

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes October 10, 2005

(Note audio tape (#2) dated October 10, 2005
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: Bill Dewey, Steve Clayton, Tim Wing, Diane Edgin, Terri
Jeffreys, Wendy Ervin, and Jay Hupp.

Staff Present: Bob Fink, Allan Borden, TJ Martin.

3. APPROVAL OF MINUTES

The minutes from the September 12, 2005 and September 19, 2005 meetings
were approved as presented.

4. NEW BUSINESS

(#0070) Bill Dewey: Tonight we have a series of public hearings for rezone requests. We have nine of them,
which is a fairly large task for us to try to accomplish. We have a pretty good turnout out this evening so I'd
like to propose to accommodate those of you in the audience so you don't have to stay here to the wee hours.

We'll go ahead with the ones that we have people here to testify first. We'll first have the staff report on that
rezone request, and then we'll take public testimony on that rezone request, and then we'll close the public
hearing on it and then we'll move on to the next one. We will hold off our deliberations on each of the
requests until after we've done the public hearing on all of them. Hopefully that will accommodate everyone.
We'll take up with 05-01 first. Allan, can we have the staff report?

(#0150) Steve Clayton: My name is Steve Clayton. I will be recusing myself on Mr. VanBuskirk's rezone
request.

(#0165) Allan Borden: My name is Allan Borden and I'm with the Department of Community Development.
This map is a vicinity map showing Belfair and the Union River along Old Belfair Highway showing the subject
properties. The request is for five properties totaling 10 acres and the desired request is to amend the UGA
boundary in that vicinity in order to rezone those five properties from Long Term Agriculture to Rural

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Residential 5. In regard to that request, we reviewed the rezone criteria, and this request would need a corresponding Comp Plan change to change the UGA boundary. Under the current standards within the UGA, these properties have been designated Long Term Agriculture and under that designation the property owner has 1 DU per 10 acres density credit, with an option to transfer 3 development credits per acre to other lands inside the UGA that are not in that district. Under the requested zone of going to RR5 the property owner would only get 1 DU per 5 acres, but he has five lots, and basically has the ... he wouldn't have the option of transferring density and he'd only have 5 DU possible with the five lots that he has if it were to be rezoned to RR5. In reviewing the rezone criteria, staff has a concern that he's not met Criteria #2, which is the consistent Comp Plan designation, primarily because he's actually limiting himself more than he would be if he changed to RR5 than he currently can. He also is creating an irregular boundary to provide services along Old Belfair Highway that might cause a problem with the delivering of services. The question is if this becomes the UGA boundary, the delivery of services up this west side of the road would be cut off and you'd have to go underneath the highway and then go back under to provide services. It's easy to get through power and sewer, but sidewalks would suddenly end at that point and people would have to cross the highway to continue on the sidewalk. Another criteria that staff feels they haven't met is Criteria #5 that encourages development in urban areas. This request will create the rural area adjacent to the UGA. Primarily on those two criteria, staff would recommend denial of the request and maintain the current zoning of Belfair UGA Long Term Agriculture zone. I did receive three email requests saying they are in support of this request. They were from neighbors that were contacted in regard to this public hearing.

(#0340) Bill Dewey: Any clarifying questions for Allan before we open the public hearing?

(#0348) Terri Jeffreys: There's a typo on page 5, second line in the italicized words. Could you clarify what that sentence says?

(#0355) Allan Borden: The word 'encourage' should be inserted between 'not' and 'additional'.

(#0368) Bill Dewey: On page 3 under (2) the two 'LHA's are supposed to be 'LTA's.

(#0378) Allan Borden: Yes, you're right.

(#0385) Jay Hupp: I wasn't aware that we had any Long Term Agricultural lands inside the UGA's. Is this peculiar?

(#0390) Allan Borden: The Belfair Sub-Area Plan took that step to designate agricultural lands in the UGA.

(#0400) Bob Fink: It's a form of open space. Both Shelton and Belfair have relatively small parcels that are designated as LTA lands within the UGA's. That's permitted by the GMA. It's not peculiar in the sense of a violation of the ACT.

(#0410) Jay Hupp: Thank you.

(#0415) Bill Dewey: If there's no more questions for Allan, we'll go ahead and open up the public hearing portion on rezone request 05-01 and take public testimony.

(#0430) Ken VanBuskirk: My name is Ken VanBuskirk. The three emails that Allan referred to were neighbors that asked if I felt they should come down and I told them to save their gas money and just send a email. They are all in support of our request. Some of you are new to the PAC but I'll try to be brief here. This rezone request came before the PAC last year or two years ago and it went to the BOCC and they deferred a decision on it until after the sub-area plan was done. The two BOCC members that approved the sub-area plan both lost their bid for reelection and they're no longer there. The original intent of our application was to redraw the UGA boundary around our property. We have no intent to develop it and the two issues that Allan mentioned about the sidewalks not being able to happen; there's a bicycle lane already there along that that's quite wide so I don't think that's a valid argument. I made a copy of an article that was in the Bremerton Sun today that was about the Davis Farm. I'll hand it out to you. This property that we're trying to rezone butts up against the Davis Farm. The reason we wanted to get the property in the first place was to create a buffer between urban growth and the farm lands. It's in a conservation easement and we

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recently bought all the properties which we paid urban prices for to create that buffer. I don't expect anybody to understand why we did that other than we did it and I'd sure like it if you folks could find a way to approve our request. It's been a long process and I appreciate your patience with this. Any questions?

(#0550) Wendy Ervin: Are you willing to give an easement on that eastern side, if necessary, for the convenience of the UGA planning?

(#0555) Ken VanBuskirk: Sure. I have no problems with that.

(#0585) Terri Jeffreys: Does the LTA designation currently prevent you from putting your land in the conservation status?

(#0590) Ken VanBuskirk: I don't know, but that's what we intend to do with it. I just don't like the idea of it being designated as urban growth. LTA isn't consistent with urban growth. Urban folks don't quite understand that farms smell and they get upset. If I crank my tractor up at 6:00 am we're going to start to have issues with our neighbors if it's designated 3 DU or whatever right next to us. I would like to see the whole UGA out of the Union River Valley.

(#0635) Tim Wing: If we change the zoning there and recommend approval of your request, are you planning on changing the use of the land?

(#0640) Ken VanBuskirk: No.

(#0642) Tim Wing: So the issues about starting your tractor aren't going to be any different if we change the name of the title of the property, you're planning on using it in the same way anyway?

(#0650) Ken VanBuskirk: Yes.

(#0652) Tim Wing: I'm having a hard time understanding what is the problem with it being designated LTA versus what you want it to be?

(#0655) Ken VanBuskirk: It's LTA, correct, and that was after our original rezone request went in. That was something that the sub-area planning group made up to pacify us until they made a ruling on our rezone request. I don't care what they call it as long as they take it out of the UGA.

(#0672) Tim Wing: Is that the crux of the issue, you just simply want that out of the UGA?

(#0674) Ken VanBuskirk: Yes.

(#0677) Tim Wing: Do you really see a difference in your family's ability to protect the land and to continue using it the way you want to use it?

(#0680) Ken VanBuskirk: Yes.

(#0682) Tim Wing: And what would that be?

