

PLANNING ADVISORY COMMISSION AGENDA

August 29, 2022 (5th Monday)

Mason County Building 1 - Commission Chambers via [ZOOM](#)
411 N. 5th Street, Shelton, WA 98584

1. 6:00pm - Call to Order

- a. Roll Call
- b. Approval of Meeting Summary- July 18, 2022 Regular Meeting
- c. Approval of Changes to Agenda by Commissioners or Staff (if any)
- d. Conflict of Interest Inquiry
- e. Next Meeting Date – September 19, 2022
- f. Committee/Staff Updates
- g. Other Business

2. Public Comment on topics associated with the mission of the Planning Commission for which a public hearing is not being held. Please limit comments to 3 minutes.

WORKSHOP: Amendments to several chapters within Mason County Title 17 – Zoning Code. This workshop is intended to review revisions to several chapters within title 17 zoning code with the goal of clarifying regulations, cleaning up redundancies, and recommending updates. This particular workshop will review the code pertaining to the UGAs and review potential language regarding the requirement for development to hook up to a public water system when certain criteria are met.

What is the Planning Commission?

The Mason County Planning Commission is a citizen advisory commission that is appointed by and advisory to the Mason County Commission on the preparation and amendment of land use plans and implementing ordinances such as zoning.

- The actions tonight are not final decisions; they are Commission recommendations to the Board of County Commissioners who must ultimately make the final decision. If you have any questions or suggestions on ways the Planning Commission can serve you better, please contact the Planning Office at 360-427-9670.

Americans with Disabilities Act (ADA) accommodations will be provided upon request, with reasonable, adequate notice.

For information on how to attend this virtual public meeting, please contact Mariah Frazier at mfrazier@masoncountywa.gov or at (360)427-9670 x365

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STAFF REPORT

RE: Amendment to several chapters within Title 17 – Zoning Code. This workshop focuses on chapters 17.03 through 17.06, 17.10-17.15 Allyn UGA code, and 17.20-17.35 Belfair UGA code. We will also be reviewing potential language for the following section:

17.03.031 – Development requirements – connection to public water system required

Department: Community Development – Planning

Staff Contact(s):

Marissa Watson, Senior Planner

Ext. 367 or mwatson@masoncountywa.gov

Date: August 29, 2022

Meeting Type: Workshop

Action Requested at this Meeting: PAC review of the proposed amendments and suggestions regarding revisions so far.

Attachment(s): Title 17, chapters 17.03-17.06, 17.10-17.16 Allyn UGA code, and 17.20-17.35 Belfair UGA code.

MEETING OUTCOME

REC. APPROVAL

AYE _____

NAY _____

CONT. HEARING

OTHER _____

PROPOSED AMENDMENTS

TITLE 17, CHAPTERS 17.03 – 17.06, 17.10-17.15 ALLYN UGA, AND 17.20-17.35 BELFAIR UGA

Background

PAC, public, and staff are continuing review of Title 17 -Zoning code. This workshop will look back at chapters 17.03 through 17.06 for additional revisions, revisions of chapters 17.10-17.15 of the Allyn UGA code, and chapters 17.20-17.35 of the Belfair UGA code. The goal of this amendment is to remove obsolete code, clarify, and evaluate any contradictions that may be present within the development regulations, as well as make recommendations on revisions to the zoning code based on the changing nature of development within the County.

Staff is suggesting a couple workshops regarding the revisions in order to provide adequate time to determine the scope of the review; this portion of the code has not been reviewed and

revised in several years due to focus on mandated reviews and amendments and lack of resources, staffing, and time.

Discussion

Summary of Substantive Changes (since 7.18.22 workshop):

Note: Please reference the attached code for a redline version of ALL proposed changes.

Chapters 17.03 – 17.06

⇒ MCC17.03.031 - New section regarding development requirements – connection to public water system required. Please see redline version of the code, attached.

ASK ⇨

PAC and Public review potential language to include in MCC 17.03.031 that requires applicants to hook up to a public water system when subject property is within an existing service area. Some questions to think about...(1) Should there be potential exceptions/certain circumstances that allow for hook up to an existing Group B or individual well system when “timely & reasonable” service is not available to hook up to a Group A public water system. (2) What is the definition of “timely and reasonable”, currently RCW is referenced but doesn’t give much direction. There is also an example from Kitsap County coordinated water system plan attached that may provide an idea of what “timely and reasonable” could look like.

⇒ MCC 17.03.036 & associated figures-Buffer and Landscape requirements. The original language of this section indicates that these requirements did not apply to the urban growth areas or the rural lands, which only leaves the resource lands for application. Planners reference the “Resource Ordinance” for applicable buffers and setbacks, not MCC 17.03.036. Staff is proposing keeping some of the language of 17.03.036 and creating a section in 17.04 Rural Lands development regulations due to there currently being no standards for buffer implementation in that chapter. Staff is not proposing eliminating any standards that are currently utilized for development review and approval. This is merely positioning the needed and utilized code in a more appropriate place in the title.

