

MASON COUNTY PLANNING ADVISORY COMMISSION

Minutes
May 19, 2008

(Note audio tape (#2) dated May 19, 2008
counter (#) for exact details of discussion)

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

=====

1. CALL TO ORDER

The meeting was called to order at 6:00 pm by Vice-Chair Dennis Pickard. Chair Bill Dewey arrived at 6:05 and took over the proceedings.

2. ROLL CALL

Members Present: Bill Dewey, Tim Wing, Dennis Pickard, Wendy Ervin, Jim Reece, Diane Edgin and Debbie Jacobs.

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

3. APPROVAL OF MINUTES

None.

4. NEW BUSINESS

(#0050) Kell McAboy, Mason County Planning Department, opened the workshop on a proposed Short Term Rental Program for Recreational Vehicle Parks. This would be a new provision in our Development Regulations. We are here to provide as much information as we can, and we're suggesting that the PAC set a hearing for June 16th for the public hearing. This is a new chapter proposed to the Mason County Code Title 17 Chapter 17.81 that introduces a short term rental program for legally established RV Parks. The purpose of this new chapter would be to allow RV Park owners to rent out recreational vehicles or park model trailers within the RV Park with a short-term rental program permit. This provides tourists more lodging opportunities within the county, and is a financial benefit to the park owner. The short-term rental program would be an optional program to all legally established RV Parks. Currently, the Mason County Development

Planning Advisory Commission Minutes, May 19, 2008

Regulations prohibit the rental of recreational vehicles or park model trailers within RV Parks and limits the length of time RV's or park models can stay within the park. The intent is to ensure the long-term recreational use of the parks and prevent them from operating as housing communities similarly to mobile home parks. GMA prohibits high-density residential use in the rural areas, including the development of new mobile home parks. The draft short-term rental program limits the rental of a recreational vehicle or park model trailer to any person or single group to 30 consecutive nights. Park owners will be required to keep detailed lists of occupancy available to the county upon request. It may be difficult to determine the accuracy or completeness of such lists. The current regulations are comparatively easier to enforce. It is simpler to determine whether an RV located within a park has exceeded the time limit than it is to determine if people are exceeding the time limit. Mason County has approximately 17 established operating RV Parks (including four in the city limits of Shelton). The draft proposed short-term rental program would be available to those parks located outside the City of Shelton as well as to new parks. Although no new RV Parks have been permitted over the last several years, this new short-term rental program may spark new interest in developing a new park.

(#0300) Bill Dewey inquired about the background for this proposal.

(#0310) Barbara Robinson explained a few years ago Darin Barry, the owner of Robin Hood Mobile Home / RV Park, had an enforcement case against him for setting up park units brought in as permanent rental units. The ordinance didn't allow for that, and we started an enforcement against Mr. Barry. He asked the BOCC that we look at the ordinance to allow this to occur. He wanted them to be permanent rental units. Staff has worked on this to get to this point to come up with something to address the issues that Mr. Barry had to try to allow these units to be in a park to be rented out and this is the ordinance we came up with. The short-term rental program was developed to try to monitor it. We need a way to label those units that would be the permanent placed units versus the ones that would be moved in and out.

(#0365) Bill Dewey inquired if staff has worked with any of the RV Park owners on this ordinance.

(#0375) Kell McAboy explained this draft was given to Mr. Barry prior to this evening's meeting.

(#0385) Diane Edgin noted this will put these smaller parks on the same level as some of the big camping clubs. She explained that she liked the ordinance, and the fact that it will be made available to them.

(#0420) Dennis Pickard added it seems like it would create an additional economic opportunity without significantly changing the overall character. This is definitely something that's on the right track, especially with gas prices going through the roof. It will be more environmentally sound being able to drive to these places that tow a vehicle of their own.

(#0475) Jim Reece noted his concern on the septic and water when you put in a park model.

(#0490) Dennis Pickard stated he has the same concerns, however, he noted there is an opportunity included for environmental health and water adequacy reviews so those issues would be addressed before any permanent installations occurred.

