that they paid the fee therefore we have a mandatory right for you people to consider my 1,000 foot buffer proposal, or no buffer proposal. So the traditional process is still that process. Either you persuade the planning department to bring forward something or you convince a commissioner to tell the planning department to bring forward something.

(#1070) Terri Jeffreys: I'm extremely concerned about the open houses ... if that is the only chance for folks to really bring in ideas ...

(#1085) Bob Fink: People can bring in ideas at the open houses or at the public hearing. The point that Darren was making is if there is no support in the department of the proposals or if the BOCC doesn't say this is an idea we need to work on to see if it works, then it simply is going to die. People can bring up any idea that they want and it will not necessarily get any formal treatment. It won't get a review, it won't get part of the SEPA review; it basically has to pass the scrutiny of either the support of the planning department or the BOCC have to propose it and put it on our work agenda. But people can come and propose things and if any good ideas come forward then certainly there would be an interest in moving those forward. But there won't be a requirement that every idea get thoroughly examined that anyone proposes.

(#1140) Tim Wing: I just want the public to know that they can bring things up and if they are things that hold water then they should be considered. From what I know of this process, we don't want to bog down the county in getting this re-approved with a lot of new ideas of changing things that don't have anything to do with being in compliance.

(#1160) Bob Fink: That may be the consequence. There may be good ideas brought forward ...

(#1162) Tim Wing: I understand that but what I'm saying is that I think the public should be encouraged to bring ideas there and if it's something that doesn't have to do with compliance they should be told that that's an idea that is worth discussing and at some point, maybe at the end of the year after we're compliant again, that they know there will be an opportunity where they can bring that up again. As a way of not turning the public off and saying that isn't something about compliance so we're not going to deal with it because it obviously would be important to somebody if they came in and talked about it.

(#1188) Darren Nienaber: I think that's a good idea. We can look at fitting that in there someplace.

(#1190) Bob Fink: I think both your comments are good, if I could group them into two comments. One idea is

## Planning Advisory Commission Minutes, January 24, 2005

that we need more clarity that part of this is an annual process with further opportunities down the road. The other part deals explicitly with people who may have good ideas to bring forward for changes and when they can do that and what might happen to those when they bring them forward. In other words, the county might choose to act on them or they might choose to delay them for another year or they may take no action on them at all. And that there will be further opportunities in subsequent years to bring these things forward again if the county should not act on it this year. Does that summarize what you were saying?

(#1225) Tim Wing: Pretty much. If his idea is sidelined because it doesn't have anything to do with compliance but yet it's an idea that perhaps needs to be aired again, he should understand that the primary goal of this process is to stay in compliance and there will be an interest in not bogging down the compliance effort with a lot of other changes but the changes can be done after this process and that he should be encouraged to come to a later hearing or a later opportunity to represent his point of view.

(#1245) Bob Fink: Okay, I think we understand each other.

(#1250) Wendy Ervin: This seems to be very well covered. Back here in the ending where it's talking about all the different types of publicity, I think that will get across that there's public input without creating what Darren was saying about the right to public input. It's talking about additional public involvement methods with focus sheets, etc., this material will be available for any group to pick up here or somewhere else?

(#1282) Bob Fink: That would be the purpose. If we write some focus sheets then they will certainly be made broadly available. I tried not to create a commitment to write these but if there's a reason to ...

(#1290) Wendy Ervin: But if they're available ...

(#1292) Bob Fink: If they're available then the purpose would be to make them readily available; put them in the libraries, put them at the front counter, distribute them to interest groups, etc.

(#1305) Tim Wing: The Belfair Subarea Plan has been approved just recently. When is the first time that that portion of the Comp Plan can be readdressed or changed?

(#1322) Bob Fink: For non-capital facility issues it would be probably at the end of the year when all the other amendments are adopted. The mid-year action won't be the adoption of amendments because amendments can only be adopted once a year. So the mid-year is on that call between the areas being updated and the areas that don't have to be updated and towards the end of the year there will be actual amendments adopted. Now, a capital facilities element can be amended whenever the budget is adopted or amended and DR's can be amended other than once a year. If you think back, we've proposed a number of amendments to the DR's that have gone in sequence. They're not required to be amended only once a year although, as a matter of policy we try to group them together as part of a package to go forward once a year.