⇒ MCC 17.05.025 – Temporary Signs. Several revisions to match amendments made to the Belfair UGA code in 2018. The 2018 amendments were in response to a Supreme Court Ruling in the case *Reed vs. Town of Gilbert* 2015.

- ⇒ MCC 17.06.010 – Definitions. Clarifications to several definitions to match sign code amendments that were made in 2018 as a result of *Reed vs. Town of Gilbert* (ruling). Clarifications to front, side, and rear setback and where the measurements are taken from.

MCC 17.10 – 17.1: Allyn UGA code

- ⇒ MCC 17.10.200 – Deletion of ADU definition in Allyn UGA, all zoning districts within the Allyn UGA already refer to 17.03.029 which are the ADU criteria for the County overall.
- ⇒ 17.12.140 – Addition of the use “Assisted Living Facilities” to the uses allowed with a special use permit within the village commercial district. Staff believes there is a need and interest for such facilities in this district and the use would be appropriate since village commercial allows housing and “assisted living facilities”, for the purposes of zoning, should be considered similar to residential boarding houses.
- ⇒ 17.15 – Allyn Sign Code – Several revisions to match amendments made to the Belfair UGA code in 2018. The 2018 amendments were in response to a Supreme Court Ruling in the case *Reed vs. Town of Gilbert* 2015.

MCC 17.20 – 17.35: Belfair UGA code

- ⇒ MCC 17.21.050 Prohibited uses, also 17.22.045, 17.22.095, 17.22.145, 17.23.145. Code is already written to list allowed uses, thus whatever is not listed is prohibited. Staff believes it is extraneous to have a section in the Belfair UGA for “prohibited uses”. Only one use “adult entertainment” is in this list and the code is very specific about which zone it is permitted in.
- ⇒ MCC 17.22.090 – Special uses in the R-5 district. Keeping “Hotel” as a use allowed with a special use permit, but eliminating the need for an overlay area. All issues associated with the implementation of the use in a particular area would be addressed through the special use permit process, whether there is an overlay placed on the GIS mapping or not. Creating an overlay is an extra process for a use that will have to be reviewed through a public process with a hearing examiner. A process that could have different outcomes depending on the context and public concern. Though permitted with a special use permit, it could potentially be denied, approved, or approved with conditions.

- ⇒ MCC 17.22.140 & 17.22.160– Special uses in the R-10 district. Correction to the language, festival retail district was eliminated in the Belfair EIS process. All areas mapped as festival retail district were replaced with the mixed use district. Staff is proposing eliminating the need for an “overlay area” but keeping the substantive language, such as the need for proving the general commercial areas east of the Burlington Northern railroad have been built out prior to proposing mixed used in an R-10 zone and development must comply with all bulk, dimensional, and design standards and guidelines of the mixed use district in order to allow mixed use “uses” in the R-10 district with a special use permit. The process, as stated in the previous section, is a public process with varying outcomes.
- ⇒ MCC 17.23.130 Allowed uses, also 17.24.020, 17.24.080 – movement of “Dry Cleaners and laundries, not including laundromats” to the “uses allowed with a special use permit” sections. Staff believes these “uses” need an extra level of review due to the hazardous products used in processing/cleaning and the fact that critical aquafer recharge areas are present in the Belfair UGA.
- ⇒ MCC 17.24.080 – Allowed uses in the Business Industrial district. Currently the use “Warehouse, distribution” is not listed anywhere in the Belfair UGA code, yet the intensity of the use fits the category for industrial as outlined in MCC 17.03.034 Classification of Land Uses. Staff believes it is appropriate in the Business Industrial district of the Belfair UGA and is thus recommending the addition.

MCC 17.10: Shelton UGA

Staff has reviewed the Shelton UGA code and has no recommendations for amendment at this time.

Note: We will revisit MCC 17.04 next meeting, in particular the issue of reducing the side and rear setback to twenty feet in the Rural Commercial, Industrial, Natural Resource and Tourist zones. Any issues from tonight needing follow up, will be re-reviewed at the next meeting.

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION

A SEPA checklist will be prepared, and threshold determination made once the scope of the review is determined.

PUBLIC NOTICE

Public notice requirements per MCC Title 15.07.030 implemented.

This public workshop of August 29, 2022 will be advertised in the journal (August 18 & August 25, 2022) and on the County website under the Planning Advisory Commission webpage.

REQUESTED ACTION BY PAC (WORKSHOP, NO ACTION)

Staff requests that the PAC and public review the proposed changes, provide any comments and revisions.