(#0500) Darin Barry explained he owns Robin Hood and he did bring in two park models a couple of years ago as places for people to stay in on the weekend. He noted he didn't get permits as it appeared they were RV's at an RV Park. It became clear that it was more complicated than that. He stated he recommended a simple change in the ordinance stating you can't have a person in the RV Park for more than 180 days. That would allow us to be in the tourism business and go forward. Darin explained there is a model in Oregon that has worked well for them statewide.

(#0600) Bob McNeely, Park Model Manufacturer, talked about how the rules the county makes affects manufacturers. That could mean heavy layoffs for the industry. Also being an RV dealer, he explained those rules could affect being able to sell RV's. Those rules also affect the RV Park owner and consumer. Bob talked about the sanitation issues, and how they are regulated by the county. He then handed out information from Oregon regarding this issue and how they're permitted there. He described in detail the various models available, and his ownership in several RV Parks. He discussed the fact that with gas prices so high, people

Planning Advisory Commission Minutes, May 19, 2008

are opting for this opportunity. Tourism brings so much money to your community. If you've looked at my product, we've helped the neighborhood, not taken away from it.

(#1200) Miscellaneous discussion regarding installation requirements. Staff from the Building Department, as well as Environmental Health, will be on hand for the public hearing to discuss these issues and answer any questions. There was also some questions and discussion regarding the 25 percent rule, which was chosen to ensure the remainder of the spaces would be utilized for owner-occupied RV's or park model trailers. A hearing was formally set for this item before the Planning Advisory Commission on June 16th.

(#1800) Allan Borden, Department of Community Development, opened the public hearing on the rezone request of Fair Harbor Marina to rezone three small parcels in the Grapeview Hamlet from Rural Residential 5 zone to Rural Commercial 3 zone. They are requesting the property be correctly zoned to Rural Commercial 3 due to an error made by the county in 2002 when the county zoned properties within the Grapeview Hamlet. The three properties consist of a residence, a marina, and activity facilities that are upland from the marina. The request application is submitted as a corrective rezone to address the fact that Mason County made a mapping error when the Rural Area zoning designations in Mason County were approved and mapped in March 2002. The outer boundaries of the Grapeview Hamlet were adopted in August 2002 and included subject parcels within that area. When staff evaluated land uses and verified them by field inspection, the parcel to the south was confused with the parcels under current review and designated as the Rural Commercial 3 zone and the subject parcels were zoned Rural Residential 5 zone. Since the developed land use preceded the July 1990 GMA planning starting date, the two rezone review criteria that were used for evaluation of the rezone request are review criteria #2 (consistent Comprehensive Plan designation) and review criteria #8 (corrective rezone of lands). Staff concludes both criteria have been met, and recommends this rezone request be approved as requested.

(#2000) Bill Dewey noted the application was actually requested for Rural Tourist.

(#2100) Allan Borden explained he spoke with the applicants regarding their request, and that under Rural Tourist, there can be marinas located there, but under Rural Commercial 3, there can be other retail uses allowed under that zone. Rural Commercial 3 zone allows for a greater number of choices for future development.

(#2185) Tim Wing inquired what can be done under Rural Tourist that can't be done under Rural Commercial 3.

(#2200) Barbara Robinson explained RC 3 allows for retail sales, which is currently located on site.

(#2250) Tim Wing inquired if the property across the street, which is marina parking, is zoned RR 5.

(#2275) Allan Borden explained every parking lot in the county is residential. You will find that there are very few public parking spaces in the county that are zoned commercial.

(#2330) Tim Wing inquired when an area is designated a hamlet, we must have an idea of what must go on in there than rural areas. He further inquired why if it's inside the hamlet, why weren't the properties weren't zoned Rural Commercial or Rural Tourist.

(#2345) Allan Borden responded in 2003, staff chose not to zone properties to land uses that did not exist at that time.

(#2355) Tim Wing inquired why it was designated a hamlet, and on the one hand you call it a hamlet, but on the other hand you say it's rural. That doesn't sound consistent to me.

(#2365) Allan Borden explained a hamlet is a rural service center. It's in the rural area, not the urban area. The boundaries were designated to provide for an easier way to change land uses within the boundaries that would be service oriented.

(#2450) Dennis Pickard inquired how rezoning the property that has an existing residence on it to RC 3

Planning Advisory Commission Minutes, May 19, 2008

might affect it, and how would it affect future separation of ownership.