(#1370) Darren Nienaber: That's where a lot of the nuts and bolts stuff occurs anyway, is that regulations that people using their land that are affected by will want to have the environmental protections. Most of that is all DR's not Comp Plan.

(#1384) Tim Wing: As a practical matter this process is to make sure that we stay within compliance. The Belfair Subarea Plan, changes in that are likely to occur after this process is completed?

(#1394) Bob Fink: It depends on what the BOCC wants to do but we will have people continuing to work on Belfair over this year. Just because those regulations and the plan were just adopted it is on our work program to have staff continuing to work with the Belfair community on a number of outstanding issues. The same in Allyn. Allyn currently has an interim ordinance that will expire towards the middle of the year. It will probably have to be extended because we won't be able to amend it at that time. I'm presuming that is how things will turn out but we could ask the BOCC to extend it and then the actual adoption of whatever gets adopted will probably come also at the end of the year. We'll work with the City of Shelton because they're now ready to move forward at looking at the UGA outside the city limits but inside the UGA is the county jurisdiction. We'll be working with them over this year to come up with urban type regulations for that area. That may or may not be mandated under the GMA but it's something that the city and the county have

## Planning Advisory Commission Minutes, January 24, 2005

expressed some interest in and they have a joint planning agreement to work on. So those are going on in the background. They are parts of this overall process but they don't really stand out. I wouldn't be surprised if there were changes made on some fashion. I know there are still some concerns about the sign regulations that were adopted and there may be other concerns as well. There are a couple points here that I wanted to bring to your attention in particular because they involve you directly. On page 3, at the top, what we were looking at was having at least two public hearings; one outside of Shelton so I just thought I'd ask you if that was appropriate or do you want more than two or somewhere else outside Shelton. I was thinking of North Mason County but you might have some other suggestions.

(#1500) Wendy Ervin: I think one of the problems you've had is the public perception here and there of not enough accessible public meetings even though they existed, people didn't necessarily know. The one we had at the Theler Center there were maybe four people in the audience.

(#1515) Steve Clayton: It was on the front page of the paper so it's tough to get more than that.

(#1522) Wendy Ervin: I'm not sure how to get more public involvement there but if we do have more meetings it would give more opportunity for the public.

(#1535) Martin Zazueta: I know how to get more people there. Just list everything that the county is going to take away from the public and they'll be there.

(#1560) Terri Jeffreys: So you're going to gather public comment and you are going to decide what's important or not and that will be somewhat included in the compliance report?

(#1565) Bob Fink: The compliance report is going to be produced after we've worked with you. What there's going to be is ... we're going to basically compile this information and summarize it and fairly early in that process we're going to have some open houses which will be mostly education and partly for gathering comment on specific issues and what's being considered. The real opportunities for public comment really come later at the public hearings. We won't be recording the open houses; we may be taking some written comment; we may be summarizing some comments we received. They're to inform you so that when you start the process of reviewing and preparing the report that you have a little more information to start with. Then it will go to public hearings where the formal comments are made and you can also get written comments throughout this whole time. You're pretty familiar with the process. After the public hearings then you will sit back and put together your recommendation, which will be the draft report. The idea is that the final is done when the process is complete and that's when the BOCC has had their own public hearing or hearings and is ready to draw those lines of deciding what needs to be done, how it's going to be done, and what doesn't have to be done.

(#1640) Mark Drain: It seems optimistic to go through the process and just describe as it's written here in the sheet and think that we can do that and the number of meetings that are listed here.

(#1652) Bob Fink: You'll have easily five meetings here. There's nothing to say you can't have more and we wrote it into this plan that we can add meetings without having to amend the plan. That's the other thing I wanted to talk to you about on page 4.

(#1668) Tim Wing: Before you get to page 4, I wanted to comment that I don't think we need more meetings. I think we need to make sure that we're publicizing the meetings we have and it needs to say what's on the agenda and what the issues are. I go to meetings all the time and no one shows up at them and then they come back later and say that no one told them about it. I think, well, that's too bad because you had every opportunity to come to meetings and I don't want to go to five or six meetings with nobody there just so I can say we had all these meetings. I just want to have plenty of notice for everybody so if they want to come to a meeting they can and I want to hear what they say but I don't want to spend all my time at meetings just so I can say we had eight meetings. This says two public hearings outside of Shelton; where are those going to be?

(#1705) Allan Borden: They can be anywhere you want them to be.

