

**Mason County
Planning Advisory Commission**

April 13, 2015

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

1. Call to Order

Kristy Buck called the meeting to order at 6:01 PM.

2. Roll Call

Present: Kristy Buck, Vicki Wilson, Steve Van Denver, Tim Duffy

Excused: Rob Drexler, Kevin Shutt, and Bill Dewey

(Kristy Buck voted stand-in chair by members present due to the Chair, Bill Dewey, and the Vice-Chair, Rob Drexler being excused.)

County DCD Staff: Rebecca Hersha, Grace Miller

Other staff: Rick Mraz

3. Regular Business

a. Adoption of Agenda

Rebecca Hersha requested a discussion of meeting dates. Kristy agreed that should be discussed and said it would be discussed under new business.

b. Approval of Minutes

Minutes from February 17, 2015: Vicki Wilson pointed out a misspelled name on page 2. Steve Van Denver made a motion to approve with correction. Tim Duffy seconded the motion. All in favor.

4. Mason County Development Regulations Amendments to Title 17, Zoning. Chapter 17.04 Rural Lands Development Standards, sections 17.04.602 & 17.04.612

Presenter: Barbara Adkins, Department of Community Development

Before beginning her discussion regarding Title 17, Barbara Adkins began by discussing email options for Planning Advisory Commission communication. She advised the PAC that they cannot be given email addresses by the County. The members had a short discussion regarding email addresses through other servers and the possibility of using other programs such as Dropbox.

Public hearing

Barbara presented her staff report and stated that the motivation behind this amendment is to open up various motorized vehicle facilities to more uses. She said that many businesses that require a Special Use Permit are often stunted in growth and believes this amendment would assist these locations to have some sort of complementary businesses, which would increase revenue. The amendment does state that you must have 100 acres or more to allow this use. If you have less than 100 acres, the SUP still applies. Barbara said that she felt 100 acres was a large enough buffer to contain noise or dust. Vicki questioned how the development would be limited and voiced concern for the zoning. She stated that too much complementary business may change the area altogether. Barbara responded saying you are allowed to put in anything allowed within that zoning district. She used an RV park next to a golf course with a bed and breakfast as an example saying it may look very developed, but it wouldn't change the zoning because the use is already allowed. Vicki read 17.02.047 from the Mason County Code which states:

The rural tourism (RT) and rural tourist - campground (RTC) districts provide small scale recreational and tourist-related activities in addition to tangential commercial services to tourists and adjacent rural populations...

She said that though it says small scale, it is not actually defined. Barbara said that verbiage is used in many of the codes and can sometimes be open to interpretation. No other questions were asked by the PAC, so Kristy opened the floor for public comment. No questions or comments from the public. Kristy closed public comment. Vicki referred 17.02.047:

...The county's primary method of achieving such purpose is by providing for buffer yards, limiting the character of rezones, by limiting building size, height, and floor to area ratios in such a way as to be appropriate for the rural areas. Public services and facilities shall not be provided so as to permit low intensity sprawl.

She then asked if the PAC members believed this was enough protection of the areas. The other members said they believed it was.

The PAC read the recommendation and Steve Van Denver moved that the Planning Advisory Commission propose a favorable action of this amendment to the Mason County Commissioners. Tim Duffy seconded the motion. None oppose, motion carries.

5. Shoreline Master Program Update - Workshop¹
Continue to review PAC's recommended changes to the Draft SMP and Comprehensive Plan, working off the document titled "17A," dated 2/17/2015.
Presenter: Rebecca Hersha, Department of Community Development

17.50.055 General Regulations

...

H. Existing Structures and Uses (page 75)

1. Existing Structures

Vicki asked for clarification regarding 1.a., which reads:

Existing lawfully constructed structures [and floating homes] that do not conform to the Program's requirements, including those approved through a Variance, shall be considered 'grandfathered,' with the exception of residential development built overwater or in floodways, which shall be considered 'nonconforming.'

