

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes
December 17, 2007

(Note audio tape (#2) dated December 17, 2007
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 Vice-Chair Tim Wing at 6:00 p.m.

2. ROLL CALL

Members Present: Tim Wing, Dennis Pickard, Jay Hupp, Diane Edgin, and Wendy Ervin. Bill Dewey and Jim Reece were excused.

Staff Present: Barbara Robinson, Barbara Adkins, Kell McAboy, and Susie Ellingson.

3. APPROVAL OF MINUTES

The minutes from the October 15, 2007 were approved as presented with the following requested changes:

On page 6 under (#1860) it should read "The point of incorporating those by reference....."
On page 8 under (#2410) it should read "Tim Wing inquired if the Port is familiar"

4. NEW BUSINESS

(#0080) Tim Wing, Vice-Chair, called the meeting to order. First on the agenda we have the update of the Capital Facilities Element, Chapter VI, of the Mason County Comprehensive Plan.

(#0100) Barbara Adkins from the Department of Community Development opened the public hearing on the annual update of the Capital Facilities Element, Chapter VI, of the Mason County Comprehensive Plan. The GMA requires we have at least a six-year plan that will finance the capital facilities that includes an inventory of existing capital facilities owned by Mason County and other jurisdictions operating in the county. Changes

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to this Chapter VI are reflected in Water and Wastewater Utilities, Solid Waste Utilities, Stormwater Management Facilities, Public Works Facilities, and the Finance Plan. Barbara explained in detail where the proposed changes are located in the Capital Facilities Element. All changes outlined include the deletion of completed projects, the addition of new projects, and the update of current project budgets. As there were no substantive changes made to the goals, policies, or level of service standards of this Element; the proposed amendment does not reflect a change in the county's philosophy or approach to Capital Facilities Planning. Tonight we will have a hearing on this element, and as you may already know, the budget has already been adopted so those budget numbers on the projects and the six year plan for Public Works has already been adopted. We can't negotiate numbers, but we have the Public Works Director and the Utilities Director here to help answer any questions you may have. The BOCC will be hearing this on January 15th.

(#0215) Jay Hupp stated that we have a fairly substantial regional sewer and water development project afoot within this county for the last nine or ten years. It's come to the point where we're about ready to start spending money on about a 43 million dollar project. The basic assumptions on the project is that we have two essential public facilities that are outside the UGA that are going to be served by this regional water system and they are mainly the State Patrol Academy and the Washington State Corrections Center. Nowhere in the Capital Facilities Plan, and specifically related to the essential public facilities section, do I see any mention of those essential public facilities, which would in my mind, make them the legitimate focus of this entire project and the grants that have been received. There's general reference to those types of facilities but not specifically mentioned.

(#0260) Barbara Adkins explained that if they fall under the definition, then they don't need to be specifically listed.

(#0278) Jay Hupp noted that some counties do, and I was looking at Thurston County and they go into a lot more detail in their essential public facilities section than we do. I feel that's a legitimate concern.

(#0290) Diane Edgin stated that anytime we have a document that goes before the public that they can access, we need to have the information there. We may be turning potential businesses away because the information isn't there.

(#0305) Wendy Ervin added that it could also be creating potential argument from someone who likes to be an obstructionist.

(#0310) Jay Hupp stated it would be to the county's benefit to name those two given that we've reached out with grant applications and have been granted millions of dollars to take sewer and water facilities to those two facilities. There are three more that are just as important. Those include the airport, the railway at Johns Prairie, and the marina.

(#0400) Barbara Adkins stated we have the minimum required to put in here and you can always add to that.

(#0415) Barbara Robinson noted that is listed somewhere in our Comprehensive Plan under another element. We need to determine what makes them essential public facilities depending on what the RCW says.

(#0445) Jay Hupp also noted he would like to see the Oakland Bay Marina identified. It's not necessarily used today as a transportation facility but it certainly has the potential. It's a facility that falls under the guidance of essential public facilities that are difficult to locate.

(#0460) Barbara Robinson stated that the whole regional system and discussion on essential public facilities in not in this section. However, we do need to make sure that language is in here somewhere.

(#0475) Jay Hupp inquired if we could incorporate that in this section this year. Expand the paragraph to list all of the essential public facilities.

(#0550) Barbara Robinson explained that these are just policies but perhaps we could add some language before it goes to the BOCC. The Development Regulations also list essential public facilities with a definition.