(#2500) Allan Borden explained they can have an owner occupied residence on that parcel in the RC 3 zone, and in the future, it could still operate as a nonconforming residential use if sold separately from the marina and commercial. If they wanted to convert the residence in the future to a museum or a souvenir shop, then they have that option.

(#2545) Dennis Pickard inquired if the nonconforming use would restrict them from remodeling or doing any typical residential improvements.

(#2590) Kell McAboy explained that single family residential are allowed in an RC 3 zone as an accessory use so it would have to be accessory to the main commercial subject property. It is currently a conforming use. If the commercial use went away, and was gone for more than two years, and you just have a single family residence, then it would be a legal nonconforming use.

(#2625) Tim Wing inquired about the options under the Rural Tourist zone.

(#2635) Kell McAboy responded it is more specific to employee housing rather than single family residential.

(#2665) Diane Edgin noted the application stated there is a sale pending, so we should look at the best option for that.

(#2685) Bill Dewey opened the public comment portion of the hearing.

(#2700) Susan Nelson, applicant, stated they originally were pursuing the Rural Tourist, they thought that would be a good fit for the marina. Allan Borden explained the issues regarding the single family residence, and they decided the RC 3 would be better.

(#2750) Phil Wolfe, Grapeview resident, stated he supports this change. He noted it was a visionary step for the county to create the hamlet, but it does bring in more questions regarding the surrounding zoning. He talked about perhaps changing the boundaries of the hamlet.

(#2800) Bill Dewey closed the public comment portion of the hearing. There was a motion and a second to approve the rezone request from Rural Residential 5 to Rural Commercial 3 zone.

(#2850) Tim Wing inquired if the applicant owned the 5 acres behind the parking lot across the street, and if so, what would be the process if they wanted to change that to RC 3 also.

(#2875) Allan Borden responded they would have to submit an application for a request for a rezone, and it would be reviewed under the seven criteria.

(#2900) Diane Edgin inquired because this was an error in zoning, if the applicant was charged a fee for the rezone request.

(#2925) Allan Borden responded the fee was waived.

(#2935) A vote was taken and the motion passed to rezone the Fair Harbor Marina property in the Grapeview Hamlet from Rural Residential 5 zone to Rural Commercial 3 zone.

(#2960) Kell McAboy opened the hearing on the proposed new section of Mason County and Development Regulations Title 17, Temporary Office Sales. It addresses the use of temporary sales offices within subdivisions for the purpose of selling lots and / or model homes within that same subdivision. This has already been an interim ordinance in 2006, and we propose to make it a permanent ordinance. The background on this is Alderbrook Golf & Yacht Club converted a single-family residential unit to their sales office so they could sell the rest of the lots. In the RR 5 zone as it was zoned, we didn't allow that. Then once all the lots are sold, it would just convert back to the single-family residence. The proposed addition

Planning Advisory Commission Minutes, May 19, 2008

would read 'One sales office for the purpose of selling lots or model homes within a subdivision may be constructed on a subdivision lot and may operate on a subdivision lot until all lots have been sold at which time the sales office shall convert to residential use or other such use as permitted'.

(#3100) Jim Reece inquired if it is the same thing where you have different phases in the subdivision, or is there one sales office permitted for each phase.

(#3125) Kell McAboy responded it would be one sales office for all phases.

(#3130) Discussion regarding the many phases of Lakeland Village.

(#3150) Kell McAboy explained Lakeland Village is in a UGA, and these regulations are for the rural areas of Mason County only. They do not apply to the Belfair, Shelton, or Allyn UGA's. In the rural areas, it would be proposed for one sales office for the entire subdivision, regardless of the number of divisions or phases. It may be the case the Alderbrook Golf and Yacht Club will be the only subdivision that utilizes this temporary sales office regulation.

(#3190) Miscellaneous discussion.

(#3300) Bill Dewey opened the public testimony portion of the public hearing. No one wished to speak, so the public comment portion of the hearing was closed.

(#3350) There was a motion and second to approve staff's recommendations. A vote was taken and the motion passed to allow temporary office sales in the rural areas of Mason County.