(#1707) Tim Wing: We talked about a meeting here and then a meeting in North Mason. Where have other

## Planning Advisory Commission Minutes, January 24, 2005

meetings been held in the past?

(#1710) Steve Clayton: We had a meeting at the Theler Center.

(#1720) Bob Fink: This is actually a typo. I was thinking of at least two public hearings with one being outside of Shelton.

(#1726) Tim Wing: I thought that was what you meant.

(#1730) Bob Fink: Right. In the past we have gone to Hoodspout and Matlock and Totten, Little Skookum. As you say, though, usually you don't get a large attendance and I don't know that we have specific proposals that will have a great affect on most of those areas at this point so we probably won't do that. What I'm hearing from you is that you don't want to hold a lot of sparsely attended meetings just so you can say you held eight meetings.

(#1762) Tim Wing: That's correct.

(#1774) Bob Fink: Okay, on to page 4. What we're looking at here is two meetings a month and possibly on the first and third Mondays. So you'll continue to have your regular meeting and then you would have an additional special meeting. The first one might be the joint meeting with the BOCC, which is another thing I wanted to talk to you about. If you think those dates are appropriate dates or should be propose something different. You're right; there is a lot of work to get done in just a couple of months so it's going to entail, out of necessity, at least two meetings a month. You don't really want a lot more than that unless you're just needing the time to continue on with the discussion.

(#1815) Mark Drain: I'm with Tim. We don't need any more than are necessary.

(#1820) Steve Clayton: For the meetings with the BOCC what if we scheduled that on the fourth Tuesday meeting which is usually sparsely attended here instead of the PAC doing their normal Monday and we meet with the BOCC on their normal Tuesday?

(#1840) Bob Fink: With the kind of thing we're talking about it could be time consuming to have much of an agenda for the BOCC so we were thinking of a special meeting. It doesn't have to be on a Monday on your regular meeting date. Do you have concerns about perhaps anticipating meeting on the first Monday each month for a couple of months?

(#1865) Wendy Ervin: I have a conflict with the first and Third Mondays.

(#1885) Steve Clayton: Bob, on previous rezones, last time we did them we had a bit of a backlog. Do you have a backlog on rezones right now?

(#1895) Allan Borden: We haven't received any rezones for the calendar year of 2005. We still have ones from 2004.

(#1900) Wendy Ervin: How many are there?

(#1902) Allan Borden: We have five.

(#1905) Steve Clayton: We were set to redo the rezone criteria; have we done that yet?

(#1908) Bob Fink: No.

(#1910) Steve Clayton: So we have rezone requests but they don't know the required criteria?

(#1910) Bob Fink: We do have rezone criteria and there was some concern about them that they didn't provide enough guidance either to the applicant nor to the reviewing bodies. I don't know if we'll be able to amend those rezone criteria or not or whether that's going to be a priority at this point. If it becomes



## Planning Advisory Commission Minutes, January 24, 2005

necessary and a priority then I'm sure we'll get it done. We have met a number of times with the Realtors Association and worked on that but we certainly didn't come to a resolution and we don't have a specific proposal at this point for what those amendments should be.

(#1952) Steve Clayton: I'm with Tim in that it doesn't appear that the compliance review will be a whole lot of public interest so much in the compliance review as the Comp Plan amendments, which would be rezone requests and adjustments to the various UGA plans. If we could somehow segregate those two processes during our public hearings and say that this part of the public hearing is compliance review and Comp Plan amendments is the second part of the hearing.

(#1980) Darren Nienaber: A lot of compliance review is the Comp Plan amendments. What do you mean when you say Comp Plan amendments?

(#1988) Steve Clayton: Rezone requests and changes to the UGA's.

(#1992) Bob Fink: Rezone requests may or may not be Comp Plan amendments. In the rural area often they're not because the rural residential is all the same.

(#1998) Steve Clayton: Sometimes people want to do things with their property and a lot of times I don't agree with it or I do agree with it but it's tough to throw them off until 2006.

(#2010) Bob Fink: I don't know if we're going to redo our rezone criteria before we address them. They may have to use the criteria that we have.

(#2018) Steve Clayton: As Tim was saying, we've got some contentious issues in Belfair and hopefully we don't just push them off because we don't have time to address them. If we could somehow split off compliance items with ...

(#2028) Bob Fink: Particularly where there's contentious issues that we don't have to adopt for the update ... it's quite possible some of them will get pushed off because they can't be resolved before action is required. We can't not act before December on our updates and be in compliance with the law.