ATTACHMENTS

- Excerpt from Kitsap County Coordinated Water System Plan Regional Supplement 2005 Revision
- Draft Chapters 17.03 through 17.06, 17.10 – 17.15 Allyn UGA Code, and 17.20 – 17.35 Belfair UGA Code

Attachment

10.3.2 **Timelines and Reasonability of Service** State law requires that no purveyor shall establish a public water system within the retail service area of another purveyor that has been assigned through the CWSP process unless the local legislative authority determines that the existing purveyors are unable to provide the service in a timely and reasonable manner. Guidance provided by DOH regarding “timely” criteria specifies that timely service is unavailable if: The purveyor states in writing that it is unable or unwilling to provide service; or Within 120 days, the purveyor and applicant are unable to negotiate an agreement on the schedule and terms of providing service. The applicant is required to make a good faith effort to contact the designated purveyor and initiate negotiations for a service agreement. The 120-day period commences at the first meeting between the purveyor and the applicant pursuant to the USRP process described in Section 5. At the conclusion of this negotiation period, agreement to the satisfaction of both parties must be reached with written confirmation. If the applicant is unsuccessful in getting the purveyor to respond and/or meet, a certified letter to the designated purveyor requesting service will serve as evidence of the start date for the 120-day negotiation period. If an appeal is generated during the 120-day negotiation period, the procedure, discussed below, will resolve the conditions of service. The determination of whether service is timely and reasonable shall take into consideration the guidelines developed by DOH under RCW 70.116.060(3)(b) and the guidelines in Chapter 3. If a determination is made the existing purveyor will not provide that service in a timely and reasonable manner, a new public water system may be constructed in accordance with the construction standards and specifications of this Kitsap County May 9, 2005 Coordinated Water System Plan Regional Supplement 2005 Revision Section 10 - Plan Implementation 10-4 CWSP. The service area boundaries for the affected purveyors will be revised to reflect the “Appeals” decision. **Kitsap County May 9, 2005 Coordinated Water System Plan Regional Supplement 2005 Revision**

(Ord. No. 17-09, 3-3-2009)

17.02.062 Uncertainty of boundaries.

When uncertainty exists as to the boundaries of areas as indicated on the development areas map, the following rules shall apply:

- (1) All water areas, waterways, alleys, roads, streets, highways, railroads, and other rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same development area district as the property immediately abutting upon same;
- (2) Where district boundaries are indicated as approximately following the centerlines of streets, alleys, railroads or waterways, such lines shall be construed to be such boundaries;
- (3) Where district boundaries are indicated as approximately following the lines of lots or other parcels of record the lot line shall be deemed to be the district boundary;
- (4) Any development area district boundary shown extended to or into any body of water bounding the county shall be deemed to extend straight to the county boundary;
- (5) Distances not specifically indicated on the map shall be determined by applying the scale of the map, and scaled to the nearest foot;
- (6) 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.

(Ord. 35-08 Attach. A, 2008; Ord. 108-05 Attach. B (part), 2005).

17.02.064 Changes in boundaries.

- (a) Any change in any boundary shown on the development areas map shall be made by adopting an amended development areas map. The procedure for such an amendment is found in Section 17.05.079.
- (b) No change in the boundary of any development area shall be approved unless such change is found to be in compliance with the comprehensive plan.

(Ord. 108-05 Attach. B (part), 2005).

Chapter 17.03 DEVELOPMENT REQUIREMENTS

~~**17.03.010 Permitted uses, generally.**~~

~~It is the intent of this chapter to provide for the maximum amount of flexibility in the siting of differing types of land uses. For this reason, the performance standards and buffer yard requirements found at Section 17.03.036 have been developed. However, both the comprehensive plan and this chapter recognize that some uses and densities will create inherent conflicts with surrounding land uses, and with the intent of the comprehensive plan. Thus, some uses are prohibited in some areas, and the intensity of some uses (such as residential, expressed in dwelling units per acre, and industrial, expressed in floor area ratio) are restricted in others. Many of the requirements that apply to rural lands have been placed in Chapter 17.04.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

(Supp. No. 58, 2-22)

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17.03.020 Matrix of permitted uses.

The intent of this section is to assist proponents and staff in determining whether a proposed land use is consistent with the applicable policies of the comprehensive plan. Those policies were formed with the intention to allow property owners and project proponents as much flexibility as possible in the use of their property, within the constraints of the Growth Management Act. Therefore, the following matrix identifies the permitted uses in the urban or resource land areas in Mason County; note that the public should consult the specific adopted urban growth area plan for land use designation as permitted or prohibited. Permitted uses, as they apply to rural lands, have been placed in Chapter 17.04. All uses not listed as permitted uses, accessory uses, or special permit uses in the matrix or Chapter 17.04 are prohibited uses.

(Ord. 108-05 Attach. B (part), 2005).

17.03.021 Cottage industries.

Unless noted by an asterisk (*) listed in Figure 17.03.021, any use shown in Figure 17.03.020 is permitted, subject to Department review, in any development area as a home-based occupation, or as a cottage industry. The activity shall comply with the criteria in RU-524A, and shall be required to obtain a special use permit unless they it complies with the following standards:

- (1) Parking areas shall accommodate residents and employees only; any provision for additional parking shall require a special use permit;
- (2) The outdoor storage of merchandise or materials is allowed if they are not visible to the public from off the site;
- (3) A cottage industry shall involve the owner or lessee of the property who shall reside within the dwelling unit, and shall not employ on the premises more than five nonresidents. A temporary increase in the number of employees is permitted to accommodate a business that is seasonal in nature. However, not more than five additional persons shall be employed on a temporary basis (up to six weeks) without a special use permit;
- (4) More than one business may be allowed, in or on the same premises provided that all of the criteria are met for all business combined;
- (5) There shall be no alterations to the outside appearance of the buildings or premises that are not consistent with the residential use of the property, or other visible evidence of the conduct of such cottage industry, other than one sign no larger than twelve square feet.
- (6) No equipment or process shall be used in such home occupations which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the property;
- (7) The cottage industry shall not create an increase of five percent or more in local traffic.