(#3375) Tim Wing opened the discussion on transportation, and noted we have talked about this before in some depth. What is going on is we have asked staff to present a revision of the traffic element of the Comp Plan, anticipating that a first draft coming to us could easily not contain many issues that are addressed in my issue paper. Tim explained he wanted to ask that the PAC simply give this to staff and ask them to consider incorporating some of these things. We could then get a head start on understanding issues that many people on this board agree with. We would like staff to consider these issues when preparing the first draft of the Transportation Element revision.

(#3600) Wendy Ervin noted that #3 on Tim's issue paper makes a lot of sense when it reads 'Unless connection roads and other grid roads are planned, developed and built, Belfair will only change from a one-road town of urban sprawl to a two-road town of urban sprawl'.

(#3665) Bill Dewey thanked Tim for taking on this transportation issue as it is a critical issue of great importance in the county. Everything you put forward are great recommendations for the PAC to request staff to address. One concern I have is you're acknowledging this is going to take a major shift in priorities for the county. When we had this discussion with the county before, the rationale comes back every time that a lot of their funding is federal roads funding is safety, driven not growth driven. We need a direction for the county to look at alternative funding sources, or some means of building these roads in the UGA's that are growth driven, not safety driven. I'm just concerned we're going to go back around the same circle where they say these are great ideas, but we don't have any money to do it.

(#3750) Tim Wing responded that if it comes back that way, we do need to have further discussion on it. Right now we've been told that the county's road money that they spend on roads that they're working on, about 25% of that is from the county road budget, and 75% is from matching funding from the state. Tim's contention is that instead of spending the 25% on a four-mile road on Grapeview Loop Road, that was a perfectly good road, you could spend that same 25% on a quarter-mile road inside the UGA of Allyn, and forget the matching money. You would then create what the GMA requires by law.

(#0130) Bill Dewey stated his concern is that 25% loses what the county uses for a match. If they don't use it, then they don't get it. So if you take that 25% and use it all in the UGA's then you lose the 75%.

(#0140) Tim Wing explained that would be better than what they're doing. We're repairing roads that have

Planning Advisory Commission Minutes, May 19, 2008

virtually no traffic them. Those roads don't provide any affordable housing, they do nothing to encourage economic growth, they don't attract more businesses, and they don't do anything to protect the environment. Tim stated the county also needs to help address the question at the state level so that the state could provide matching funds inside the UGA's to build new roads. Tim explained Belfair and Allyn are very different in terms of their needs. In Allyn, the county owns roads beds in a grid, and there's a builder who wants to build 42 homes on one of those road beds, and they county is saying he needs to build that road. It's a county road already, so if the county would finish building that road, then this builder could build those 42 homes. The road plan for the next six years, shows only four small roads inside the UGA's which Lynda Ring Erickson insisted they put on this six year plan. We're going down the same path that we've been going down for the last twelve years. During those twelve years, we've entered the GMA, and have known all the time that 65% of the future growth is supposed to go inside these UGA's, yet all the road planning is down for roads outside of the UGA's. Something needs to change.

(#0200) Dennis Pickard noted there is a bias towards chasing the matching funds rather than addressing and prioritizing the issues first, and then look at your funding opportunities. Perhaps matching funds with the builder would be a partnership that would be a possibility to achieve the end result in a way that's more consistent with the goals of the UGA's. There are other funding sources. At the workshop we learned that in planning the Bypass in Belfair, the state really was failing to consider the UGA's in part because we don't have a transportation plan to take advantage of that Bypass, so we have to push for the planning aspect so we have something to take to the State Transportation Commission that says when you're working in Mason County, these are the things we need to continue doing to those main arterials for an investment in future planning.

(#0300) Wendy Ervin stated there has been discussion regarding possible impact fees, and it seems that is what those fees are supposed to be used for. There doesn't seem to be any push to translate the impact fees into an actual road surface.

(#0310) Tim Wing explained the impact fees mostly go to schools. There are some places that impact fees go to parks. It's rare that they are actually used for roads. A developer that is developing 200 home sites is almost always asked to do some things with roads as part of the agreement to get permission to build them. In that sense it's an impact fee, but not really the same as we're referring to here.

(#0330) Bill Dewey noted the builder would build it to county standards, and then turn over ownership and maintenance of the road to the county.