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(#0625) Jay Hupp stated that under CF-401 he would like to see added airports, marinas, and rail facilities, along with the others that are listed.

(#0700) Tim Wing stated that we are dealing with this now after the budget has been approved and we need to get it done by the end of the year. This gives us no real opportunity to make any serious changes to this.

(#0725) Barbara Adkins explained that the goals and policies are updated along with the rest of the Comprehensive Plan on that cycle. The only thing we review annually are the budget numbers. We addressed this Chapter every year.

(#0735) Tim Wing inquired if this could be brought up six months from now so that we would have time to do some serious changes to it if we choose to. What we seem to be doing over and over again is dealing with it at the last minute with no real chance to change anything. If we dealt with the policies six months before the budget was dealt with maybe it would have an impact on the budget. This seriously limits what we can do.

(#0755) Barbara Adkins explained that we can't put the budget numbers in until they are approved.

(#0780) Jay Hupp agreed with Tim, and stated he was disappointed that we received these changes in October and it was put off until December.

(#0800) Barbara Robinson explained that it would involve each department coming to the PAC separately with their proposal for that year.

(#0805) Tim Wing explained he didn't want that detailed of information, but on the philosophical issues, he doesn't like dealing with these issues and looking at it and saying we have to look at it tonight.

(#0835) Barbara Adkins stated we can look at this in June with actually looking at policies and the text.

(#0850) Dennis Pickard added that we would like to look at the policies rather than the numbers.

(#0860) Wendy Ervin noted it's pointless to bring the spreadsheets with the numbers to the PAC as we don't have the expertise to review them. The numbers are meaningless to us. We don't know what substantiates that number. We're being asked to approve something that we basically have no knowledge of and can't have any knowledge of because it's not presented to us. It's not our function to audit every department.

(#0930) Tim Wing stated many of you know I am concerned about how we decide what roads to build. I believe the county needs to consider changes in the way they actually prioritize the decisions about roads. Changes in philosophy in how you decide where roads go is something I think this group should be paying attention to. How much each road costs, how it's engineered; that's not something we ought to be a part of because we don't have the expertise. However, I do think the decisions about what roads should be built and where the money should be spent needs to consider economic development. That's a philosophical issue that should go into the concepts that are in these policies and if those go into the concepts or the policies, then the directors of the departments, and if they're following the policies, that will create the budgets over the course of time that are based on the philosophies we're recommending. That's an example of what I'm talking about. Tonight the Facilities Plan budgets are already established and ready for next year so changing this is really talking about changing things for next year.

(#1100) Jay Hupp brought up CF-502 where it talks about hooking up to a sewer system when it's available. Jay stated that a sewer system that's available within 500 feet, it demands that you hook up to it. Jay inquired if there was any latitude that gives us an opportunity to say 'that when a sewer or water system is reasonably available

(#1170) Emmett Dobey explained we have added the 500 feet number. Emmett believes that is very important because if you allow customers to opt out of the system, it becomes more expensive to operate for the customer base. Many systems have a very small customer base and because of that the cost to consumers for sewers is very high.

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(#1200) Jay Hupp added there should be some way we can be more flexible in the terminology and at least give us an opportunity to make a judgment rather than to be locked into a specific number.

(#1215) Tim Wing stated CF-502 can't work unless we get a sewer through some of the UGA's that don't have sewer at all. We have no plan on the books at all nor any money to build a sewer through 80% of the UGA in Belfair, yet this says it requires it. Further on under CF-507 it says that we want to encourage an innovative approach to onsite wastewater treatment.

(#1240) Emmett Dobey clarified that's not within the UGA.

(#1250) Jay Hupp noted specifically to the Shelton UGA, he stated that as we annex things into the city the infrastructure is compatible with the infrastructure that the city wants. On the other hand, as we move into the subarea plan for the UGA, we're laying down development regulations over properties that may or may not be annexed in the foreseeable future. With that kind of situation, we would be better off to figure out a way to be more flexible.

(#1290) Wendy Ervin commented unless you have some sort of an interim ability for someone to do a temporary fix for their sewer and then hook up if you require people to put in a full septic system where there's going to be sewer, you are costing people an enormous amount of money for that septic system and then you're causing them to abandon it and hook up to the sewer. There needs to be wording that allows an interim solution.