X=Permitted Use T=permitted only as tourist-related use R=permitted only as resource based use S=special use permit required *=not allowed as cottage industry U=consult the specific adopted urban growth area plan and development regulations for land use designation as permitted or prohibited.

[PLEASE NOTE: Rural Land Uses are addressed in Chapter 17.04]

MASON COUNTY
MATRIX OF PERMITTED USES/USES PROHIBITED AS COTTAGE INDUSTRIES
FIGURE 17.03.021~~0~~

Description of Prohibited Cottage Industry Use	Land Use Classification (U)	Urban Growth Areas	Resource Areas	Agricultural Resource Lands
Accessory apartment or use	I	X	X	X
Adult retirement community	III	X		
Adult day care facility (less than 8)	II	X		
Adult day care facility (greater than 8)	III	X		
Agricultural buildings	I		X	X
Agricultural crops; orchards	I		X	X
Airport*	VI	X		
Ambulance service	V	X		
Animal hospital	V	X		
Aquaculture	IV	X	X	X
Assisted living facility*	III	X		
Auction house/barn (no vehicle or livestock)	V	X		
Automobile service station*	V	X		
Automobile wash*	V	X		
Automobile, repair	V	X		
Automobile, sales*	V	X		
Bakery	IV	X		
Banks, savings and loan assoc.*	IV	X		
Bed and breakfast	IV	X		X
Bicycle paths, walking trails	II, I	X	X	X
Billiard hall and pool hall*	V	X		
Blueprinting and photostating	V	X		
Boat yards*	V	X		
Bowling alley*	II	X		
Buy-back recycling center*	V	X		
Cabinet shops (see Industry, light)	V	X		
Carpenter shops (see Industry, light)	V	X		
Carport (accessory use)	I	X	X	X
Cemeteries*	I	X		
Child day care, commercial*	II	X		
Child day care, family	I	X	X	
Church	II	X		
Non-profit club or lodge, private*	IV	X		
Commercial outdoor recreation	II	X		
Confectionery stores (see Retail sales)	IV	X		
Contractor yards	V	X		
Convenience store, 3,000-sf or less	V	X		
Cottage industries	IV	X	X	X
Department stores (see Retail sales)*	V	X		
Distributing facilities (see Industry, light)	V	X		
Drug stores (see Personal services)*	V	X		
Dry cleaners (see Personal services)*	V	X		

Dwelling, multi-family (4 family or less)*	II	X		
Dwelling, multi-family (5 family or greater)*	III	X		
Dwelling, single-family	(See Figure 17.03.034)	X	X	X
Educational learning center	II	X	X	S
Electric/neon sign assembly, servicing/repair	V	X		
Espresso stands	IV	X		
Fire stations*	IV	X	S	S
Flea market	V	X		
Food markets and grocery stores*	V	X		
Forestry	VI		X	X
Freight terminal, truck*	V	X		
Fuel storage tanks (underground, >500 gal.) (accessory use)	I	X	X	X
Fuel storage tanks (underground, 500 gal. or less) (accessory use)	I	X	X	X
Fuel storage tanks, above ground (accessory use)	I	X	X	X
Furniture repair (see Industry, light)	V	X		
Garage, private (accessory to dwelling)	I	X	X	X
Garage, public parking	V	X		
Gravel extraction*	VI		R	
Greenhouses, private and noncommercial	I	X	X	X
Group homes	III	X		
Hardware stores 3,000 sf or less	IV	X		
Hardware stores * more than 3,000 sf*	V	X		
Health club*	V	X		
Heavy industry*	VI	X		
Home occupation	I	X	X	X
Horticultural nursery, wholesale and retail	IV	X	X	X
Hospitals*	V	X		
Hotel*	IV	X		
Industry, light	V	X		
Inn	IV	X		
Kennels	IV	X		X
Libraries*	II	X		
Liquor stores*	V	X		
Livestock	IV		X	X
Locksmiths	IV	X		
Logging	VI		R	R
Lumber yards*	V	X		
Machine shops, punch press up to 5 tons (see Industry, light)	V	X		
Marina*	V	X		
Medical-dental clinic	IV	X		
Mining*	VI		R	
Mobile home park*	III	X		
Mobile home sales*	V	X		