(#0685) Ken VanBuskirk: People go into the county offices and they look at this map and say that this is the UGA. That has driven up property values in the whole area. I don't know how long we can hold onto the property, but I'm going to try our best to do it, and the more I can try to spread that word, that's what I'm after.

(#0700) Tim Wing: Is your ability to hold onto the property going to change if this is changed?

(#0705) Ken VanBuskirk: I don't understand what you're saying.

(#0707) Tim Wing: You said you want to hold onto the property as long as possible. Is it going to be easier for you to hold onto this property if it's outside the UGA versus inside the UGA?

(#0715) Ken VanBuskirk: Oh, yes.

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(#0717) Wendy Ervin: Tim, he came to us a year ago or so and we had quite a lengthy discussion between ourselves, and the subject of how his taxes were charged came into discussion, and afterwards I wasn't satisfied with what had been discussed so the next day I went upstairs and I discussed with the Assessor and we had about an hours conversation, and he assured me that it was being taxed according to its use; not according to its highest possible use. So I thought he was being charged as an ag use. About three or four weeks later, Mr. Vanbuskirk called me in the morning and said 'I don't know who you talked to or what you said but I just got notice that my taxes are going down'. So he had been charged for a use that he was not putting the land to. He had been being charged for some higher valuation over and above what it would be as ag. The danger here is that somebody who has some sort of a plan will jack the taxes up on his property to the point that he cannot afford it if it's in the UGA. They can't do that if it's in the rural area. It will be limited by the rural rules.

(#0785) Tim Wing: Even if it's designated LTA?

(#0787) Wendy Ervin: That's nice today, but can we guarantee that the next guy on the commission or whoever won't decide that LTA within a UGA as an oxymoron and just wipe them out.

(#0795) Bill Dewey: No offense, but what I'd like to do is limit our debate amongst ourselves on this until later and just finish with Mr. VanBuskirk, if we have any more questions for him.

(#0805) Diane Edgin: I have a question. If I understand it, right across the Old Belfair Highway there's a large parcel, and it has wetlands on it, and the streams there that aren't shown on the maps ...

(#0810) Ken VanBuskirk: Right. If you look at map #2 that's in your packets, there's a curvy line just to the south of our property. That is a stream. That forms the edges of those properties and it continues on down to the Union River. It crosses underneath the highway there and this 10 acre parcel across the highway is a big wetland. That's a salmon bearing stream; there's fish in it right now.

(#0832) Diane Edgin: So technically it's not probably something that most of it wouldn't be developed anyway.

(#0836) Ken VanBuskirk: Probably not. It's one thing to draw a line on the map where the UGA boundary is but you have to pay attention to what's on the ground. Thank you for your time.

(#0855) Bill Dewey: Anybody else here to testify on this particular request? Then I'd like to go ahead and close the public hearing on 05-01 and we'll move on to 05-03. Staff report, please.

(#0875) Terri Jeffreys: I will be recusing myself from this rezone request.

(#0880) Allan Borden: The next rezone request for hearing is 05-03 by Ben Fabig and Edwin and Peggy Patterson. They each have an individual parcel and each is currently zoned RR2.5. The request is that each parcel be rezoned from RR2.5 to Rural Commercial 3. These parcels are inside the Hoodspout RAC. These properties are located on Highway 101 just north of a larger RC3 properties that currently have the Hoodspout Winery on it. Currently they both have residences on them. The west, east and north are currently zoned RR2.5. Many of those properties have existing residences on them, especially the ones between Hood Canal and Highway 101. Under RC3, there are a lot of different kinds of land uses common to commercial service, tourist, municipal uses. The only land use that's not allowed is auto and manufactured home sales. Those are only allowed in UGA's. In this zone you need to get a special use permit if you propose either a gas or service station, or self storage facilities. You should have received copies of two comment letters, one from Janet Ennis and one from Don Hawkins. The main comment was regarding the existing community water system wellhead protection area that is on the northern of the two properties. If you want to recommend approval of the request, it is a concern the wellhead protection area is at least 100 feet. This system appears to serve more than six individuals, that may qualify as a public water system and it will have to have a larger radius. The health department would be monitoring any requests like that to make sure that wellhead protection area is taken into consideration pending development.

(#1090) Bill Dewey: Just for clarification, that wellhead protection area exists currently, and would continue to

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exist with the new zoning and the protection would need to be maintained regardless of the zoning.

(#1098) Allan Borden: That's correct.

(#1102) Tim Wing: Does the protection area go onto these two lots?

(#1105) Allan Borden: It's on the north end of the two properties, but it would extend across the full width of the Patterson property, and to some extent on the Fabig property.

(#1125) Bill Dewey: Do we have a map showing exactly where the well is on the property?

(#1130) Allan Borden: I actually don't have that information. Mr. Hawkins may have that information.

(#1140) Tim Wing: Allan, what well is that?

(#1142) Allan Borden: I believe it's called the 'Wolfe Water System'.

(#1144) Tim Wing: Is it a privately owned water system?

(#1146) Allan Borden: I believe it is. It has eight hookups. It serves the six properties on the east side of Highway 101 along the waterfront, and it serves the Fabig and the Patterson properties.

(#1162) Tim Wing: Is there another water system in Hoodspport?

(#1165) Allan Borden: Yes, PUD operates several water systems. Suncrest is off to the west, and I believe they also operate the water system along Finch Creek. There's no unified water system in Hoodspport. Water is provided to several systems that serve various suppliers.

(#1188) Wendy Ervin: How old is this water system? It seems to me that small water systems were limited to six hookups.

(#1195) Tim Wing: New ones.

(#1198) Wendy Ervin: So this must be older than that by some amount.

(#1205) Diane Edgin: I'm reading right here this agreement in November 1998 by Charles R. Metzberg and Lynn Metzberg, and it talks about the Wolfe Water System not being approved by Mason County Health, and the undersigned are aware and accept said statement. It goes on to say that their heirs and successors and assigns will not construct or maintain within 70 feet of the well site. I was thinking that the state has gotten quite strict on water systems and how many can be on it and when it requires being inspected.

(#1245) Allan Borden: In the staff's review of the criteria, that information would arouse a concern about meeting ... until the Health Department provides information on what is the wellhead protection area for a community well like that, staff would find that all of the rezone criteria are met, but there is a question about meeting public health, safety and welfare. Staff's recommendation is that this request meets all of the criteria and would recommend that the rezone from RR2.5 to RC3 be approved.

(#1310) Jay Hupp: The concern about how the well might be used in the future given the change in the status of the zoning, does that impact one way or another on the zoning itself? It seems to me that's a completely separate question. Does that really have a bearing on the zoning at all?

(#1325) Allan Borden: It does. If you approve the rezone then the commercial land use has to meet the health department's requirements on the provision of water to that commercial property.

(#1340) Jay Hupp: Maybe I didn't state my question right.

(#1345) Allan Borden: It's more than just meeting the wellhead protection area. They have to meet public water system requirements for a commercial use.

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(#1350) Jay Hupp: That's my point. Just because a piece of property is zoned for a specific use doesn't mean that it can be used for that given the water question. So it seems to me to be two separate issues.

(#1365) Bill Dewey: We wrestled with this #1 criteria on other rezone requests, Jay, because the criteria says that you're not going to impact public health and safety, but if you were to rezone it, you've got DR's that should protect public health and safety.