(#2044) Tim Wing: This is the whole reason I brought this up because if people come to a meeting that the main purpose is to get this thing reapproved and they come in with their contentious issue ... they could give a rip about the stuff that you, we, all have to get done to get this thing reapproved. They're not going to be happy with the county or with this commission or with the BOCC if we just say thanks but we're really not going to deal with that. We need to have a mechanism to say obviously that's important to you people who came here tonight and we need to have a way to deal with that.

(#2078) Bob Fink: Right.

(#2080) Tim Wing: And they need to see that it isn't going to be pushed off until 2006, too.

(#2082) Bob Fink: Well, it may get pushed off until 2006. What we can do is let them know up front there's only so much that can be done in a given time. We will have more staff working on this. You met Barbara and we'll have another person working on this part time, as well as Allan. We'll have more staff to work on this than has been the case in the past. So hopefully that means we'll get more done. Still, no matter how much staff you have there's only so much you can do and digest in a given time. Some of these issues are contentious; some of them are difficult and I think what we can do is just make it clear following the suggestions you made earlier in this public participation plan that comments and suggestions for improvement are certainly welcome. We'll say when they need to cut off and they're certainly welcome but we may or may not be able to review and process all of them this year. Just because we don't do it this year doesn't mean that it may not be done soon. It just means it may have to wait until the next year depending on the nature of the issue.

(#2155) Terri Jeffreys: I've seen other counties do that with the PAC in their recommendations and scope of work. The items were listed and then it's been listed as additional items for consideration in the following year. That does give them ...

## Planning Advisory Commission Minutes, January 24, 2005

(#2165) Tim Wing: It lets them know that we've heard them and that we're going to work on that as soon as the time allows. If it's a big contentious issue then there needs to be some consensus developed and that requires community meetings and gatherings and discussions. There are reasons other than staff time that might exist that would cause everybody to decide that it's not something we want to cast in stone yet.

(#2190) Bob Fink: The limitation isn't staff time; the limitation is being able to reach a consensus. That's what the problem is.

(#2196) Steve Clayton: But if we segregate out the Comp Plan amendments from the compliance review then we can say you're in this section ...

(#2205) Darren Nienaber: Let's call it a discretionary review as opposed to some mandatory review.

(#2215) Steve Clayton: We can toss them all in the hopper and say that some of them we can actually get done and the ones we don't get done are in the hopper. We can take testimony on them, we can get it done ...

(#2230) Bob Fink: They may never be done.

(#2232) Tim Wing: That's okay; the public just needs to understand that we've heard them and it's going to get addressed again or they're going to have an opportunity to bring it forward again at a time when there will be more opportunity to act on it.

(#2245) Bob Fink: This is the same issue you started with and we'll amend this plan to be more specific to call out the differences between that and make sure people know there's opportunities and limitations for that.

(#2255) Steve Clayton: I would hope it wouldn't be everything that everybody requests. As you said, some of the things don't really justify a review.

(#2266) Bob Fink: Part of it is information up front and that was a good suggestion with the idea in your recommendation to say we recommend you change these four things and we recommend next year you study these three things and make that part of your recommendation. Those three things won't be acted on this year but they're explicitly put on the next years agenda for consideration.

(#2290) Wendy Ervin: There were things over the last year or so, especially from the Belfair area, that came up that were contentious where people had misinformation or what I viewed as misinformation as to what was legally possible and yet it was turned into a lot of dissension and there was a lot of words and opinions that went on over and over and over and maybe when there is something that comes up where there could be a legal opinion to clarify and get rid of it. Because if it's against the law or if there's a law written to cover this then you can have all the arguing you want but you're still not going to change anything unless you go through a legal process to do so. Why keep coming back and rechewing an issue that can't be solved that way. That's what I saw happening the last year. So I think when we have something that has an explanation or a clearer cut answer that needs to be dealt with.

(#2360) Bob Fink: Sometimes people don't accept it, though.

(#2370) Wendy Ervin: Well, that's true. And that's a problem, too.

(#2375) Tim Wing: There's a wide variety of these things, clearly, and some of them are legal ones that Wendy is describing and some of them are just one guys idea and no one else supports it and there are others that ... I just don't want people to be turned away simply because out of necessity we need to focus on keeping in compliance and we don't have the resources or time to deal with the issue. They should be given an opportunity or told of a plan for a hearing or a way for them to express their views at a time when it can be addressed.