Mortuaries*	IV	X		
Motel*	IV	X		
Motor vehicle impound yards (see Section 17.03.105)*	V	X		
Non-automotive, motor vehicle and related equipment sales, rental, repair and service	V	X		
Paint shop (see Industry, light)*	V	X		
Parcel service delivery (see Industry, light)	V	X		
Parking area, private	I	X	X	X
Parking area, public	IV	X		
Pasture	I		X	X
Pesticide application service (see Industry, light)	V	X		
Pet shop	IV	X		
Plumbing shop (see Industry, light)	V	X		
Plumbing supply yards (see Industry, light)*	V	X		
Post office, branch or contract station	H	X		
Post office, distribution center or terminal*	V	X		
Printing establishments	V	X		
Professional offices	IV	X		
Public parks	H	X	X	X
Public utility offices	I	X		
Public utility service yard*	V	X		
Radio and TV repair shops	IV	X		
Radio and TV transmission towers (incl. cellular phone towers)*	IV	X		
Rail-dependent uses*	VI	X		
Recreational vehicle park*	H	X		
Recreational vehicle repair*				
Resource-based industry	VI	X	R	
Restaurant*	V	X		
Restaurants, drive-through*	V	X		
Rifle range*	VI			
Sawmills	VI	X	R	
Schools, private, elementary or secondary	H	X		
Secondhand store	V	X		
Self-service storage facility*	V	X		
Signs		X	X	X
Shoe stores or repair shop	IV	X		
Small engine repair	V	X		
Special needs housing	III	X		
Stable	IV		X	X
Stationary store (see Retail sales)	IV	X		
Studios (i.e., recording, artist, dancing, etc.)	IV	X		
Taverns*	V	X		
Theaters, enclosed*	V	X		
Tool sales and rental	V	X		
Tourist-related uses	V	X		

Trailer-mix concrete plant* (resource-dependent use)	∕		R	
Upholstering	∕	×		
Video store (rental, not adult) >3,000-sf*	∕	×		
Video store (rental, not adult) 3,000-sf or less	∕	×		
Vocational school	H	×		
Warehousing	∕	×		
Welding shops and sheets metal shops	∕	×		
Wholesale	∕	×		
Wrecking/junk yards*	∕	×		

(Ord. 73-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005; Ord. No. 134-08, 12-16-2008)

17.03.022 Electric vehicle infrastructure.

- A. Purpose. This section provides opportunities for electric vehicle infrastructure for all zoning districts in the county. These regulations are intended to:
1. Provide adequate and convenient electric vehicle charging stations to serve the needs of the traveling public;
 2. Provide opportunities for Mason County residents to have safe and efficient personal electric vehicle charging stations located at their place of residence; and
 3. Provide the opportunity for commercial and industrial projects to supply electric vehicle charging station services to their customers and employees.
- B. Applicability.
1. Electric vehicle infrastructure is permitted, as follows:
 - a. Electric vehicle charging stations equipped with level 1 or level 2 charging equipment as an accessory use in all zoning districts.
 - b. Rapid charging stations also known as level 3 charging in urban growth areas within village commercial, tourist commercial, highway commercial, business park, public facility, planned development, festival retail, mixed use, general commercial, business industrial, low intensity mixed use, commercial-industrial, airport industrial, industrial, public institutional, zones.
 - c. Battery exchange stations in urban growth area industrial zones including: business industrial, commercial-industrial, airport industrial, and other industrial zones.
- C. Definitions. For the purposes of this section, the following definitions shall apply:

Battery exchange station	"Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540.
Charging levels	"Charging levels" means the standardized indicators of electric force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common electric vehicle charging levels, and include the following specifications.

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(Supp. No. 58, 2-22)

	<ul style="list-style-type: none"> • Level 1 is considered slow charging (120-volt AC). • Level 2 is considered medium charging (208- or 240-volt AC). • Level 3 is considered fast or rapid charging (480-volt AC).
Electric vehicle	<p>"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for locomotive purpose. "Electric vehicle" includes:</p> <ul style="list-style-type: none"> • battery electric vehicle; • plug-in hybrid electric vehicle; • neighborhood electric vehicle; and • medium-speed electric vehicle.
Electric vehicle charging station	<p>"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle, consistent with RCW 46.08.185.</p>
Rapid charging station	<p>"Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.</p>

D. General Requirements. Installation of electric vehicle infrastructure must be consistent with the rules for electric vehicle infrastructure requirements adopted by the State Building Code Council and the Department of Labor and Industries for the installation of electric vehicle infrastructure. All wires and equipment that convey electric current and any equipment to be operated by electric current must be consistent with the standards in RCW 19.27.540 and 19.28.281.

E. Process.

1. An application to establish electric vehicle infrastructure must obtain an electrical permit through Washington State Department of Labor and Industries.
2. Battery exchange stations that are an addition to an existing use require a site plan review process consistent with Mason County Code Section 17.05.046.
3. New battery exchange stations require a review process consistent with Mason County Code Section 8.48.050.

(Ord. No. 23-19, Att. B, 3-19-2019)

~~**17.03.024 Residential uses as special uses.**~~

~~On any lot abutting a railroad track or airport, a special use permit shall be required for a residential use of that property. A residential dwelling located more than one hundred fifty feet from such a facility shall be exempt from this requirement, if the lot upon which the dwelling is to be placed is located within an urban growth area.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.03.025 Provisions for airports.