(#1388) Wendy Ervin: Didn't the application say that the winery was not going to be using this well for their purposes; they would have another source of water?

(#1395) Allan Borden: I don't think the winery uses water from this well. They have their own water service.

(#1400) Wendy Ervin: And they have no intention of using water from this well. I'm confident I read that somewhere.

(#1405) Bill Dewey: Perhaps we can get more information from the folks who are here to testify on the status of the well. I have limited experience with public water systems, but from some of our facilities, as a residential use there may be less criteria than if all of a sudden it's zoned for commercial use and if you have a restaurant or some higher level of public exposure, it ramps up the criteria that are needed for that water system. But whether that affects the rezone or not ...

(#1425) Tim Wing: It sounds like a commercial use could actually lead to a higher level of protection. Is that what you mean?

(#1430) Bill Dewey: Potentially. It would change the requirements on the well and elevate the oversight on that system.

(#14535) Wendy Ervin: Any change in the water usage, the volume of water that's being taken from the ground to be utilized ... before you change that, you have to go through a whole set of hoops and satisfy ...

(#1465) Bill Dewey: Let's open up the public hearing on 05-03.

(#1482) Don Hawkins: My name is Don Hawkins. My property is directly across the street from the proposal. First off, I'd like to thank Mr. Borden and Mr. Martin because when I went to the planning department to request documents to be here for tonight's presentation, I was told it would be at least two weeks before I could receive those in the mail. I must ask that Mason County recommend denial of rezone 05-03. The rezone and the possible development of the two properties could cause damage to public health and safety. Located on the property seeking rezone is a Class B water system commonly known as Wolfe Water System. The wellhead is located on the property owned by the Pattersons. It is located about 20 feet north of the property line. The wellhead protection area covers a significant portion of both properties. It creates a 200 foot hole in the center of the two properties. This area must be protected not only from development but all activities which may affect the water quality of the owners of the water system. The water agreement also limits water use to residential only, thus the property has no water source available to it if it's zoned commercial. The property also contains steep slopes, which have in the past been a problem going on Highway 101. The SEPA document that staff uses to support this has too large of a scope and covers all of the nine applications and is not site specific enough to identify any problems which might exist with the properties. The SEPA document has 39 answers which are not applicable or not answered. To suggest that site specific reviews will be done at a later date is not fair to the public or the applicant. By granting this rezone request without any proposed projects, you could be accused of providing support for a project that has not yet been submitted. The public should know what is planned for the properties before they're asked to provide any rezone. A more proper thing would have been to come up with a mitigated DNS for this property. Also, denial of this request will not in any way, in my opinion, hamper the opportunity for the winery to expand its business. The location of this well is extremely important. Mr. Fabig put in a new septic system a couple of years ago and on his application he noted that the well was 200 feet from the edge of the property line. That didn't look right to me when I looked at the property so I did an overlay of the 200 foot based off of his plot plan, which is what you have in your packet. The first one with only one circle on it is what Mr. Fabig had

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in his file. The one that has three circles on it has the 200, a 150, and the red one is 130 feet and that 130 feet is from the edge of the pavement on Highway 101. I fully believe that Highway 101 has a much wider right-of-way than the edge of the pavement. What makes this important is because the location of the well. Approximately 20 to 30 feet behind the well is where the slopes begin and they are steep. So depending on whether that is a 100 foot into the 260 foot depth or 200 feet into the 260 depth of this property depends on what you have left to develop and whether it is even reasonable to propose developing a minimal piece of property. So I would ask you to deny this rezone request. The fact that you rezone something gives the applicant encouragement and it does not allow the public any review because we have no idea what you're proposing.

(#1725) Wendy Ervin: I have a couple of questions for Mr. Hawkins. *(Wendy asks Mr. Hawkins to describe the properties and location of the well).*

(#1750) Don Hawkins: There's a house on each of the properties. This one here is the Patterson property.

(#1765) Nadine Hamilton: My name is Nadine Hamilton and my husband and I live directly across from the subject parcel. When we purchased our home eleven years ago, it was a realization of one of our retirement dreams to own waterfront property on Hood Canal. Hood Canal waterfront is expensive. We've spent a substantial portion of our retirement nest egg for salt waterfront, and if the rezone is approved, our properties will be instantly devalued. Who wants to pay waterfront prices for property that might some day have a tavern or a busy drive-in across the street. We currently live in a residential neighborhood. Our homes are well maintained and they show pride of ownership. It's difficult to get the true character of our neighborhood when driving by on a busy highway. So I'm submitting a pictorial view showing the homes which lie across the highway from the subject parcels. Please don't open the door to commercial development across the street from our homes. There are many other issues, such as additional noise, water availability, and increased traffic. One comment on the staff report; I question the accuracy of the statement saying that the subject parcels have access to a county road. Where is it? When leaving their homes, the residents who now live on the subject parcels pull out onto Highway 101. We're unaware of any county road. I urge the PAC to recommend against the rezone.

(#1860) Bill Dewey: Mrs. Hamilton, are you on that same water system?

(#1862) Nadine Hamilton: No, actually we're on the same water system as the winery.

(#1865) Bill Dewey: Thank you. Any other questions for Mrs. Hamilton? Anyone else like to testify on this particular request.

(#1890) Herb Hamilton: I made a map for you. This shows the area and where we're located. I'm on the end of the line and the line runs south of me. Everything south of me on the water side are on the well that is on the winery property. We're on the same system as the winery. Everything north of me is on the Wolfe well. This staff report talks about public safety. I don't think that's been considered too well. What this map is that I made is conditions the way they are today. Highway 101 is the main route around the Olympia Peninsula. Semis, logging trucks with trailers, motor homes, 5th wheels, etc. use this highway extensively. The speed limit in our area is 45 mph, but many drivers, that means the minimum. Getting out of my driveway, if I want to go north, I can't move out slow. You'll see the curve on the map coming from the south. I'm on a blind curve and I have to shoot out of my driveway. We have to cross the street to get our mail and newspaper. At times, we almost have to have an appointment to cross the street, the traffic is so heavy. RV's sometimes park at Skipper John's. This blocks the view of anyone pulling out of an east side driveway. What has gone on in an eight-year span is that our mailboxes have been wiped out three times. A northbound car hopped the ditch and took out some of our hedge. A driver ran into the ditch across the subject parcels. She rolled her car 90% and had to be extricated from it. A car ran through the ditch across from the parcels in question and did damage to the greenery in two yards. A driver was rear ended by a logging truck in front of the north parcel and had to be towed away. A northbound car wiped out part of the fence across from the north subject parcel. If we approve this, I can see where we could have a tavern, maybe a supermarket, a gas station. This is just opening the door for many things and we like our residential area the way it is. There are dangers we have to consider so I would hope that you would reject this proposal. Any questions?

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(#2215) Bill Dewey: Thank you. Anybody else want to testify?

(#2230) Ben Fabig: I'm Ben Fabig and I own the properties that are in question. I really don't have any long range plans for the property other than it is next door to the winery. We talked about removing the two water hook ups there and taking it over to the commercial well at the winery, which would take the other homes back down to six. Another option could be that they all would be put on the commercial well. As far as the Hamilton's fears, it sounds like maybe a lot of their questions are safety concerns with the speed of the highway and not anything to do with the rezone. Skipper John's was there long before they bought their property. The winery system as 125 gpm, so there's more than adequate water to supply all the needs in the area. We would adhere to the wellhead protection area. All that side of the highway is commercial except for these two parcels now. There's nothing to the south of the winery and there's nothing to the north because the bluff comes down. This just seems to tie in with the winery for some future uses. Any questions?