(#1335) Emmett Dobey explained that if you read the Belfair, Allyn and Hoodspout RAC requirements, it says just exactly that. You can't have an interim type system. Ours allow for innovative, onsite managed systems. We took that to the GMA a month ago, and they invalidated that as not being adequate to meet GMA requirements. Eventually we're going to have to come back to the PAC with some ideas on how we're going to interpret the connection to the system. Emmett also explained that this county is unique. Most counties don't have utilities. The way it's written gives the county more control over developing utilities within the UGA boundaries because they're not likely to be annexed into any incorporated community. It's the county that is going to maintain these facilities. To keep the cost down we have to have as many customers as we can so when we start tinkering with letting people off, it really makes it difficult to plan for future facilities.

(#1450) Tim Wing stated that if somebody wanted to stop all growth in this county, when it says here that all new development to hook up to a public sewer system and we don't have one, those people could just hold up this document and say you can't do this development.

(#1530) Dennis Pickard stated he would like it to say 'to eventually, or to over time connect to existing or future systems'.

(#1535) Jay Hupp added 'or when it's reasonably available'.

(#1540) Wendy Ervin added 'or have a plan to hook up to the system'.

(#1550) Emmett Dobey noted we had as part of the provisions, a binding site plan, but the GMHB has challenged that as well.

(#1560) Dennis Pickard stated that if we have a policy that's more flexible, then whatever we can work out with the GMHB is more broad in our policy. We want to avoid writing ourselves in a corner with a policy that says one thing and later to pass a regulations that's more flexible than the policy.

(#1565) Emmett Dobey explained why the word 'proposed' is in there. It really has more to do with sewers like Hoodspout, which are in the planning stage right now. We don't want a lot of development to occur on septic tanks and drainfields, and then a year later we come back in and require people to hook up to the sewer. We're looking for some type of interim standards that still meet both our needs and the GMHB. We recognize the problem; it's just getting there has been very difficult. Right now we have people in Shorecrest, which is outside a UGA or LAMIRD, or a RAC, that desire sewers. We have to deal with not only that, but also with North Shore, where we were not successful in the past. There are other areas along Hood Canal

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we believe need sewers. We're trying to work with DOE, CTED, DOH to develop some type of exception so that we don't bump up against GMA when we try to put a sewer system in and have these questions.

(#1630) Diane Edgin noted there's been the same problem with Harstine Island and the problem has only been exasperated with the heavy rains we've had.

(#1650) Emmett Dobey stated now there is Puget Sound Partnership, one of their discussions has been managing septic tanks and onsite systems through more innovative technology. Those include membrane bioreactors that allow you to build in some stages and Puget Sound Partnership has about 297 million dollars to spend on projects. Now there's more money at the state level to help us get into sewer systems. In Belfair, we're only having to borrow 3.3 million dollars for a 26 million dollar project. That's the cost that has to be financed. So because of that, we were able to take a \$300.00 dollar a monthly rate down to about \$86.00 to \$100.00. That's how grants work.

(#1700) Tim Wing noted he has taken several courses on this issue and science is on your side. However, the GMHB do not have a scientific basis for their decisions. We've talked about a big pipe down North Shore and it made no sense at all. People stood up at the recent course I took at WSU and said a good running septic system treats affluent twice as good as a typical municipal system. The membrane system going in Belfair may be better than a typical system, but those are facts. The GMHB needs to be educated about what can be done. This is exactly what I'm concerned about. It's important that we change this language so that it is more amenable to facts and the science of the issue.

(#1770) Emmett Dobey explained, and I'm not sure our opponent understand this, is that by invalidating the ordinance that we have, it now allows us to go back to the old ordinance which allows the development of drainfields and septic tanks within the Belfair area. That means that we could be adding more septic tanks and drainfields. I agree that WSU is probably right when they talk about treating bacteria, etc., but they don't do a very good job unless you go to the really sophisticated techniques that Karcher Creek Sewer District in Port Orchard has utilized, which takes out nitrogen. Nitrogen is a big problem with the dissolved oxygen in Hood Canal and Puget Sound. What has been created is that now we're going to go back and potentially add more septic tanks which will create even more problems in Belfair by this appeal that we're trying to work through.

(#1825) Jay Hupp inquired about the nitrates not being taken out by the soil.

