

# MASON COUNTY PLANNING ADVISORY COMMISSION

July 18, 2011

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## 1. CALL TO ORDER

The meeting was called to order at 6:00 pm by Chair Dennis Pickard.

## 2. ROLL CALL

**Members Present:** Bill Dewey, Dennis Pickard, Jim Reece, Jim Sims, and Ken Vanbuskirk. Randy Neatherlin and Cathi Bright were excused.

**Staff Present:** Barbara Adkins, Allan Borden, and Susie Ellingson.

## 3. APPROVAL OF MINUTES

None.

## 4. NEW BUSINESS

Dennis Pickard opened the meeting. There was a motion and a second regarding the first item on the agenda to accept the withdrawal of the previous request by Emmett Dobey for extension of sewer lines to Rural Areas. The motion passed 3 to 1, with Jim Reece voting 'nay'. There was an ensuing discussion regarding the possibility of a resolution in the future to address this issue.

There was a motion and a second regarding the second item on the agenda to accept the withdrawal of the previous request by Jeff Ryser to rezone 29 acres from Rural Residential 5 zone to Rural Tourist Campground zone. The motion carries unanimously.

Jim Reece questioned his request to maintain his file for any future development processes. Barbara Adkins explained we will keep all documentation on file,; we don't actually keep his file open.

Bill Dewey inquired if Mr. Ryser will be receiving a full refund. Barbara Adkins explained the only time you would get a full refund is if the county made a mistake on the request.

6:10

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LaJane Schopfer, Shoreline Planner with the Department of Community Development, commenced with an overview of the Shoreline Master Program update. She thanked the PAC for helping to put together the Public Participation Plan that was adopted through county ordinance 34-11 on June 7, 2011. She stated she sent out over 10,500 Shoreline Master Plan Update mailers to shoreline property owners. Included in the mailer was a description of the SMP, an announcement of the upcoming Open House, and a public participation survey. There have been numerous responses from the survey. We will be documenting those in the future as we receive them. She noted she was interviewed by KMAS for an environmental segment and it is available to view on their website. The first year of the three year contract with DOE for the update has ended with Mason County submitting all of our deliverable to DOE on time, and remaining within our budget.

Bill Dewey inquired about the inventory and characterization analysis and will that come to the PAC for comments. LaJane responded that we can present that to you, however, it is on the website and open to look at for comment. Bill stated that other counties, characterization has stayed open for the full process for potential amendments. LaJane explained this is the first round for the public comment portion on this particular draft. The opportunity for us to respond to their comments, and then if something else arises that we need to bring forward, then we will need to address at that time. This is an open process until it is adopted by the BOCC. It is a 607 page document, and I can email you a link to that in order to make comments.

Ken VanBuskirk mentioned he received a letter from the Lower Hood Canal Watershed Implementation Committee, and they are looking at that in respect to Hood Canal. The person who sent me this said from her quick read of it, what is recorded as fact and what I know to be on the ground in parcel maps does not match. She specifically mentions there is a lot of work to do. She said especially Chapter 10, Impervious Surfaces.

Jim Sims inquired how the people were identified of who received the fliers. LaJane explained the fliers were identified through a buffer that we identified. We first identified the shoreline jurisdiction, and then the potential of the shoreline jurisdiction and who it would affect who weren't affected before, and all of those people in that area, plus the flood plain that was associated with that area received a flier. Jim Sims stated he did not receive a flier and he lives on waterfront. He explained that was why he was questioning the process. LaJane explained his might just have been missed in some part of the process.

Bill Dewey inquired about how the inventory and characterization analysis was created. LaJane explained the consultants as well as the JTAC committee was involved in the preparation of the document. We also received information from DOE and F & W. Bill Dewey inquired about the oyster reserves and that they are not digitized, but are reports that have them mapped. He noted there are a number of them in Mason County and are part of our shoreline. LaJane stated we won't be getting that information in the second round of the draft.