(#2304) Bill Dewey: Is there a county road?

(#2306) Ben Fabig: There is a county road that was deeded over about 20 years ago that actually runs off the highway in front of the winery and goes over to my house and the Pattersons.

(#2350) Wendy Ervin: Do you have a connection with the winery?

(#2355) Ben Fabig: Not at all.

(#2360) Wendy Ervin: Is Patterson part owner or have a connection?

(#2362) Ben Fabig: Yes. He is an owner.

(#2365) Wendy Ervin: Okay, so you just own a piece of property that's adjacent to the winery and you want the zoning changed so that someday you can have more options open to you, or do you have a plan today for doing something?

(#2375) Ben Fabig: I don't have a plan. I'm just looking at the long range options for the winery and for future uses of that property.

(#2380) Wendy Ervin: Are you thinking of selling that property?

(#2382) Ben Fabig: No.

(#2388) Wendy Ervin: So you would be developing it yourself.

(#2390) Ben Fabig: Yes.

(#2392) Wendy Ervin: Do you have any thoughts on what you're thinking of?

(#2394) Ben Fabig: Probably, at this point, the way the property is laid out, it would be probably small retail.

(#2424) Tim Wing: I have a question about the two dwellings on those pieces. What is the approximate value of each of those dwellings?

(#2462) Ben Fabig: I think Patterson's is probably about \$175,000 to possibly pushing \$200,000. My piece in there probably is \$85,000 to \$100,000.

(#2475) Tim Wing: So as things go, these are not highly valuable homes.

(#2478) Ben Fabig: No.

(#2480) Tim Wing: What do you think the future of residential value is on those two pieces?

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(#2485) Ben Fabig: I don't see that they would continue going up because the drawback is the highway there. I don't foresee that they could appreciate as fast as other areas as a residence.

(#2505) Tim Wing: How close to the road are those two dwellings?

(#2512) Ben Fabig: To Highway 101 it's about 25 or 30 feet.

(#2520) Tim Wing: Do they exist between what you drew on here is a county road and the highway?

(#2525) Ben Fabig: They are west of the county road. The county road is between us and Highway 101.

(#2534) Tim Wing: How much of those properties is relatively flat? When do they start sloping?

(#2540) Ben Fabig: Mine starts going up gradually right behind the house and then there's a plateau behind it about 40 feet up. The same with the Pattersons.

(#2555) Bill Dewey: Any other questions? Anyone else wants to testify on 05-03? We'll now close the public hearing on 05-03. We'll move next to 05-04, Alfred Jones.

(#2585) Allan Borden: This is rezone request 05-04. The applicant is Alfred Jones. The applicant is requesting that two parcels be rezoned within the Spencer Lake Hamlet from Rural Residential 5 zone to Rural Commercial 2 zone. It's located right near the corner of Pickering Road and Spencer Lake Road. The eastern parcel currently has self storage units on it. Under RC2, self storage land uses can take place. We do have the requirement in the land use that it needs a special use permit to review that. It's expected that change in zoning would take place within the hamlet. The hamlet is a community center. The initial zoning were the existing land uses. It's anticipated that change in zoning would take place and the RC2 zone would be appropriate in this area. Each of the two properties has access to the county road so it's anticipated that traffic access would have to meet the road access requirements of the county road department. If the request to approve the RC2 zone is approved, it's not anticipated to result in significant amounts of traffic in the area. Part of that review will be with a Public Roads access permit. So in reviewing the request, staff would find that all of the criteria for rezone would be met and the RC2 zone would be the most consistent designation for the anticipated land use. We should note that the existing surrounding land uses are to the north rural residential properties, to the west also rural residential, and currently to the south are rural residential. It's only a portion next to the restaurant that is currently commercial.

(#2888) Wendy Ervin: Isn't there Long Term Commercial Forest in that area?

(#2890) Allan Borden: There is no Long Term Commercial Forest in that area. There are lands that are north of Highway 3 that are zoned Rural Residential 20 and they are timberlands.

(#2930) Miscellaneous discussion.

(#2970) Wendy Ervin: I'm very familiar with these storage units here, but you've got that incorporated into a hamlet and then what was the Brooklyn Deli here, and then you go down further and then there's the bar and the grocery store and all the rest of the other. Is that also part of the Spencer Lake Hamlet?

(#2994) Allan Borden: It is not. That is a cluster of isolated commercial properties.

(#3005) Wendy Ervin: I find it very peculiar that the Spencer Lake Hamlet boundary was drawn here rather than being drawn down there.

(#3020) Allan Borden: Those boundaries were designated in the year 2000. They haven't really been revisited since then. I would agree with you that there is a cluster of continuous activity there.

(#3040) Bill Dewey: Let's stay focused on the issue at hand.

(#3050) Steve Clayton: One thing, Allan, you have some notes on comments received and one was from Kim

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Thompson. She is not on the testimony list for tonight. Could you summarize her comments?

(#3075) Allan Borden: She telephoned me and had a concern about added commercial activity on Spencer Lake Road. It's a narrow road and there's a concern about increase in traffic. There is a considerable distance, around 2 miles west, to the elementary school at Pioneer. The thing is, Spencer Lake Road is a main traffic route for transportation to and from the school. It's a safe route to get people from the Pickering Road area to the school so that is a concern. She's also concerned about the spread of commercial land uses further down the Spencer Lake area.

(#3145) Steve Clayton: So sprawl is addressed in that this is within the hamlet and other commercial uses are outside?

(#3148) Allan Borden: That is correct. There's a boundary there and it's within the boundary.

(#3165) Bill Dewey: Any other questions for Allan? We'll go ahead and open up the hearing for public testimony on 05-04.

(#3185) Don Bauer: My name is Don Bauer. I live on Kings Way. Kings Way is a one block street parallel to Pickering. The back of my property faces some of the existing storage units. My concerns are not about the storage units. It's where is Pickering going? I've lived there 18 years now and it was a very out in the woods type of area when I moved there. It isn't that way any more. Part of that is inevitable because of Harstine Island developing. I don't think that our area should be the strip mall for Harstine Island, which is the way it looks between Spencer Lake and the Spencer Lake store. I don't think all the commercial development should go there, even though it might be to my advantage to do that because my property backs on Pickering. I think we should take a long term viewpoint on what's going to happen to Pickering. More specifically in regards to these units, I have really nothing against them. They've been pretty good neighbors, but I don't like the light pollution. Because of the nature of the business and for security they have lots of light. When I moved there I would sit out on my deck and look out in the back and see the sky. Now I see lights. If you build more of these units there's going to be more lights. There should be some way to mitigate that. Maybe you could put some motion sensors on them.