(#2400) Wendy Ervin: There are ideas that would come up that would take us out of compliance; I think the

## Planning Advisory Commission Minutes, January 24, 2005

person needs to be told that's impossible because ... end of discussion. If you want to change that you have to go through a different door; this is not the right door.

(#2425) Bob Fink: Also, to a certain extent how much can be done this year will depend on the comments on what the update is going to take. If there's a lot of things that are updated if they're things we don't anticipate that need major work that's going to kill the opportunity to address other issues.

(#2444) Steve Clayton: Have you received any other comments, other than the UGA's and rezones?

(#2448) Bob Fink: Those were from previous times. We haven't officially received any comments at all on the update and we haven't really invited any at this point.

(#2460) Terri Jeffreys: One of the real struggles is that a complete Comp Plan isn't really available and I'm wondering when one will be available with all the elements in it?

(#2470) Bob Fink: The primary trouble we have at this point is maps. We don't have digital copies of maps to put in the plan. We have the text, although, we need to update it for the Belfair amendments and also some of the actual material that goes into the Belfair plan we don't have in digital format either. So the answer is we don't have everything to put it on the internet. We don't have digital copies of everything and I don't have any expectation that those maps will be available real soon. What we will do is go and start making copies that we can sell and provide people with CD's or on the internet of the text or other materials that we do have. It is my intention, and it's discussed in here, to make available that information we do have.

(#2525) Wendy Ervin: Couldn't you do the text and when you come up with the need for a map give that map a name and say where it's available?

(#2530) Bob Fink: Right. They're all named now.

(#2540) Steve Clayton: Couldn't you make a digital picture?

(#2542) Bob Fink: They're not very clear; I guess we could take a digital copy but it's not been my experience that they're very clear.

(#2555) Tim Wing: Did we decide on two meetings in April and in May and the first and third Mondays?

(#2566) Wendy Ervin: We didn't make a formal decision. I just said for my calendar I could be available on the first and third Mondays.

(#2572) Tim Wing: That's kind of in here anyway.

(#2574) Bob Fink: Yes, that's in here and that's why I wanted to bring it up so there wasn't a major concern about it. It's not that we can't even adjust it later on if necessary.

(#2588) Steve Clayton: On page 5 you talked about you were going to meet with the ACA regarding their interim regs and the City of Shelton and other stakeholders in Belfair. Again, a contention I've brought up before is that there's not a group that speaks for Belfair as per say and I've made comments to some former and some current county commissioners that there should be a group from Belfair appointed by the BOCC so that you get varied input from the community.

(#2615) Wendy Ervin: What's the difference between the public in a particular area and stakeholders?

(#2620) Bob Fink: Usually stakeholders ... the term is referred to people with a particular interest or represent a particular interest. So you might invite a lumber company to represent the interest of the timber group. You're selecting particular industries or particular interests like inviting one of the social services club members ... depending on what you have under consideration is who the stakeholders will be. Whereas community groups are just people in the community.

## Planning Advisory Commission Minutes, January 24, 2005

(#2650) Steve Clayton: Would there be a chance of the BOCC appoint or soliciting ...

(#2655) Darren Nienaber: I do want to make clear, Steve, that this commission is created by state statute. Your job responsibilities are created by state statute; it's a mandatory position in that sense. So any outside body is only a helpful body in that sense, a recommendation body, but you are the official body and that's your job by law.

(#2684) Bob Fink: Right, to bring that input to the table as well as opportunities for them to come themselves and speak here.

(#2690) Tim Wing: In regard to that, the Allyn Association is identified here. Are we going to meet with them or are the BOCC going to meet with them?

(#2700) Bob Fink: I would expect them to follow the trend it has in the past. They're a community group and they've made requests of the county and so we've worked with them in preparing their information and preparing their proposals and then they've made those requests to the BOCC and the BOCC have had us put them in the process for consideration. Some requests have been put in and some have not. I expect that would be the process here is at a staff level we would try to work closely with them and one of the things we encourage them to do is have open meetings, which they do, and outreach to the community there. Then I expect their association to compile their recommendation together and present that as a request for consideration by the county.