(#0350) Tim Wing stated the other problem is that we don't have urban road standards developed yet for this county. The developer is almost always going to be required to build all the roads inside his development, and put in the sewers, water and power. However, the county ought to have a road plan that says here is where we're planning on putting our roads, and one of these roads is going to serve your property. There's no doubt in my mind the county ought to pay for that. The county probably wants to pay for some of that road because it doesn't just serve that property, but others as well. So somewhere between the road and the development, the developer and the county are going to have to come to an agreement about who is going to pay for that. It might be the developer or the county. That issue is called concurrency. Concurrency is required by law that county's are supposed to be prepared for development.

(#0400) Barbara Robinson explained one of the things that was brought up at the meeting in Belfair was whether CTED can help us get funding to do a future road plan for Belfair. We submitted a grant to get the funding to start that process, and we still have not heard anything back from them. Tim Gates of CTED has said that everything has been submitted and they're waiting to make sure the funding is available to determine how much the county would get, and what kind of help we would get in developing that plan. Part of your discussion also has to do with Public Works. You talked about roads in Allyn and that the county owns roads in Allyn. Most of the roads in Allyn were vacated by operation of law a long time ago. So in order for the county to develop Wheelwright, Wade or Masterson, they have to go in and acquire the right-of-way back before they can do the improvements. They have to determine what it's going to cost to acquire that right-of-way and then what it's going to cost to construct the roads. We're also working with Public Works on drafts for urban road design standards. We have discussed these issues many times, but it hasn't really been formalized that we should bring these forward. Public Works is working on the Transportation Element, so the

Planning Advisory Commission Minutes, May 19, 2008

timing is right to move this forward.

(#0500) Bill Dewey inquired if it is beneficial to have this come from the PAC as a motion.

(#0510) Wendy Ervin inquired if any other county has gotten any money for urban roads development.

(#0525) Barbara Robinson responded the roads are done under a Local Improvement District, or developer initiated and paid for by the developer. The way to do the roads in Allyn and Belfair would be through a Local Improvement District. Under that, all property owners would be assessed for the construction. The county would build it, and they would assess the property owner based on the lineal frontage of their property.

(#0550) Tim Wing described with the Wheelwright Road, a quarter-mile road would immediately access 70 homesites, and the cost of putting the road in would be paid for by the increased revenue that the county would get would pay off the road in about 20 years. In Belfair, a road the county could build there that might lead to as many as 2000 homes and would be paid off over a period of 20 years. That is not unreasonable to think about. That generates about \$14 million in revenue to the county, so it makes it total sense for the county to make a decision to spend the little bit of money they have on roads for economic development. None of the rural roads that have been built create any new development sites, and no new property taxes brought in by that. In the North Mason area, there are 2400 kids in the school district. About 75% of those kids are going to want to stay in North Mason for the rest of their life. The others will leave for jobs and education and not come back because of the lack of opportunities here. Those that stay represents about 1800 kids in the system right now, so in 20 years you will have about 3000 kids that need a place to live in the North Mason area, and right now they can't afford a rural piece of ground. There will be no place for the kids here in Mason County. Until Public Works and the county acknowledges this is really a serious issue, we will continue to go down this same road. Ten years from now if we don't have roads in the UGA's, our kids are not going to have any place to live because of the cost of rural land.

(#0765) Bill Dewey commented this is a very important issue for us, and he thanked Tim Wing for the time and energy he has put into this issue. Bill Dewey stated he would entertain a motion along the lines of asking county staff to address the issues in a memo as they update the Transportation Element.

(#0775) A motion was made and seconded, the vote was taken, and the motion passed.

(#0795) Tim Wing expressed one last comment that he's aware the county has limited options on what they can do as the budgets are very tight. I met with Lynda Ring Erickson, and lobbying people today, and we are going to try to talk to the four other counties in Western Washington that have rural UGA's and are out of compliance with the Hearings Board because of sewers and other issues, and we are going to try to form a group to go to the state and lobby and try to get the legislature to recognize that the GMA is a nice idea, but when it comes to rural, small counties without much money, you can't expect counties to foot the bill for sewers and roads to the extent that will allow the GMA to do what it's supposed to do. It can't happen at the state level if our county is ignoring the issue.

Meeting adjourned.