(#1850) Emmett Dobey explained that is true, unless you use such an elaborate system to take the nitrogen out of the sewage. Shelton is getting ready to utilize that kind of a system, and that's why their system is going to cost so much money.

(#1900) Tim Wing noted his desire to change the language in CF-502.

(#1940) There was a miscellaneous discussion about proposed language change. There was a consensus by staff that the development regulations would provide more specific details about the requirements for connecting to existing or proposed public sewer systems.

(#2100) Tim Wing inquired about the Transportation Element and if it was part of the Capital Facilities.

(#2140) Barbara Adkins explained that it was another chapter and is separate from this issue.

(#2160) Tim Wing inquired how often we review the Transportation Element.

(#2170) Barbara Adkins explained it is on the Comprehensive Plan cycle. We will be reviewing it in 2010. We reviewed the Comp Plan in 2005, and we're on a five-year cycle.

(#2300) Dennis Pickard inquired about changing the language in CF-203 to say 'shall be available concurrent with impacts of development or in a reasonable time thereafter'. That was brought up in our discussion with the Belfair Sewer and that's what is permitted under GMA. That goes along with the issue we've been discussing under CF-502. The concurrency element is the issue that keeps coming up.

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(#2400) Barbara Adkins inquired if these are issues that need to be changed right now, or can they be revisited at a later date. Right now we need to get through the projects and the associated funding and budgets that go with them while we have our Directors here. We can address these items in a couple of months if you wish.

(#2475) Jay Hupp stated that would be fine if we could be assured we will come back to it in June.

(#2485) Barbara Adkins noted we will put it on our work plan to bring it back to you in June and it will take several months to come up with a version you're happy with then when the budgets are adopted again, we can revise those numbers.

(#2520) Tim Wing noted under 'Concurrency', and in other parts of this document, it talks about water and sewer, but does not mention roads. You can't have development without roads, water and sewer. Tim stated we deal with this annually and we deal with the road element every five years. Tim noted that the concurrency needs to deal with roads, as well as sewer and water. I'd like to be dealing with the transportation issues at the same time we're dealing with water and sewer. You need all three for development.

(#2600) Barbara Robinson stated there is a concurrency requirement in the transportation element, as well.

(#2625) Tim Wing stated there is a six-year road plan and there have been some roads added to it just recently that are inside the UGA's of Allyn and Belfair, and that's a step in the right direction. However, there are a lot of other issues about where do we build roads, and how do we decide what roads to build. I think this group ought to have some input on that.

(#2675) Charlie Butros, Director of Public Works, stated the plans we presented to the PAC about a year and a half ago was really the first attempt the county has had in many years to evaluate the existing transportation network and identify areas where that transportation network could improve. Since then we have made some modifications to that, we have submitted it to TIPCAP for their review and comment. We are in the process of updating that. At the point it's updated, we will present it to you, but at this point it's in development. As we have indicated, some of the input we have had and the needs we have identified, have been reflected from a prioritizing standpoint in our six-year plan. We have identified the three roads in Allyn, we've identified Razor Road and Newkirk Road in Belfair that we feel are the highest priorities at this point in time of all the new roads that are identified on that long-range, future road plan document. As we continue to develop the road network information and finalize it, we will bring it to the PAC. Our priorities are constantly changing so as we get to a point where the need drives the road to be identified as a priority need, we will then put it on the six-year plan and move forward with it. That's how we're intending to approach future road planning. That's not to say that there can't be a critical need to find something today that doesn't show on the long range plan or the six-year plan that can be added to those plans and started ahead of roads listed on those plans. The plan can be modified on a year-by-year basis.

(#2850) Tim Wing reiterated his desire to have the PAC look at the Transportation Element long before 2010.

(#2875) Barbara Adkins stated we can revisit the Transportation Element in June.

(#2900) Barbara Robinson stated we need to bring to the PAC our work plan for 2008.

(#2920) Miscellaneous discussion.

(#3375) Dennis Pickard inquired about the capital fund for development of the Hoodspout sewer design and if that was a realistic figure.

(#3400) Emmett Dobey responded it is a real figure. It does depend on collecting that money from other sources. DOE is reviewing the plan right now, so our plan is to have a RFP out on the street sometime after the first of the year, with construction starting sometime in 2010.

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(#3470) Dennis Pickard inquired about the stormwater system development fund and what 'Unknown Source' referred to.