(#2760) Tim Wing: Where are you going with Belfair? There's some interest in setting up a community council and I think the BOCC is going to really think hard about whether they want to do that or how that might be formed and what the responsibility might be. It's a big question and one I don't think they're going to be able to answer very quickly so I think if we're going to go to Allyn in some way we're going to have to go to Belfair in a similar way and deal with an existing group of people there or have the BOCC establish a short term, for this purpose only, group. It's my opinion that if they want to try to form a community council I think they're going to have a big problem initially and to get this done I think they need to have a ...

(#2805) Bob Fink: This doesn't propose an appointment of a community council and it doesn't prohibit it. As this is set up now it doesn't require it and it doesn't prohibit it. We can add elements to it like that.

(#2822) Darren Nienaber: That's what a sub-area group does. They make a recommendation to you, the PAC, and it's your job, by law. You represent a cross section of the entire county and that's the difference and probably the key difference because it may be that the interests of a certain area are different from the whole county wide interest. You're a representation of all three commissioner districts for a reason. So a sub-area planning group can make a recommendation to you but you are the body that embodies the very broad cross section of the entire county and you make a recommendation to the BOCC.

(#2870) Steve Clayton: In Kitsap County they have at least two non cities; Manchester and Silverdale. They're very large areas that are unincorporated that have commissioner appointed councils.

(#2882) Bob Fink: Neighborhood councils is a well practiced approach to getting community input and it's taken all kinds of formats in different communities exactly how it's set up and how they're appointed. Sometimes they're self formed like in Allyn. In other cases the city or county will appoint them. The purpose is the same, of course, to get the input from the community so it can be incorporated into the regulations or the plan.

(#2925) Terri Jeffreys: I'm concerned about making sure the public comment is digested. I get a little worried about it being screened through staff; that it doesn't come directly to us before it gets incorporated into a recommendation from staff. On page 2 it says 'The DCD will present its preliminary findings and comments received at the open houses to a joint workshop' ... Is that the point where we'll get a summary of what the public has presented to you at these workshops?

(#2965) Bob Fink: That's right.

## Planning Advisory Commission Minutes, January 24, 2005

(#2970) Terri Jeffreys: I hope that that process will be ... will it be screened to make sure it has merit as you said before or you'll say it's doable or not ... I don't know how you folks will discern what comments we'll hear.

(#2990) Bob Fink: What we'll probably do is provide a comment form and you'd get all the comments that people submitted in writing. What happens often in discussions is people will ask questions and you'll give them information and they may respond to what they heard to express a concern and that will be officially recorded or summarized. We'll say that most of the questions people asked were regarding 'this' subject and what people wanted to talk about was 'this'. That's the kind of input that I'm expecting to get from an open hearing other than any written input which we'll bring forward. The purpose of the open house isn't so much to get comment; certainly we want to hear what people have to say but what we're doing is just getting a feel for what their concerns are and what their interests are and a lot of it is educational to give them the background to make effective comment at the public hearing or in writing at a later date. The information goes both ways but it's not structured to capture all the comment and all the expressions made.

(#3150) Martin Zazueta: If people make a comment in writing do you edit them in any way?

(#3155) Bob Fink: It depends on whether I was summarizing it or presenting a copy of the comment. When I summarize, obviously I'm editing. When I'm providing a copy it should be a true copy.

(#3170) Martin Zazueta: Is that up to your discretion?

(#3172) Darren Nienaber: Ninety nine percent of the time you just hand them to us and we submit them as is. I don't recall you doing anything different, Bob.

(#3178) Bob Fink: No, assuming it was in the comment time. It has to be one identifiable as a comment on a particular proposal and it has to be within the comment period for that proposal.

(#3200) Martin Zazueta: Can you get it in early?

(#3202) Bob Fink: If you get it in early it might be forgotten or overlooked. There's a window of opportunity. If someone sent me a letter five years ago I may have no awareness of that and it may not even exist anymore.

(#3215) Martin Zazueta: I'm saying if we do it early this year then maybe it won't be forgotten.

(#2335) Bob Fink: I would say the start date would be when this is adopted. It says in here that written comments are welcome throughout the process. We've already discussed a couple of things that have been lingering on from previous years. Like the rezones and to the extent that we remember them or are important we're going to move them forward but as far as commenting on this process you need to come within that window for comment. There may be documents brought forward from further back but there's no guarantee that those documents are going to be brought forward. It's a matter of relevance or accessibility.