6:28

Dennis Pickard opened up the hearing on the rezone request in the Belfair UGA. He inquired of the PAC members if they have had any interest in the project or have any exparte communications regarding it. Ken VanBuskirk stated he doesn't have any interest in the property, but he has spoke with one of the adjoining landowners and expressed concern about existing conditions, not about the rezone itself. Some of the folks have talked to me about the transportation infrastructure in the general area. Dennis Pickard inquired of Ken if any of those communications inhibit from you hearing this case. Ken replied they would not, and there were no objections to Ken continuing to hear this case.

Allan Borden, Department of Community Development, opened the public hearing on this request for a rezone in the Belfair Urban Growth area. 1.88 acre is currently zoned Mixed Use zone and 13.00 acres are zoned Residential 5 zone, which is the topic of the rezone. This rezone will enable the applicant to develop the property fully as Mixed Use. The property is located at the intersection of Ridgepoint Blvd., and State Route 3. There are some slopes in the central portion and to the east on adjoining properties. Properties to the north are Residential 5 zone, as well as to the east. South of the properties is general commercial and residential 4 zones, and to the west are residential 5 and mixed use zone. Ridgepoint Blvd. generally serves

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all the land uses in that vicinity, which includes McDonalds and Westbay Auto Parts. It is a primary access for both northbound and southbound traffic. There are no wetlands or streams on the property. The property has potential sewer and water availability by public maintained systems. A SEPA determination of non-significance on the change in zoning was issued, not necessarily the environmental impact of the potential development.

Richard Eger commented by telephone that his property across State Route 3 is incorrectly noted on the application. It is actually zoned Mixed Use, not R5. It is not a mapping error.

Regarding the rezone criteria, #1, impacts to health, safety, and welfare, the applicant wants to expand the Mixed Use zone to the entire property, and as in any development, the applicant will have to meet development setbacks, health code, fire safety code, traffic access standards, and the provision of the utilities. Criteria #2, regarding consistency with the Comp Plan, in the BUGA, it is anticipated the initial land designations can be changed subject to the economy, interest, and this request is immediately adjacent to other Mixed Use zones, as well as other general commercial uses. Criteria #3, regarding cumulative impacts, this site is already located closely to other highly developed uses.

6:45

Permitted land uses will have to follow the zoning code development standard regulations.

Bill Dewey inquired if this proposed rezone, if approved, reduce the number of residences, and would that then might put pressure to expand the UGA elsewhere to offset the lost residential units because of the rezone.

Allan Borden explained there would not be a significant loss in residential capacity in the UGA as a whole. There is a considerable amount of land that has been designated as residential 5 as well as areas to the south that are residential 10.

Discussion regarding the loss of residential lots and the affect it might have on the UGA. It was determined there would be no inherent loss. Criteria #4 discusses increasing the demand for urban services in the rural area. For the request, it is essentially not appropriate as it's already in the UGA. The main issue is whether levels of urban services can be provided to the property.

Ken VanBuskirk inquired who owns NE Ridgepoint Blvd. Allan responded it is owned by Five C's Partnership. It is a gravel road, and has not yet been accepted into the county road system. Creelman Street is not in the county road system either. Criteria #5 addresses demands for services and does it encourage development in urban areas? This property is within the UGA so it also is not appropriate. Criteria #6 addresses the GMA goal to encourage retention of open space, conservation of fish & wildlife habitat, and protect the environment. Proposed development will have to match up with the zoning code landscape standards and the only critical area on the property is slopes, some of that review will have to be part of that review. Adequate stormwater treatment will address potential impacts to water quality and water quantities. Criteria #7 has to do with cumulative impacts of changing land use designations of other lands. The possibility that if this request is approved other similarly zoned properties could be proposed for similar zone change. Those will have to be treated in respect to where they're located and the compatibility of the request. Criteria #8 is not applicable. I end my staff report by giving the PAC the reminder that since this is a UGA change, it will require the Comp Plan map be adjusted first, or as part of this process of review.