(#3315) Alfred Jones: My name is Alfred Jones. My lights are on if you go out to there in the day. It's not the mini storage that makes the traffic out there. There's 4,000 cars a day that goes by the mini storage now. They go out to the island and kind of disappear. As long as the county continues to issues building permits for houses there, that's what causes the increased traffic. My goal is to build more mini storage buildings to supply the needs of those people who are building those houses. I draw business from Lake Limerick, Agate, Harstine Island and I have only four vacancies. The parcel that you're looking at down on Spencer Lake Road that is 3.5 acres is the parcel that has the buildings on it. The county split the parcel in half and designated half it as residential and the other half as commercial. I'd like to have the same designation on both of the parcels. As it stands now with the density the 3.5 acres cannot have anything built on it unless the designation is changed. I'm planting trees out there now for a greenbelt and I anticipate putting in three or four more buildings below those trees on the level part of the property and another building next to where is now my office. The traffic flow in and out of the storage business is not like the restaurant that I own down the road at Spencer Lake. There's a lot more traffic there. If you don't want the mini storage complex there, then where do you want it? I don't think it's allowed any place else. As Allan said, even if this is passed and I make an application to the county, there's still public comment. I can't just let it go through.

(#3500) Allan Borden: You would need a special use permit which is a public process.

(#3510) Alfred Jones: I believe the reason they cut that parcel in half is that they just didn't understand; it looks like two parcels but it's not. So I'm requesting that it become the same designation.

(#3550) Bill Dewey: Any other questions? Okay, we'll close the public hearing on 05-04. We'll move on to rezone request 05-05.

(#0035) Allan Borden: This next request is from Donald Huson. He has a 40-acre piece of property just west of Tee Lake on the Tahuya Peninsula. The surrounding zoning designations are to the north RR20, to the east

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is RR5, to the south is RR20, and to the west is RR10. Under the current zoning with the RR20 zoning, a person could do conventional subdivision and get two lots. They also could do a performance subdivision and get double the density, or four lots in 40 acres. Under the proposed rezone request to go to RR10, with a conventional subdivision they could get four lots, and under a performance subdivision they could get eight lots. The area is large enough for a person to propose a subdivision and provide adequate area and service for those lots. It wouldn't really cause a significant demand in services provided to those lots since the area already has fairly intensive development. Tee Lake has between 1.5 and 3-acre lots around the entire lake, plus the 5-acre lots that are immediately adjacent to Mr. Huson's property. In reviewing the request, staff finds that all of the criteria are met and finds that the RR10 zone would be a consistent zone when you look at the county's standards set up in the Comp Plan. It's a transition between RR5 and RR20. It has arterial roads for serving additional traffic. On this map you will see that Mr. Huson has already recorded an easement across the land to the south that has direct access to Dewatto Road and provide access through the center of the 40-acre lot. In conclusion, the staff would recommend approval of this rezone request.

(#0195) Steve Clayton: On comments received, you had some comments from Will Harvey.

(#0200) Allan Borden: Will Harvey is one of the property owners who has property to the east. He primarily called me inquiring what was the difference between RR20 and RR10 and what does that do with potential land uses. It doesn't change the potential land uses; it would just change the intensity of the land use. That seemed to address his concerns. He was not opposed to this request but just needed clarification.

(#0230) Bill Dewey: Any other questions? Okay, we'll go ahead and open up the public testimony of the hearing.

(#0240) Donald Huson: If there's no reason to, I won't say anything.

(#0242) Bill Dewey: Does anyone have any questions for Mr. Huson? Okay, we'll go ahead and close the public hearing on 05-05 and move onto 05-06, a request from Mr. Knannlein.

(#0285) Jay Hupp: I need to mention before Allan starts that I've had some communications with Bill about three months ago. He approached me in my professional capacity and we discussed what it was that he wanted to do and I recommended that he make application for a rezone request. That's the extent of the communication. Does anybody object to me sitting in on this hearing?

(#0308) Bill Dewey: It doesn't appear that anyone is objecting, Jay. Similarly, I asked Bob before the hearing, I have no personal interest in the rezone and feel I can deliberate objectively, but we do business with Bill from a fiberglass company standpoint, but have no interest in the rezone request. Allan?

(#0325) Allan Borden: This is a request for a 4.59-acre piece of property within the Taylor Town RAC to be rezoned from RR2.5 to Rural Industrial. The parcel is located on the west side of Golden Pheasant Road, at the intersection with Delight Park Road. It's about 130 feet wide and 1213 feet deep. It's currently, for the most part, vacant. It does have some equipment sitting on the property. What's relevant to note on this property is that there is already designated RI land to the north and to the east. You'll notice on his application he stated that in November 2002 this request was not processed at that time for any additional change. So we're going through the process now. In reviewing this request, since the property is within the Taylor Town RAC, changes in the designations are anticipated. Although there's potentially new industrial uses not known, it's appropriate, since it's in an area that has other properties that are zone RI, staff would recommend approval of the request. I did get a call from a person who owns adjacent property on Delight Park Road and she just had some concerns about potential surface runoff on the property running across her property. That's something that needs to be taken into consideration. Stormwater review would need to take place when the land is actually ready for development.

(#0500) Wendy Ervin: Is it within our authority to suggest that that little band of residential adjacent be also rezoned at the same time so that there would be consistency and you wouldn't have a conflict there at some later date?

(#0550) Allan Borden: The property owner has not contacted the county for that and it would be beyond the

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scope of the request.

(#0570) Jay Hupp: In your staff report under land use and existing conditions, under (A), you make a comment that the parcel would need to have improved road access from the county in order to facilitate possible industrial land uses. What do you mean by that?

(#0582) Allan Borden: Currently if he has road access for the county, it's not for non-residential use. Even if it was, he'd have to get additional access permits for Delight Park Road.

(#0600) Jay Hupp: Okay. Under ©), there's a comment that the properties to the east are rural area RR5. It seems to me that everything to the east is commercial.

(#0610) Allan Borden: Some of the property to the east is in the RAC.

(#0620) Jay Hupp: So it's not residential?

(#0624) Allan Borden: No. I'll have to update that. It would be RI.

(#0630) Bill Dewey: Any other questions for Allan? Okay, we'll open up the public testimony portion of the hearing on 05-06.

(#0645) Richard Knannlein: I'm Richard Knannlein. My uncle, Bill, owns the property, but he lives in Aberdeen. I go along with Allan's recommendation for acceptance. A couple questions arose about the stormwater. That stormwater that runs across the property in the winter time is a combination of all the water that runs from the east side of Verle's now across that whole section. If any development is ever made on that, that would have to be addressed through where it runs through. I was involved in the Highway 101 corridor group and all of the planning when this first started. We finally got an RAC out of it and this property was going to be included in that and then through just administrative work I found out that it had been zoned residential and so I went to the steps to try to get it back to where it had been. We're just trying to get it back to where we thought we had it a long time ago.

(#0695) Terri Jeffreys: The residential property adjacent to the subject property, do you know if they have any objections to this?

(#0700) Richard Knannlein: The property to the north is residential and the two little sections right above, are part of the wrecking yard. That changed when it was sold. I talked to the one neighbor and he has no objection. We would comply with all the regulations if we were to put something up there.

(#0742) Bill Dewey: Anyone else to testify on 05-06. Hearing none, we'll close the public hearing portion on 06-06. We'll now jump back to 05-02 for Everett Jay.

(#0760) Terri Jeffreys: I'll be recusing myself on this hearing.