(#3500) Charlie Butros explained those are multiple sources. At this point, as we are developing the countywide stormwater program, that program will establish what those sources are. Part of the reason for that is we have applied and will continue to apply for grants and the more successful we are with grants, the less reliant we are going to need to be on funding from other sources. Our hope is to reduce the amount of fees that are needed through grants and developing infrastructure so that development infrastructure through grant funding will reduce that impact. That is an uncertainty right now because we haven't developed what the requirements are that will clearly define what the needs are which will then define what the revenues needed are.

(#3800) Tim Wing opened up the public comment portion of the hearing. There was no one at the hearing to speak, but a comment letter from Bob and Peggy Hager was presented to the PAC. The comments are very similar to the issues that have been raised and are going to be revisited in June from a policy prospective.

The following is a summary of Mr. Hagar's comments:

Page 3 - Financing. This section describes the Belfair sewer as well as the Belfair/Lower Hood Canal Water Reclamation Facility Plan. The same wording also occurs in describing the Belfair UGA plan on page 12. The words 'Lower Hood Canal' should be removed as the current plan does not include the lower Hood Canal.

Page 4 - Concurrency Management. There is inconsistency in this statement. It states The GMA goal 'is the provision of infrastructure facilities and services to serve projected growth at the same time such growth occurs, or within a reasonable time afterwards'. This would require that facilities be in place before development. In the Belfair UGA this would require either the county or the developer to install facilities before the development occurs. The cost would be recovered by higher land cost by the developer or higher fees on the final owners when hooked up.

Page 7, CF-502. This policy requires all new development within the UGA's and RAC's to connect to existing or proposed sewer systems. The only solution is to have the sewer plan as well as the rest of the infrastructure planned in detail. When the development occurs, the developer or the county can install the sewer lines and the development can be connected. As I understand the plan, the development can occur now by installing septic systems and then when the sewer comes within 500 feet they would have to hook up. No developer wants to do a septic system and tell the homeowners that in the future they will have to hook up to the sewer.

Page 8, CF-504. This policy on septic systems is not strong enough to protect water quality. State WAC requires homeowners to maintain and have their systems inspected regularly. The county is required to assure that is being done. Education is important, but there must be tools to penalize homeowners that don't comply.

Page 63 - Stormwater. The current plan for the Belfair and Allyn UGA's does include meeting the DOE 2005 Stormwater design manual, not just considering to implement it. The new plans have been completed but not yet adopted by ordinance. The budget of 2.5 M over the next 6 years is insufficient to fully implement the plans which include partnering with commercial business to retrofit existing stormwater facilities. The stormwater plan described on page 16 is inadequate as it does not address the near term water quality improvement of the Marine Recovery Areas as required by the legislature. As described in this section, the plan include the UGA's and RAC's, but not the rest of the county until after 2013.

Comments on the Transportation Element:

In the introduction, I would disagree with the statement that the only urbanized area is Shelton. The Belfair and lower Hood Canal shorelines have a residential density as great or greater than Shelton. In the lower Hood Canal watershed, including Belfair, there are 5300 residences and an estimated population of 10,000 or

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20% of the county population.

The destination survey that was done as part of the last Mason County transportation study, which I assume was 1996, should not be considered still representative. Even the State Highway data from 2000 would indicate a higher percentage of through traffic on SR3 and even that information is not up to date 7 years later.

The coordination policy does not include direct coordination with WSDOT. As the state highways are the main arterials through the county there should be a policy of specific coordination with WSDOT, not just through the PRTPO. There are critical concerns on coordination of stormwater management between the county and WSDOT on SR3 in the Belfair areas.

The transportation facilities should meet the DOE 2005 manual and should be specifically listed. This should apply to both new and modified road construction.

There should be a requirement that the county plan for the road network in the undeveloped areas of the UGA be the responsibility of the county and the developer or landowner in providing the roads.

(#0125) Emmett Dobey did address the first comment by Mr. Hagar regarding Belfair/Lower Hood Canal Water Reclamation Facility Plan. He explained that the sewer plan is the Belfair/Lower Hood Canal Water Reclamation Facility Plan. It's true that the lower Hood Canal is not part of the first phase of this, but the plan itself addresses the bigger issue.

(#0150) Jay Hupp inquired when this kind of public input if there will be any formal feedback to Mr. Hagar regarding his input.