- (a) Airports and heliports are a land use suitable for location within an urban growth area and are not allowed as a cottage industry to another land use in the rural area.
- (b) Airport overlay zones set out the standards for appropriate land uses and structure heights within that overlay zone.
- (c) Proposals to expand airport operation land uses or to develop new land uses in the airspace and approach corridors shall be reviewed for compliance with subarea planning development standards and with the policies of port comprehensive planning.
- (d) Airplane landing strips and helistops used for commercial or industrial land uses may be allowed with a special use permit in rural tourist and rural industrial zones, are allowed in the rural natural resources zone, but are not otherwise allowed in the rural area.

(Ord. 108-05 Attach. B (part), 2005).

~~17.03.028 Essential public facilities.~~

~~Essential public facilities shall require a special use permit in any development area.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.03.029 Accessory dwelling unit requirements.

In rural lands, accessory dwelling units (ADU) must meet the following requirements:

- (1) The ADU shall be subject to a special use permit, unless in the shoreline jurisdiction, it is subject to a shoreline permit;
- (2) In shoreline jurisdiction, the owner of the ADU must reside on the lot in either the principal residence or ADU;
- (3) The ADU shall be located on the lot of the principal residence or shall be a conversion of an existing detached structure (i.e. garage);
- (4) The ADU shall not exceed eighty percent of the area of the primary residence or one thousand two hundred (1,200) square footage-feet, whichever is smaller. An existing residence can be converted to an ADU with the development of a new primary residence, the ADU shall be no more than eighty percent of the area of the primary residence and up to one thousand five hundred (1,500) square feet of the habitable area of the primary residence or one thousand feet, whichever is smaller;
- (5) All setback requirements must be met by the ADU;
- (6) All applicable health district standards for water and sewer must be met by the ADU;
- (7) No recreational vehicles shall be allowed as ADU;
- (8) Only one ADU is allowed on any property;
- (9) An additional off-street parking space must be provided for the ADU.

(Ord. 108-05 Attach. B (part), 2005; Ord. No. 2022-006, Att. B, 1-18-2022)

17.03.030 Development requirements and performance standards.

The following development requirements and performance standards apply to all property proposed for development, which is within the boundary of Mason County's Urban Growth Areas (UGA). No development approval shall be given, and no building permit shall be issued, unless the proposed development complies with the provisions of this chapter.

(1) New Lots.

(a) No new lots will be created within the boundaries of the Belfair, Shelton, and Allyn UGAs, which employ individual or community/group on-site sewage disposal systems except when the following circumstances may apply:

- (i) Use of on-site sewer systems as a transitional strategy where there is a development phasing plan in place (see WAC 365-195-330 [WAC 365-196-330]); or
- (ii) To serve isolated pockets of urban land difficult to serve due to terrain, critical areas or where the benefit of providing an urban level of service is cost-prohibitive; or
- (iii) Where on-site systems are the best available technology for the circumstances and are designed to serve urban densities

~~(b) All residential subdivisions created after the adoption of this chapter shall have a maximum residential density of four units per gross acre in the R-4 zone and five units per gross acre in the R-5 zone consistent with MCC 17.22.010 and MCC 17.22.060. The R-10 zone shall have a minimum density of ten units per net developable acre as described in 17.22.110.~~

(be) Location of sewer lines will be prelocated and easements established in conformance with the sewer analysis plan and as illustrated on the Belfair UGA Build-Out Sewer Connection Map.

(2) Existing Lots of Record.

(a) No new development or redevelopment on existing lots of record in the Belfair, Shelton, and Allyn UGAs shall be allowed using individual or community/group on-site septic systems except that:

- (i) New development or redevelopment using an existing (as of April 8, 2008) approved on-site or community/group system may be allowed provided that no expansion of the capacity of on-site system is needed to serve the redevelopment and provided that the public sewer system has not been extended to within two hundred feet of the property line; and
- (ii) New development or redevelopment of lots, within the Belfair, Shelton, and Allyn UGAs, existing as of August 2, 2011, wherein sewer has not been extended to within two hundred feet of the property line may seek approval for on-site septic system when:

- (1) It complies with all requirements and specifications of the Mason County Department of Community Services Environmental Health, and the Mason County Department of Utilities and Waste Management, and
- (2) A binding site plan is submitted which provides for future sewer pipelines and other utilities in accordance with the Belfair UGA Build-Out Sewer Connection Map, and
- (3) Demonstrates that development at the minimum density allowed within the zone could be achieved once public sewer and/or water would be available to serve the project site, and
- (4) Development of the site shall be consistent with the approved site plan. The director may allow minor modification to the site plan, provided that all other regulations and conditions placed on the approval are met, and