Specifically, she asked what can and cannot be done. Rebecca clarified that, per the draft regulations, if you are grandfathered, you are allowed to replace and expand upwards. You are also allowed to move your footprint if you are changing the structure to meet current regulations. If you are not grandfathered (e.g. overwater house) you can only replace. Rick Mraz added that if grandfathered, you can expand laterally with a variance. The PAC had a lengthy discussion regarding conditional use permits in various cases. This discussion then raised the question of what happens if you have a use that does not fit within the exceptions outlined and you want to replace it with a non-conforming use. Rick stated that it would not be allowed but is currently not stated and suggested that the county may want to add that fact for clarity. He went on to say that it is acceptable to replace a grandfathered use with another grandfathered use, whereas replacing a non-conforming use with another non-conforming use, would require a conditional use permit.

Rebecca and the PAC members then decided upon other changes to **(H)**:

1. Existing Structures

- (b.) Will only deal with grandfathered uses (maintaining, repairing, or replacing)
- (c.) would apply to non-conforming use. Also, delete "and bulkheads"
- (d.) "non-conforming" will be added alongside grandfathered. Vicki suggested moving the sentence "A proposed increase less than 25% of the existing home's footprint shall not require a Variance." The paragraph will now read:

*The replacement of grandfathered **or non-conforming** factory built homes, a greater building footprint than existed prior to replacement may be allowed in order to accommodate the replacement of a factory built home that is less than 1,000 square feet with another factory built home that does not have the same size and shape. **A proposed increase less than 25% of the existing home's footprint shall not require a Variance.** Applications for such replacements ...*

17.50.065 Use Regulations (beginning on page 92)

A. Agriculture Regulations

10. *Feedlots are prohibited in ~~Urban Commercial~~, Residential, Conservancy, Natural and Aquatic environments. They may be considered as a Conditional Use in Rural shoreline environments, provided they are be set back a minimum of 200 feet from the ordinary high water mark and are not located within a channel migration zone.*

B. Aquaculture Regulations

Rebecca asked the commission if “should” needs to be replaced with “shall” in this section. Kristy and Steve pointed out that shall is more definitive, while should is more loose. It was decided that shall would replace should. The definition of the word “expanded” within aquaculture was questioned by Teri King. Rick Mraz and Grace Miller explained that expansion happens when additional area that was not approved in the original permit guidelines is used. Rebecca stated that if you expand beyond the footprint that you were permitted for, it would be considered expansion. Teri said that the Department of Fish and Wildlife would define that growth as a new farm. Rick gave an example saying that an owner with a permit for clams and oysters who wanted to add geoduck on the same parcel would actually be expanding within the eyes of the county. Teri said that normally on a permit, all allowed species would be listed to prevent this issue. Vicki said that when she gets her permits from the Corps, she has to specify what she will be planting. If that changes, even to add a species, she would have to reapply. The PAC agreed that they were not getting results at this time and that this topic would be better discussed when all members were present.

Steve asked if the present community members had any specifics to address before the meeting was adjourned. Darrell Wells addressed the waves on Mason Lake discussed by the Sheriff. He said the sheriff stated that enforcement on waves cannot be done because there is no ordinance in Mason County regarding wake. Grace said this would actually be a question for the County Commissioners because the sheriffs would be the department that could enforce that ordinance and would need to be a part of working alongside the Commissioners to create that ordinance.

Steve asked if the PAC felt that suspending this meeting would be ideal due to the fact that after 8:00 pm there would not be a quorum. Vicki added that because they are working on aquaculture she would be more comfortable having Bill Dewey present due to his experience and knowledge. She quickly added that there was some missing language she would like to see revised:

B. Aquaculture Regulations

3. Commercial Geoduck Aquaculture

(j.) Conditional Use Permits shall include monitoring and reporting requirements necessary to verify that geoduck aquaculture operations are in compliance with permit limits and conditions set forth in conditional use permits and to support cumulative impacts analysis. The County should consider the

reporting and monitoring conditions of other permitting agencies, if available, before adding additional conditions to a permit.

6. New Business

Dates for the next meetings were assigned. Monday, May 11th and Monday, May 26th 2015.

7. Adjournment

At 7:48 pm, Steve made a motion to suspend. Motion seconded by Vicki. Meeting adjourned.