(#3280) Wendy Ervin: I was just going to clarify something. It seems to me the only time he would be doing any editing or summarizing is if a group of people were given a questionnaire with five questions and he would come back with this many answered this way and this many answered this way but when you write a letter we get that letter.

(#3300) Martin Zazueta: Okay, that was my concern.

(#3305) Mark Drain: If it's addressed to us. What if it's addressed to the planning department?

(#3315) Bob Fink: If it's identifiable as comment on a subject then we give it to you whether it's to the board and we receive it or if it's to you or if addressed to some department in the county. If it's identifiable as relevant to that comment process and it's in the comment process then we would attach it.

(#3350) Mark Drain: Are you looking for some recommendation or comments or something substantive from us on what you've proposed here?

## Planning Advisory Commission Minutes, January 24, 2005

(#3358) Bob Fink: That was why we brought it to you so you could make changes. Based on what you've already told me I expect to make changes that primarily deal with the non-update issues. I think we'll make changes to clarify that those can be submitted and we'll make changes if there's a cutoff date regarding them. We'll make changes regarding what their fate will be whether they'll be reviewed this year or next year or whether they may not be addressed if it's seen as something the county isn't going to investigate. But also stress that there will be other opportunities later and each year to bring those issues forward again. Those changes I'll make. Then adding a provision for e-mail comments.

(#3420) Steve Clayton: Isn't it common to add a cut off for Comp Plan amendments for May or June or something?

(#3430) Bob Fink: Yes, that's been the policy adopted in previous years because at some point you have to cut them off so that you can process them.

(#3442) Steve Clayton: So we should put that in the text.

(#3445) Bob Fink: We'll probably have to set a cutoff date for rezones and any good ideas people may have for general amendments to the plan and the presumption is that those that come in after will be deferred to the subsequent year.

(#3470) Terri Jeffreys: Once this is approved I would strongly suggest a public information campaign. Maybe put an article in the paper that outlines the process.

(#3480) Tim Wing: You're going to make a change on the top of page 3 about the amount of public hearings?

(#3495) Bob Fink: Yes, there a typo there.

(#3515) Ken VanBuskirk: I'd just like to suggest that it's very important to involve the community and this is what this is all about for the public. There's some speculation and I heard Darren talk about it at a BOCC hearing about if you put a sewer in Hoodsport, Hoodsport might become a UGA. Those are the kinds of things that people in Hoodsport are definitely going to want to know about. If that kind of thing were to get out it's extremely important that for this document that the public is involved from the very beginning.

(#3600) Martin Zazueta: I was talking to Allan earlier and we were talking about Spencer Lake I think it's called a hamlet. I was asking about having to expand it to include more areas around it where people could become commercial zone or businesses.

(#3635) Steve Clayton: That would be handled through the rezone process.

(#3655) Wendy Ervin: Don't you have to have a specific piece of property that is going to be rezoned rather ... you can't just draw a line around this Spencer Lake community and say you're going to make it bigger.

(#3660) Terri Jeffreys: There is a process for that. You determine it through your economic development element, through your growth forecasts, how much commercial land is going to be needed to serve that rural environment. You look at the acreage of what's already zoned and if it's not going to be enough to serve it...

(#3700) Bob Fink: There are very serious restrictions on the nature of development in the rural area but it's not without opportunity.

(#0075) Wendy Ervin: So for his concern at Spencer Lake you can't just say we're going to make this hamlet larger as you can with a UGA. He can take a specific piece of property and make an application to alter or change the use of that property into some other use like industrial or retail.

(#0092) Bob Fink: Right. Rural commercial or rural industrial. There are criteria that apply, for instance, to prevent sprawl, there's a separation requirement. So it's certainly possible and we have done rezones like that. Then you'd have to revisit the LAMIRD's themselves, which is a 1990 based boundary.

## Planning Advisory Commission Minutes, January 24, 2005

(#0120) Martin Zazueta: Allan explained to me that if it's within the hamlet it's much easier otherwise you're just throwing money away because you'll be told that it can't be done. My property is a tenth of a mile away.

(#0127) Bob Fink: If you're in the hamlet and you want to rezone from residential to commercial that's probably a lot easier to consider.

(#0130) Wendy Ervin: So a tenth of a mile is considered too far out?