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- (5) Reserved.
 - (6) Reserved.
 - (7) Payment of the Belfair sewer Capital Facilities Charge (CFC) in effect at the time of commencement of utilization of the onsite septic system (s),
 - (i) Should sewer connections not become available within two hundred feet from the property line over a period of ten years from initial installation of the septic system, the customer is entitled to a refund of CFC.
 - (ii) The refund shall be calculated from date of installation and shall include the original CFC charge plus interest calculated at two percent per year or based on the consumer price index whichever is lower for the time period.
 - (iii) If the customer elects to receive the refund and sewer becomes available later, the customer would pay the CFC in effect at the time sewer becomes available.
and
 - (8) Agreement to decommission the onsite septic system and connect to public sewer within ninety days of the public sewer system extending to within two ~~five~~ hundred feet of the subject property's nearest property line. The cost of any connection/extension required will be borne by the property owners. The developer of an extension may collect reasonable latecomer's fees for off-site improvements.
 - (9) If a large onsite septic system (LOSS) is constructed in the Belfair UGA to serve development prior to sewer becoming available, the county shall be designated as the operator of the LOSS in order to establish a billing relationship with those served properties and to enable components of the LOSS to be repurposed as a lift component for connection to sewer.
 - (10) Subdivisions developed within the UGA but not served initially by sewer will install sewer mains as an element of road and water system construction. Capital facilities charges shall be waived for such a development until sewer is available within two hundred feet.
 - (b) All residential, industrial and commercial structures, currently using on-site disposal systems, will be required to connect to public sewers once a public system is extended to within two ~~five~~ hundred feet of the closest property line regardless of the timing of the original on-site installation. The cost of any extension required will be borne by the property owners. The developer of an extension may collect latecomer's fees for off-site improvements.
 - (c) All existing permits for the installation of on-site systems, which have been approved but have not been installed, shall be declared void at such time the sewer is within two hundred feet of the closest property line.
 - (3) Existing Lot Consolidation or Boundary Adjustment. Within the Belfair, Shelton, and Allyn UGA, consolidation of existing residential lots to form a single lot greater than eight thousand square feet will not be allowed except to the extent that site conditions and site constraints impede the individual development of the lots combined by the consolidation, in accordance with subsection (2) above.

(Ord. 59-08 Attach. A (part), 2008: Ord. 45-08 Attach. A (part), 2008: Ord. 30-08 Attach. (part), 2008: Ord. 91-07 (part), 2007: Ord. 10-07 (part), 2007: Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 16-09, 3-3-2009; Ord. No. 55-12, Att. A, 7-10-2012; Ord. No. 46-17, 8-1-2017; Ord. No. 23-19, Att. A, 3-19-2019)

17.03.031 ~~Binding site plan required in the Belfair UGA (Southern Connection—Long term UGA Zone), Development requirements – connection to public water system required.~~

- ~~(a) No new individual or two-party private sources shall be located in areas where water is available from an existing public water system or within the service area of an existing public water system.~~
- ~~(b) Alternative water service shall be permitted on an interim basis, only if service from a public water system cannot be provided in a timely and reasonable manner as provided in RCW 43.20.260 and 70A.100.060 or with reasonable economy and efficiency as provided in RCW 19.27.097.~~
- ~~(1) Interim water service from an existing Group B public water purveyor or the development of an individual well may be allowed with the following findings:~~
- ~~(A) The applicant has submitted verification in writing of water availability from the water system Group A or B purveyor, as well as a letter from the same purveyor that demonstrates (to whom?) that receiving water from the purveyor at the time of construction is infeasible and thus cannot be provided in a timely and reasonable manner as provided in RCW 43.20.260 and 70A.100.060 or with reasonable economy and efficiency as provided in RCW 19.27.097.~~
- ~~(B) The applicant has provided a certificate of future connection from the appropriate Group A water purveyor that certifies that an irrevocable agreement has been entered into with the purveyor providing that the property shall be connected to the purveyor's water system upon availability of such water service and that the property owner shall pay all costs of connection. The applicant agrees to decommission any well that is abandoned in the process of connection to a Group A water system in conformance with applicable state law. This certificate shall be recorded in the real property records of Mason County and shall be a permanent condition on the property running with the land until such time as the costs for connection are fully paid to the purveyor; and~~

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- ~~(a) Within the Southern Connection—Long term UGA Zone development may be allowed with the use of an on-site system when:~~
- ~~(1) Complies with the applicable health regulations and other Mason County building regulations; e.g. critical areas, stormwater management, etc.~~
- ~~(2) A binding site plan is submitted which provides for future sewer pipelines and other utilities in accordance with the Belfair UGA Build-Out Sewer Connection Map.~~
- ~~(3) Demonstrates that development at the minimum density allowed within the zone could be achieved once public sewer and/or water would be available to serve the project site.~~
- ~~(4) The development density does not exceed one unit/five acres.~~
- ~~(b) The binding site plan prepared under this section and reviewed and approved by the director, shall address the following: buffers, landscaping, traffic access and parking standards, sewage disposal provisions, height and scale in relation to surrounding uses and future uses, vegetation removal, stormwater, potable water, and lot coverage.~~
- ~~(c) Development of the site shall be consistent with the approved site plan. The director may allow minor modification to the site plan, provided that all other regulations and conditions placed on the approval are met.~~