(#0170) Barbara Adkins explained the comments are taken into consideration and they may be reflected in the revised document. We don't normally respond to them; they are taken in as part of the public hearing process and treated as if they were public comments received at the time of the hearing.

(#0190) Jay Hupp noted that the feeling is that people go away frustrated in feeling that they were not taken seriously and that there is no response. Maybe it is so overwhelming that you simply don't have the capacity to respond back to them.

(#0275) Barbara Robinson noted they are responded to by thanking them for the comments and that they will be brought forward to the PAC for consideration.

(#0320) Tim Wing noted there were no more public present to comment so the public comment portion of the hearing was closed. Tim Wing asked for specifics that the PAC would like to recommend to staff.

(#0340) Dennis Pickard noted on page 6, under CF-203, at the end of the first sentence add 'or within a reasonable time thereafter'.

(#0360) Jay Hupp noted on page 7, under CF-401, add to the second sentence 'local airport facilities, railroad facilities, and marinas'.

(#0380) Wendy Ervin noted on page 7, under CF-502, strike the word 'require' and begin the sentence 'All new development within designated urban growth areas and rural activity centers shall connect to existing sewer facilities, or contain a plan for connection to proposed public sewer systems when available'.

(#0440) A motion was made and seconded to recommend approval of the Capital Facilities Element with the proposed changes, and pass on to the BOCC. A vote was taken and the motion was approved to forward the Capital Facilities Element on the BOCC with the proposed changes.

(#0495) Kell McAboy, Department of Community Development, introduced the next item on the agenda. It is a proposal to amend the current Mason County regulations that address Uncertainty of Boundaries. Currently, the language would allow development regulations to occur on a piece of property that has two different zoning designations overlaying a single parcel to possibly have urban densities within a rural area. Kell

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showed an example of this near the Shelton UGA. The map shows the Shelton UGA area and the RR 5 zone in the rural area. The road through the center is Johns Prairie Road, and the boundary between the Shelton UGA and the RR 5 zone is split by Johns Creek. Those parcels are example of parcels that have two different zonings on them. In order to prevent urban densities from being allowed in the rural area, we've proposed language which reads, 'When two or more development areas divide a single parcel, development regulations, including density, shall apply to the portions of the parcel as they are zoned'. That means for these parcels in the example, the UGA side can develop per the regulations of the UGA and the RR 5 zoning side would only be able to be developed per the RR 5 zone. What it said before would allow the RR 5 zone to be developed at urban densities.

(#0600) Jay Hupp inquired if there was any other place in the county where this might occur.

(#0620) Kell McAboy responded that there are a few examples where that does occur elsewhere in the county.

(#0675) Wendy Ervin brought up some issues that concerned her and stated that this brings up more problems.

(#0700) Kell McAboy stated as it's written now, there are more problems.

(#0725) Barbara Robinson added that this was one of the issues with the GMHB. It's been brought to our attention by them that it needed to be revised. There are some parcels in Belfair that are in and out of the UGA.

(#0740) Kell McAboy also noted it's not uncommon for single parcels to have two or more zoning overlays on them.

(#0750) Miscellaneous discussion regarding the reasoning behind the original zoning of the particular parcels.

(#0800) Tim Wing inquired if this was being dealt with because of the GMHB.

(#0820) Kell McAboy explained it's being done because the Mason County's Master Development Plan provisions were found to be non-compliant with GMA for the same reason. It allowed urban development densities in the rural areas. This is a pro-active way to address an issue that has not been raised by an appeal, but we are addressing it before it became an issue.

(#0845) Tim Wing opened the public comment portion of the hearing. There was no public present to comment, so the public comment portion of the hearing was closed.

(#0875) A motion and second was made to forward the revisions to Uncertainty of Boundaries on to the BOCC with the recommendation that it be approved as presented by staff. A vote was taken, and the motion passed to approve the revisions to the Uncertainty of Boundaries as presented.

(#0885) Barbara Robinson opened up the discussion regarding Boundary Line Adjustments. This is a topic for discussion only. We will be putting it on our 2008 work plan. Dennis Pickard has brought this up in an email to Bob Fink.