(#0770) Allan Borden: This is rezone request 05-02 for Everett Jay. He owns two properties; the smaller of the two, which is .17 acres in size is currently zoned RR2.5. It's an open area used for parking. The second property is currently zoned RI, and has had a fence and building construction business on it and that was the reason why it was zoned RI. Mr. Jay has put in a request to have both of these properties rezoned to Rural Commercial 3. The properties are inside the Hoodspout RAC. The current zoning to the north is residential, to the west is residential, east is RC3, and south is also rural residential. Mr. Jay is making the request to go to RC3 primarily as an idea that he wants to provide commercial and professional services to residents of Hoodspout and surrounding areas with the intent that they would have these services within Hoodspout. That would reduce the need to go to other communities to receive those services and also changing the land use would reduce the potential for contamination of area waters, especially Finch Creek. The county has reviewed all of the criteria and finds that the normal development standards would be met. There would be a change in some traffic, but not significantly. The designation of RC3 is most appropriate and consistent for the RAC. Since the properties already have a non-residential land use on it, it's not anticipated that significant change in services would need to be provided if the request is approved.

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(#1030) Steve Clayton: Was there a planning process in the Hoodspout RAC that established zoning?

(#1040) Allan Borden: No. When we zoned the RAC's we looked at what actual uses were in existence and connected the appropriate zoning designation to that land use.

(#1055) Bill Dewey: Any other questions for Allan? Okay, then we'll go ahead and open up the public testimony on 05-02. Okay, we have no one here who wishes to comment so we'll close the public hearing on rezoning request 05-02. Is there anybody here that I've missed that wants to give public testimony on any of these rezoning requests? Let's take a break and then we'll reconvene.

Break in meeting.

(#1100) Bill Dewey: We'll jump back up to 05-01 and begin our deliberations. We first have the VanBuskirk request. We've been through our staff report and our public testimony on it. Steve is recusing himself for the deliberation on this request.

(#1130) Wendy Ervin: I have a couple of comments on the VanBuskirk request. First of all, I think the worry about services and sidewalks, etc., is accommodated with an easement along the side of that property. I think that the idea of long term ag in an urban setting is something that you're setting up ... this is not a park; this is private property. So you're setting up a potential for a conflict down the road where somebody wants to develop that and is going to try to put pressure on Mr. VanBuskirk to utilize the property in its highest use in an urban setting. I think the idea that it's important that the urban boundary be somehow uniform is negated if you look at the boundary that exists. It's the same thing with the Shelton boundary. The idea that it should look pretty on a map isn't what really is and is not what's really important. So I don't see that the uniformity of the boundary is an important consideration. Also, that you have a rural next to the urban, that is one of Allan's other considerations I think that's all you ever have. I think down the road if he is not allowed to put his land into the rural setting that he wants, you're going to have some serious problems. We see other places in the country where people's property is in a situation where someone wants to use that man's property to suit themselves. Right now there's going to be an eminent domain issue in Florida where they're trying to take over the properties of something like 6,000 pieces of property to put something better in their place. This is an issue that's coming and we'll see in Mason County ... I know Washington State has a very strong section of the constitution that prevents the eminent domain from being misused; however, property can be taken under some pretext under eminent domain and then not used and then declared surplus and then sold to a private owner, and it has happened. I just see a potential for a lot of problems. Way down the road, if Mr. VanBuskirk decides that he no longer wants this is a corridor to the Davis Farm, he has the opportunity to incorporate that into the city. It's something that can be undone if he wanted to. I think the urban growth boundary should be moved around his property and he should be made rural.

(#1290) Bill Dewey: I have a question for staff. How does this affect the county's position with the UGA as far as changing the size of it when we don't have the population projections for the UGA? Is there any consequences as far as open space where this was part of meeting the open space requirement for the Belfair UGA? Did I understand that from the earlier discussion?

(#1300) Bob Fink: This isn't part of meeting the open space requirement. As far as corridors being within urban areas, it would certainly be open space within the urban area and I think that's one of the reasons why ag lands are allowed within urban areas in the first place. The difference is approximately 10 acres, whether it's in or out, you are going to consider how the future population allocation is going to be and that may involve additional lands being designated as urban. So there's certainly some risk that you may end up coming back and revisiting this boundary. Because of the sensitivity of the Union River Valley, and the flood plain comes very close to the urban area, this isn't necessarily the best direction to expand the urban area, if you were going to expand it. You can probably act with some confidence that you wouldn't, in two weeks, come back and want to change it back.

(#1375) Diane Edgin: I have some comments. We talk about having endangered species; the small independent farmers are one of the most highly endangered species out there. Being part of the group that was drawing the first boundaries around for the UGA, I know that the boundaries on that side nobody really

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knew what was actually out there. Then later when Mr. VanBuskirk first asked about having this removed and I found out it was part of the Davis Family, I often thought if that was one contiguous piece of property. Were we still going to draw lines around it? I think not. The fact that there is that wetland across the way; I'm not in love with straight lines just because it suits a UGA boundary. Having been in ag communities, the pressures upon them is not so much someone wanting to develop it as it is when you start increasing the urban densities, it makes an impossible situation for somebody to continue to farm. I'd just like to take that whole area out of there; not just his property. If you want to protect the farm, you've got to do it.

(#1450) Bill Dewey: Any other comments? Any direction we would like to go?

(#1455) Tim Wing: Because you're not picking it up and moving it to a rural area, that most of the concerns that you voice, in my opinion, aren't relevant. They're stating outright that they're not going to change what they're doing on the land if they change the zoning. It's not going to change whether or not there will be apartments near there or not. It's not going to change whether there's a noisy tractor or whatever. All of those same pressures will be there. It's even been discussed that they could change the designation back if they want. So I don't see any of that as being relevant. I, on the other hand, have voiced concern about development near the Union River and I'm going to actually propose that we pass this and I'm going to vote in favor if it because I think we ought to not just rezone that but the rest of that side of the river up to the Belfair Highway. But that's not what's being proposed here. I just don't think we're going to protect that farm in any serious way by making this change. My notes were 'why'?

(#1510) Wendy Ervin: I just see that pressure will be ... no, you're not going to change the safety issues, you're not going to change the noise issues, you're not going to change the fact that pigs make noise and make smells and all the rest of those kinds of things. But what you will change the developer putting pressure on that property to try to get that property to use it for some more dense purpose. I just see that there's a potential for some real pressure to be put on him down the road. It doesn't insure that he'll never have pressure to sell or do something different with his property, but it does make it more difficult to do if you take it out of the urban boundary.

(#1560) Bill Dewey: So, Tim, you've indicated you'd like us to go ... we need to keep this in mind before you make your motion. Staff has suggested that criteria 2, 5, and 7 are not met. So if we're going to go against that recommendation to deny the request and suggest that we should approve it, you might want to help staff come up with some findings that would be counter to their current findings.

(#1585) Terri Jeffreys: There are tools available to protect this land from development and those have not been utilized. I think that the GMA guidance of having UGA's have logical outer boundaries ... we would violate that guideline by chunking out this piece. I think that long term ag is probably the best protection that coupled with requesting to have that put into conservation is the best protection of that particular piece of property.

(#1635) Diane Edgin: You said outer logical boundaries, and working on what Tim was saying, if we're going to protect the Union Valley, this is a good start of saying that this is not some place that should be part of a UGA.