7:01

Bill Dewey inquired about Criteria #8 regarding the possibility of it being a mapping error. The applicant suggested it might be a mapping error in their application.

Dennis Pickard noted they did raise a good point about why two different zone classifications came to be on this parcel.

Allan Borden speculated that with the change in the refinement of the mapping by the county's GIS department that some of these parcels, which were portrayed by the Assessor's office with hand drawn

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illustrations that it's possible that current mixed use area may have been revealed.

Dennis Pickard stated it's entirely possible that some residue of a prior configuration was a part of this. It was divided, redivided, boundary line adjusted a couple of different times, platted, boundary line adjusted after the plat; the configuration of the parcels changed a number of times over the last few years.

Ken VanBuskirk discussed changing the map, and inquired when will we be looking at the UGA in its entirety.

Allan Borden explained there is not an anticipated schedule of when the BUGA will be re-examined in its entirety. It should be reviewed every ten years; five years is too frequent.

Ken VanBuskirk inquired how often the population allocations come out for the county. Allan Borden stated those are done county wide and last time they were done fairly comprehensively would have been in 2008.

Bill Dewey inquired if this area is part of the CARA. Allan Borden stated that it is not. You would have to get down to Roy Boad Road for that. Bill Dewey inquired about stormwater where it is referred to in Criteria #4. The county has adopted LID stormwater ordinance standards in Belfair and my recollection of that ordinance is that any new development has to deal with stormwater onsite; you can't have it leave the site. Allan Borden acknowledged that was the case. Bill Dewey stated the staff report should be amended to reflect that. Allan Borden stated that will be a critical element in the project review.

7:08

Ken VanBuskirk stated last year the inter-tie line for the Water District, which runs down Ridgepoint Blvd. Was damaged and inquired if that was inspected and approved or fixed. Allan Borden stated the Utilities and Waste Management Department would have had some input on that. Stormwater is an ongoing issue in that area, and Ken VanBuskirk stated it has a cumulative effect on all the parcels there.

Jim Reece stated he thought there were going to be no more curb cuts along Highway 3. The plat map shows two accesses, but I don't think DOT will allow any more accesses. Dennis Pickard noted that is shown on the drawing but it is not necessarily going to be a reality on the ground.

7:12

Bill Dewey inquired about the increase in demand for urban services, and how does that affect only being able to use one entrance / exit. Further discussion regarding other urban services.

William Palmer, land use planning consultant, representing Five C's Partnership spoke regarding the rezone. Mr. Palmer noted the site plan is a conceptual drawing that will be used by Dick Christopherson and his family in trying to market this property. We've had some input from realtors relative to the potential for multiple family use of this property if it can be rezoned. We looked at how much the absorption rate might be for multiple family over the next five years, and the number that came back to me was something around 60-65 units. Under the new zone, if the entire property were developed multiple family, you would have considerably more than 65 units. We don't really believe that is the likelihood, as we would like to see some mixed use as well. The drawing is helpful as it gives you an idea of what some of the issues are on the site and how to deal with them. It graphically shows we can give consideration to open space and circulation within the site. The Christophersons provided the access easement to create the Ridgepoint Blvd that goes up the hill. We have turned in a short plat application for 9 lots that reflects what is on this conceptual drawing. We did that as we have an immediate user for one site within the currently zoned mixed use area next to the Napa/Westbay Auto Parts Store. That will be for Seabeck Pizza. We cannot get short plat approval until we get sewers in there. It may require that you amend your Comp Plan and Zoning Map if this rezone is approved. We believe we've met the rezone criteria and staff has concurred.

7:24

Jim Sims stated what is not clear to him is the concept of minimum residential requirements within Mixed Use. Jim inquired if that entire 14 acre parcel be commercial with one house. Are there minimums of residential portion of Mixed Use?