(#0900) Dennis Pickard explained that the development regulations that exist now have expanded greatly since we first passed the Boundary Line Adjustment process. They don't seem to make a lot of common sense. The underlying problem is that we have vast areas around the county that are zoned in a fashion that is inconsistent with how the parcels lay at the time we overlayed the zoning on top of them. We have huge areas of the county that are zoned RR 5, where there is not a five acre parcel within half a mile. The existing character of a lot of the areas don't fit the zoning that we have on them. We have these development regulations to deal with the issue of Boundary Line Adjustments that takes the position that any lot that is under that threshold is a non-conforming parcel. It attempts to preclude people from creating new, non-conforming parcels. The problem is situations where you have existing parcels where you want to adjust parcels, where we're not creating any new parcels, the rules are written that if you have a 6-acre piece and a 2-acre piece, and you want to adjust the lines between them, you have to have at least one piece that's over 5

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acres when you're done, because you have one that's over 5 acres now. If you were doing a new development, you can get down to 2 acres. What we found with working with these BLA's over the years are situations that were anticipated but not incorporated in the initial development regulations for BLA's. The county has come back to this board on several occasions to add exceptions to the rules and now we've got 2 pages of rules for BLA's that really don't make a lot of sense.

(#0990) Barbara Robinson added there's a provision in the ordinance that says you can't reduce a rural parcel to less than 2 acres. The reason for that is to maintain the rural character of the neighborhood.

(#1025) Dennis Pickard further explained that he's been working with BLA's since the county started them 20 years ago with the current process, and he's had 2 this year where he's had to do some magical iterations to try to fit something that makes sense. We've had situations where we've created an occupancy easement for the people because they couldn't reduce the size of one lot to make sense with the lay of the ground.

(#1080) Barbara Robinson explained that BLA's limit you so that you can't increase the density and you can't increase the developability of the lot. That's not to say that if you have a building that's real close to the property line and you want to move the line out, that you can't adjust that line in another location to offset it.

(#1095) Dennis Pickard noted that is another situation that comes up where it's not practical to do that or just doesn't make sense to people that are involved.

(#1100) Barbara Robinson responded there is some flexibility in the code to allow that to happen.

(#1105) Dennis Pickard stated there is, but the way it got written in made it so purely at the discretion of the Director that we've had too many situations since that language was put in that we've had to recommend to people that they go to the courts and have a judge sign off on an agreement rather than taking the chance of spending all the money to go through the county and having them rejected.

(#1125) Tim Wing suggested bringing in other title companies for discussion on this issue when it comes to the PAC.

(#1135) Barbara Robinson suggested also bringing in land surveyors on the discussion. We will bring forward what the existing language is, get some input from representatives from the land surveying community, title companies, etc. We have another individual who is concerned with the process itself with the requirement to have a land surveyor provide a legal description and is inquiring why a legal description is required at all. Kell McAboy has done a lot of research on other county's processes, and our process in that regard is the same as other county's; regarding the requirement of providing a legal description. However, the whole process needs to be brought forward and we will be bringing that to you in 2008.

(#1250) Dennis Pickard stated we need to simplify the regulation to permit adjustments to property lines that did not create additional parcels, or unbuildable parcels, but that allows greater flexibility with respect to some of the numbers of lot sizes.

(#1300) Miscellaneous discussion regarding language in the ordinance that talks about restrictions as opposed to what you can do and everything else is excluded.

(#1340) Dennis Pickard noted the people at the county who are in charge of administrating the rules look at those sorts of things by saying 'it doesn't say you can do it'.

(#1325) Wendy Ervin stated that people in a bureaucracy tend to be indecisive in terms of taking any responsibility for a decision.

(#1370) Barbara Robinson brought up the article that was in the Shelton- Mason County Journal that was sent to the PAC regarding bicycle lanes in which the words 'donor lanes' were used. She made note that the BOCC was not pleased with the article and Barbara Robinson explained that there needs to be more care taken when making comments as the PAC is a representative of the Mason County Board of County Commissioners.

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(#1400) Wendy Ervin stated she had started to write an answer to her but didn't get it in the paper in time. Wendy inquired if she should finish her letter and get to the newspaper. Wendy stated 'at least she got my point, which is safety first'.

(#1425) Barbara Robinson responded that things like this are sometimes better left not answered.

(#1430) Jay Hupp also noted the letter should not be answered.

(#1435) Dennis Pickard also noted we need to remember we have a broader audience so the discussions we have here.

(#1440) Jay Hupp stated that any one of us here at some period in time could have been exposed to that kind of critical comment over something that we said here one night. I've gotten wrapped up things that people could have been offended by.

Meeting adjourned.