(#1650) Tim Wing: Regarding the criteria that staff indicates are not met, I just don't see that their reasonings are terribly strong. The violations they cite are minimal. Two of them have to do with changing this to more dense use. Well, there are already three houses on this property.

(#1666) Bill Dewey: There's two houses on this property.

(#1668) Tim Wing: So you can't make it more dense than that. The zoning designation is more dense, but the reality of the property is that it's already that densely developed. So I don't see that as a valid reason to say this violates this principle.

(#1680) Diane Edgin: He's asking for a less dense use by taking it out, if I read this correctly; 1 in 5.

(#1710) Bill Dewey: Criteria #5 has been met. He said that if need be he would consider an easement to keep the utilities running straight. Criteria #7, Allan suggested that if this requested change was approved, a

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precedent is created that makes future similar requests near the boundaries of other UGA possible. I don't know that we would have a lot more of that same situation in the Belfair UGA. Is that the case, Allan?

(#1770) Allan Borden: There is other ag inside the UGA but it's not in the perimeter of the boundary.

(#1785) Bill Dewey: Like you say, Tim, maybe this is not a strong argument.

(#1790) Tim Wing: I understand their arguments, but none of them appear to me to be real show stoppers.

(#1795) Wendy Ervin: I would like to make a motion that we recommend the approval of the proposal as the applicant has requested.

(#1820) Jay Hupp: I second the motion.

(#1825) Bill Dewey: We have a motion and a second to approve rezone request 05-01. Any further discussion? All in favor? Opposed? Motion passes. Let's move to 05-03 for Patterson and Fabig. This is the one regarding the well that we had a number of people speak to us about. Any discussion?

(#1880) Wendy Ervin: It seems to me that the traffic issue might be almost ... Although people have spoken of the water issue. I'm satisfied that they plan not to damage the wellhead and that any development would be done with that in mind, and actually might improve the situation once they go into the permitting process. Seems to me that the traffic is a more difficult consideration if these properties were to be used for something that was a high traffic attraction. That could cause a real problem for these people that are already dealing with that issue. Unless there were left turn lanes, it would really seem to me that that would potentially damage quality of life.

(#1940) Bill Dewey: It seems to me that is a valid concern for us to consider. Granted Mr. Fabig was here and indicated the uses they were suggesting weren't necessarily high traffic uses, but the fact is the rezone would allow other types of uses that could potentially increase the traffic issue here.

(#1952) Diane Edgin: It's my understanding that any type of traffic redirection will be totally within the realm of the state because it's a state highway. We can throw our concerns out, but as far as the county is concerned, I don't think we can do anything.

(#1966) Tim Wing: I think there should be some limits to our concerns about what the traffic might be. The responsibility to manage the traffic really are the state's responsibility. I'm focusing on what is the value of this property and what is its future use. It is not good residential property. When the houses were put on it, it probably was, but now there's five times more traffic, the properties are not very valuable as it is, they're probably not going to be much more valuable; they're probably going to turn into rentals. That's usually what happens to noisy, lower valued properties, and the highest and best use of those properties probably is some kind of commercial use, if the traffic issues were addressed. Maybe the mailboxes could be moved to the other side of the road. I know you can do that. There are ways to mitigate this. I don't mean there aren't problems for the neighbors and people across the street. That's just not the proper use of that property.

(#2020) Wendy Ervin: Are you talking on the Hood Canal side of the highway?

(#2026) Tim Wing: I'm talking about the properties that we're discussing here. The Hood Canal properties; the value is because it's there on the water. People should have a right to live there peacefully, but it's kind of hard to do with that traffic. I don't think the traffic is going to increase a whole lot just because those two houses disappear and an office goes in there, or something like that.

(#2060) Diane Edgin: There is a county road that's feasible that they could funnel that down in front of the winery. I don't have any problem changing this designation. I think it will bring a greater protection for the wellhead.

(#2095) Bill Dewey: It was presented to us and I'm not sure we have anything in writing. That water system is designated for residential use only so if a commercial business goes on either of those two lots, they'll have

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no water.

(#2110) Wendy Ervin: He said he was going to probably cut himself off of that water system and create a new one or go onto the one at the winery. Then the existing well would be only six properties.

(#2135) Steve Clayton: Sounds like they will have an interesting legal tangle if they want to build something on there within that wellhead area. I don't know that that's our pervue.

(#2142) Jay Hupp: I don't think that it is.

(#2145) Bill Dewey: I think it is and I wrestle with criteria #1 where it talks about development allowed by the proposed rezone designation shall not damage public health, safety and welfare. I feel like we are inviting traffic problems that may not be resolvable on that blind curve on 101 so you're setting yourself up for public safety problems that may not be resolvable by the state. That's a concern that lingers in my mind. Then the water system; if you're going to put the type of development on that land, I think you are potentially setting yourself up to jeopardize public health.

(#2175) Jay Hupp: But I think both of those are addressed adequately in the permitting process.

(#2180) Bill Dewey: I agree, and we wrestle with this on this criteria #1 every time we sit here and deliberate this is whether it's dealt with in the zoning as we're directed to do, or if you just ignore it and say it will be taken care of in the permitting process.

(#2190) Diane Edgin: This has come up before with the proposed hotel in Allyn. Moving the access onto a major highway, and we couldn't do anything about it. It's not under our bonnet to get into that.

(#2212) Bill Dewey: We did deliberate it, though, Diane.

(#2215) Steve Clayton: That was not a rezone application. That's entirely a different discussion.

(#2220) Bill Dewey: That's a good point, Steve.

(#2230) Jay Hupp: It just seems very difficult for me to second guess the permitting process as difficult and cumbersome as that has become ... this zoning, in my mind, is more of a big picture, philosophical decision where you get down to whether or not you're going to use the property for a specific use and then that gets into the nitty gritty of the permitting process through health, DOE and other codes.

(#2280) Wendy Ervin: I'd just like to say that the consideration has already been made that this is within the RAC so it's already been deemed as an area in which development is encouraged.

(#2300) Jay Hupp: I would move that we recommend approval of the request as stated.

(#2305) Diane Edgin: I second the motion.

(#2310) Bill Dewey: We have a motion and a second to recommend approval of 05-03. Further discussion? All in favor? Opposed? Motion passes with one dissenting vote. We'll move now back to 05-02. Note that Terri has recused herself from the discussion.

(#2350) Wendy Ervin: I think this one is just a given. Looking at the properties they're talking about. The uses that have been there before. What he wants to do with it. I just think it's simple. I would like to make a motion that this be approved as presented.

(#2380) Jay Hupp: I second the motion.

(#2385) Bill Dewey: We have a motion and a second to approve rezone request 05-02 as requested. Further discussion? All in favor? Opposed? Motion passes to recommend approval of rezone request 05-02. We'll move on to 05-04 for Alfred Jones.

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(#2414) Tim Wing: I don't see any problem with one. You've already got storage units there.

(#2420) Bill Dewey: And it is in a hamlet. But keep in mind, while he wants more storage units, the rezone would allow other types of uses.

(#2420) Tim Wing: Right.

(#2435) Wendy Ervin: I'm familiar with this site. I used to use that storage facility. They have one entrance off of Pickering Road and they've got another entrance off of Spencer Lake Road. For the amount of traffic that is generated from these storage units ... I just don't really see any impact as being any kind of a problem.