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Allan Borden stated he cannot recall that there is a requirement to have residential on Mixed Use zoned property. So it could be all commercial. There is a range of possible mixes and uses.

Dennis Pickard stated there are adjoining properties that will remain in R5 zone that can presumably give a number of residential sites that theoretically could be lost in this area.

Ken VanBuskirk has concerns about whether Criteria #5 has been met. The last sentence says 'where adequate public services and facilities exist or can be provided in an efficient manner'. They don't currently exist, and I'm not sure, given the public testimony, it doesn't look like they will get it. In Mr. Overton's comments, it was noted that during the Iron Horse Crossing subdivision review, that intersection failed LOS standards and brought up the need for a traffic signal at that time.

Dennis Pickard stated that's not something that cannot be provided at such time as actual development occurs. Bill Dewey noted those services don't have to be in place to approve a rezone. There was further discussion regarding the existing and needed LOS in the area as future development occurs.

Ken VanBuskirk inquired how the Belfair future roads situation affect things in the UGA.

Barbara Adkins replied they have tabled it until December, but nothing has been addressed or changed. The outstanding issues are still outstanding issues.

Ken VanBuskirk explained that it has come before the BOCC to adopt a future roads map for the Belfair Subarea and perhaps we can incorporate that into any sort of recommendation we might make to the BOCC regarding this particular rezone.

7:37

Bill Dewey stated he would like to see something incorporated into the motion the PAC's concern with the existing infrastructure for the current development being inadequate; private roads are being used for public businesses that don't meet county road standards. Dennis Pickard also noted there is a short subdivision in process and inquired if there has been any discussion with regard to approval of that division regarding the status of the roads that are presently provided within the site.

William Palmer explained we did have a pre-application meeting where we discussed provision of utilities and roads, and there are threshold points when this property is developed it will have to have a road system. The road system can be private within the property. As it connects to public roads, we will be required to meet the development standards of the county and if that means putting a light in at the intersection, that will be one of those things that will come out of a traffic impact study that we will have to do for the development proposals on each of the nine lots. I did want to make a comment regarding LID standards for stormwater. That's in the category of how you deal with the facilities. We're happy to find that LID standards have been adopted by Mason County. When I asked in the Pre-Application conference about that, I was not given a very positive answer. It's new information for me tonight and we're delighted to find that out.

Bill Dewey stated that is fascinating as well as disconcerting. I know the county has adopted that ordinance, both for Belfair and Allyn, but I don't have any confidence it was being enforced or implemented. It's discouraging that you as a proponent were not informed about it.

William Palmer stated that, for whatever reason, he came away from the Pre-Application conference not knowing that you had that standard. Kitsap County has adopted it, and it's working very well. It's cheaper than putting in barrels, vaults, and other things.

Jim Sims made a motion that the request for the rezone be approved. Ken VanBuskirk seconded the motion. Bill Dewey inquired if we need to make a recommendation in our motion relative to the information in more detail. Allan Borden responded it would be imperative that you make the recommendation that because the zoning map is adopted by ordinance, signed by the BOCC, it requires that map to be changed officially by the BOCC. Bill Dewey made a friendly amendment to Jim Sim's motion that the motion include Item (d) at the bottom of page 6. Bill Dewey also made a friendly amendment to request that the staff report be amended

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under rezone criterion #5 and #6 to make it clear that there should not be any additional urban stormwater services because of the LID ordinance. Ken VanBuskirk also made a friendly amendment that the PAC would like greater scrutiny regarding transportation in this area. The motion carried unanimously.

The PAC also wanted to go on record as expressing to the BOCC significant concern with the existing transportation LOS in the Belfair UGA generally in the vicinity of this project in particular. Also to express concern over implementation of the LID ordinance and why the fact that the proponent was not even aware that it existed. Jim Sims seconded the joint motion by the PAC and the motion carried unanimously.

Meeting adjourned.