(#0132) Bob Fink: It's too close. The goal is not to allow those limited areas of more intensive rural development to expand and sprawl. The end result of the GMA is those areas are definitive. They're defined by that boundary and they're only permitted under very narrow circumstances. I think the organic growth of a lot of these communities was logical but that doesn't mean it complies with the GMA. There was a logic and a reason why people built Taylor Towne but that doesn't mean the GMA allows that to continue. What they want, instead, is to encourage and direct growth to the urban areas and to preserve that rural character which they don't think Taylor Towne or these small communities is not consistent with rural character.

(#0200) Wendy Ervin: But the difference between Taylor Towne and this Spencer Lake area is that there's all of Harstine Island that has to go ...

(#0215) Bob Fink: Maybe it's time to build a city there.

(#0218) Wendy Ervin: Well, Taylor Towne has shopping and is much more accessible. The people who live on Harstine Island and Phillips Lake they haven't got an accessible place to go do any shopping unless they go ...

(#0225) Bob Fink: But within the hamlet they could certainly intensify the use that's already available. We can designate a new rural site as long as it's isolated. What the GMA did was stop the organic growth from a cross roads to a hamlet to a village to a city. It basically said you can't grow any more unless you're willing to go into an urban form. This low density, scattered development that's sort of clustered but not real tightly around this area because it's a convenient place to stop, that's been a natural pattern and if you look at location theory, used in economics or planning, about why businesses locate places and why cities locate places, you'll find that's the trend. Businesses disburse themselves according to certain patterns and they grow based on the market they support and how big they are is defined by that market. The GMA interfered with that organic and natural process of location. They said we don't want that anymore. We want you to either be very rural or go ahead and become an urban area and just make sure that you've got the services necessary to support that urban development.

(#0280) Steve Clayton: I have a question on scheduling. You don't have anything on this for February and March. Do we have other items?

(#0288) Bob Fink: If you remember that replatting provision that's one item we'll bring to you in February. And in March I'm not sure. Depending on where we are we may give you some of our preliminary findings and things of interest that we turned up.

(#0298) Steve Clayton: For the rezones you have in hand?

(#0300) Bob Fink: I haven't really identified exactly what you'll do for March but once March has passed you're going to be pretty busy for a while.

(#0308) Steve Clayton: So we've rescheduled the February meeting for the 17<sup>th</sup>?

(#0310) Bob Fink: Right. That's already been rescheduled.

(#0312) Steve Clayton: So the March meeting is the normal third Monday which would be the 21<sup>st</sup>. And then April and May would be the first and third Mondays.

(#0315) Bob Fink: Right.

## Planning Advisory Commission Minutes, January 24, 2005

(#0320) Tim Wing: If there isn't any business I wouldn't see any need to have a meeting; I don't mind not having a meeting if there's nothing to talk about so if in February or March we don't have anything to talk about ...

(#0325) Bob Fink: We do have things for you in February but we don't have anything determined yet for March.

(#0330) Wendy Ervin: The two meetings a month were only for April and May?

(#0332) Bob Fink: We don't know yet for the last half of the year. This doesn't get into a lot of detail how many meetings you'll have when we're rushing towards the end. But there will be a slight delay there from when you set the agenda or work program to when we can ramp up and get the work done and bring it back to you based on that work program. I do expect in the middle of the summer, at least for your work program, possibly a lag. We could come in and tell you what's going on and keep you informed and you there will probably be other meetings that maybe you'd want to attend but we won't necessarily be bringing a lot of things to you for your consideration for a month or two until we ramp up again. It won't be too long because there's not much time there. There's only one month in here that basically looks pretty open.

(#0370) Steve Clayton: Is anybody's term up this year?

(#0375) Allan Borden: Mark's is.

(#0380) Steve Clayton: What would you think of making a recommendation of changing the terms in our group to expire at the end of the year rather than the middle. For this particular reason, the potential of new people coming on during the middle of an important process .... whereas, if we had terms that expired December 31<sup>st</sup>, basically that's the expiration of this program.

(#0388) Allan Borden: All the terms are listed as ending in July.

(#0392) Bob Fink: That may be statutory. We can look at that. I understand what you're saying and that wouldn't be a bad idea just on a regular basis, not just this year.

(#0400) Darren Nienaber: That's a good point. That could be a hassle any year. I think because the Shoreline Board and the Planning Commission were consolidated at that time.

(#0420) Terri Jeffreys: I was wondering if it's possible to get a copy of the revisions on this back to us?

(#0428) Bob Fink: We'll send it to you.

*Meeting adjourned.*