(#2450) Steve Clayton: I make a motion we approve rezone request 05-04 as presented.

(#2455) Terri Jeffreys: I second the motion.

(#2458) Bill Dewey: We have a motion and a second to recommend approval of rezone request 05-04. Further discussion? All in favor? Opposed? Motion passes to accept rezone request 05-04. We'll move on to 05-05 for Donald Huson.

(#2475) Tim Wing: I move that we approve rezone request 05-05.

(#2478) Jay Hupp: I second the motion.

(#2480) Bill Dewey: We have a motion and a second to recommend approval for rezone request 05-05. Further discussion? All in favor? Opposed? Motion passes to accept rezone request 05-05. Next is 05-06 for William Knannlein.

(#2545) Terri Jeffreys: Staff, since this application and staff report is part of the record, would we need to also enter any motion to request a change to © on page 2 to correct the surrounding zoning descriptions?

(#2555) Bill Dewey: That was brought to staff's attention.

(#2565) Allan Borden: I'll make the appropriate changes as noted.

(#2568) Bill Dewey: Yes, because there have been a couple of other changes we have requested of Allan.

(#2575) Terri Jeffreys: I move that we approve Mr. Knannlein's request for rezone.

(#2580) Wendy Ervin: I second the motion.

(#2585) Bill Dewey: We have a motion and a second to approve rezone request 05-06. Further discussion? All in favor? Opposed? Motion passes to approved 05-06 with the minor amendment.

(#2600) Diane Edgin: I'd like to make a suggestion. If the group has read 05-07, 05-08, and 05-09 we might be able to take care of these with just one motion. They were just corrections of map errors.

(#2615) Wendy Ervin: The only question I had was when this is an error and it is an error that the county has made, do the people have to pay to make the application?

(#2630) Allan Borden: They do not pay.

(#2632) Wendy Ervin: Thank you.

(#2645) Bill Dewey: We'll go ahead and open the public testimony portion for the 05-07, 05-08, and 05-09 rezone requests and let the record reflect that there is no public here to testify on these particular rezone requests. So we will now close the public hearing on 05-07, 05-08, and 05-09. Do we have a motion?

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(#2670) Tim Wing: I make a motion to accept staff recommendations on 05-07, 05-08, and 05-09.

(#2685) Diane Edgin: I second the motion.

(#2688) Bill Dewey: We have a motion and a second to accept staff's recommendations on 05-07, 05-08, and 05-09. Further discussion?

(#2700) Steve Clayton: Allan, on the Shumaker request, I thought I read somewhere where she had asked for either RR20 or RR5. Is that correct?

(#2715) Allan Borden: It's on her application.

(#2720) Steve Clayton: We should probably address that and go one direction or the other.

(#2725) Terri Jeffreys: I'd like to amend the motion that request 05-09 be approved for RR20.

(#2735) Bill Dewey: Steve, what was your question?

(#2738) Steve Clayton: I believe in her application she said she wanted to change it from long term commercial forest to either RR20 or RR5. Staff wrote the recommendation to approve it at RR20.

(#2745) Terri Jeffreys: The application we have does not indicate any density.

(#2765) Steve Clayton: I would support Terri's motion to approve staff's recommendation to RR20.

(#2784) Allan Borden: I also want to correct my staff report to say that's it Rural Residential 20.

(#2890) Bill Dewey: So we have a motion and a second to accept staff's recommendations on 05-07, 05-08, and 05-09 with the noted corrections in 05-09. Further discussion? All in favor? Opposed? Motion passes to accept staff's recommendations on 05-07, 05-08, and 05-09.

(#2930) Terri Jeffreys: I have a question for staff. Looking at the public hearing notice on the BOCC agenda for November 1st, it talks about a public hearing for discussion. Does that mean that you don't anticipate decisions being made by the BOCC?

(#2950) Bob Fink: We don't expect action of a decision except maybe on some rezone requests until they act on the Plan at one point. They might take more than one action on the regulation changes, but they'll only act on the Plan at one time.

(#2980) Terri Jeffreys: I saw that the Economic Development Element is on that list. So it will just be more of a discussion?

(#2988) Bob Fink: It will be a public hearing but we don't expect them to take action to amend the Plan until they're ready to amend the Plan entirely. In other words, all the amendments will be adopted at one time.

(#3000) Wendy Ervin: I sent an email ... it occurred to me that there's no discussion about what impact the tribes have on the economy of Mason County. I think their impact is considerable. It should at least be discussed, even if we're not in a position to make any decisions ... they do provide enormous numbers of jobs ...

(#3030) Terri Jeffreys: November 1st is the hearing. You should probably go talk about that.

(#3040) Jay Hupp: There is a short comment under Tourism.

(#3042) Wendy Ervin: It's real short. It just names the two tribes and says there's a casino.

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(#3048) Bob Fink: The casino is listed as one of the major employers, also.

(#3055) Wendy Ervin: I just think that there should be some recognition that they have considerable impact in this county and that maybe we should be working with them instead of just looking at 'them over there'.

(#3065) Jay Hupp: I think there should be a paragraph in there, too.

(#3070) Tim Wing: Why don't you talk to Steve?

(#3072) Wendy Ervin: I sent him an email and I never got an answer back. It may just be brewing and coming out. I'm sure that's what's happening.

(#3085) Steve Clayton: What do we have set for meeting dates, Bob?

(#3088) Bob Fink: I believe that we had reserved the next weeks meeting in case you needed to continue these rezones. I think probably you don't need to meet next week, but I would expect to meet on the 24th. Also, probably the Monday after that, also.

(#3120) Steve Clayton: The Monday after that is Halloween. I don't know that we want to meet on Halloween.

(#3135) Bob Fink: We won't have anything on the 17th so let's move the regular meeting date from the 17th to the 24th. And we don't need to meet next week, but we will probably need to meet in early November.

(#3195) Jay Hupp: Is it appropriate for the PAC members to speak before the BOCC on issues that we have addressed in this body?

(#3208) Bob Fink: Yes. You can either go to explain your point of view as a member of the PAC or you could go as a private citizen. It's not a problem.

(#3240) Jay Hupp: The types of recommendations that came out of here tonight, do they ever wind up before a Hearings Examiner?

(#3252) Bob Fink: I'm not sure what you mean.

(#3255) Jay Hupp: Like a rezone decision, or an application for a variance?

(#3265) Bob Fink: Although the rezones are quasi-judicial, they're legislative actions and the process takes them to the BOCC. They can go before the HE rather than the PAC, but if so, they go as a recommendation to the BOCC for final action.

(#3285) Jay Hupp: I'm just a little bit fuzzy about where things go. Once a citizen walks through the door for a particular relief, like a variance, does it come before this body, or go before the HE?

(#3300) Bob Fink: A variance request, and other permits that require a hearing, go before the HE. They used to come before this board on both the shoreline permits and things like conditional use permits. If someone wants to challenge the HE decision, they would go to court.

(#3330) Jay Hupp: Why not rezones? Why don't they go before the HE?

(#3345) Bob Fink: By law they're considered legislative actions and the decision has to be made by the governing body. The BOCC has to take that final action.

(#3385) Allan Borden: Basically rezones are viewed as not benefitting only one person; it benefits the community. Meeting adjourned.