~~(Ord. 59-08 Attach. A (part), 2008; Ord. 45-08 Attach. A (part), 2008; Ord. 30-08 Attach. (part), 2008; Ord. 91-07 (part), 2007; Ord. 10-07 (part), 2007; Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 118-08, 11-4-2008)~~

17.03.032 Development densities and dimensional requirements.

- (a) Development Densities. Development densities for residential development are calculated as the allowed number of dwelling units per acre (DU/ac). ~~For nonresidential development, development densities are calculated as the amount of building floor area allowed per gross acre of land, the "floor area ratio" (FAR).~~ For all development areas within the county, ~~these~~ development densities ~~are shown in Figure 17.03.032 or~~ are included in Chapter 17.04 for rural lands ~~and Chapter 8.52 for resource lands.~~
- (b) This chapter regulates residential lot development through the use of standard residential density limits and maximum residential density limits, as contained in ~~Figure 17.03.032 and~~ Chapter 17.04. The standard residential density shall be applied as follows:
- (1) On a lot existing at the time of the initial adoption of this chapter (June 17, 1998) and otherwise suitable for residential use, the standard residential density limit is used to determine the allowed number of dwelling units on the site. For example, in the Rural Residential 5 Zone the standard residential density is one dwelling unit per five acres. Therefore, a lot of five acres would comply with the standard residential density requirement for one dwelling;
 - (2) If the existing lot does not have an adequate area to comply with the applicable standard residential density requirement, then one dwelling unit may be allowed. For example, in the rural activity centers the standard residential density is one dwelling unit per two and one-half acres. Therefore, if a lot was less than two and one-half acres, a dwelling unit may be allowed, provided that the lot could comply with all other applicable standards and requirements;
 - (3) (A) Except through an approved subdivision or performance subdivision, pursuant to Mason County Code Title 16, or through the provisions of subsection (b)(3)(B), (3)(C), or (3)(D) of this section, no residential lot of less than the standard residential density may be created or reduced in size ~~except through the provisions of subsection (b)(3)(C)(iv).~~ The allowed residential density (allowed number of dwelling units) of the entire original property is allocated to the lots created. For example, in the Rural Residential 5 Zone, the standard residential density is one dwelling unit per five acres. Therefore, a rural area property or parcel of twenty acres might be divided into three lots of two acres each and one lot of fourteen acres, provided that the fourteen-acre lot would have the right to only one dwelling, and could not be further subdivided for residential purposes;
- (B) ~~—~~If a lot has more than one, but not more than four existing residential dwellings, then ~~the~~ e administrator may approve the division of the lot in a manner that establishes each dwelling on a separate lot. Provided that:
- (i) Any new lot created by this method shall be considered a conforming lot,
 - (ii) The provisions of this section shall apply only to lots and dwellings that were legally created and built,
 - (iii) The provisions of this section shall not apply to dwellings that were permitted as accessory dwellings or temporary dwellings,
 - (iv) In approving such a subdivision of land, the director shall make the following determinations:
 - a. Each dwelling shall have access by frontage or easement to a public way,

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- b. Each dwelling shall be connected to a septic system or sewer line adequate to serve the dwelling,
 - c. Each dwelling shall be served by a sufficient supply of potable water, and
 - d. The division of land shall occur in a manner that minimizes any nonconformity related to minimum lot size or setback requirement;

(C) Boundary Line Adjustments.

- (i) Boundary line adjustments to existing lots in rural residential districts may reduce the size of a lot that is already nonconforming as to density provided that the lot is not reduced below the minimum lot size of two acres;
- (ii) Boundary line adjustments in rural residential districts for existing lots under two acres may reduce the size of the existing nonconforming lot, provided that:
 - a. The adjustment is solely for the purpose of resolving issues of encroachments by buildings or other improvements; the administrator finds sufficient evidence of the encroachment and the proposed adjustment is the minimum necessary to resolve the issue, or a court must order the change; and the resulting lot has a sufficient area and dimension to meet minimum requirements for width and area for a building site and comply with all setback, buffer, and open space requirements to accommodate a residence, driveway, parking, and, where required, a well, stormwater system, and septic system and reserve area, or
 - b. The new boundary recognizes a logical physical boundary or condition; the net reduction does not exceed twenty percent of the area of the lot; and the resulting lot has a sufficient area and dimension to meet minimum requirements for width and area for a building site, exclusive of all setback, buffer, and open space requirements, to accommodate a residence, driveway, parking, and, where required, a well, stormwater system, and septic system and reserve area;
- (iii) Boundary line adjustments in rural residential districts may reduce the size of a lot currently two acres or larger to below the minimum lot size of two acres, provided that: the adjustment is solely for the purpose of resolving issues of encroachments by buildings or other improvements; the administrator finds sufficient evidence of the encroachment and the proposed adjustment is the minimum necessary to resolve the issue, or a court must order the change; and the resulting lot has a sufficient area and dimension to meet minimum requirements for width and area for a building site, exclusive of all setback, buffer, and open space requirements, to accommodate a residence, driveway, parking, and, where required, a well, stormwater system, and septic system and reserve area;
- (iv) Boundary line adjustments in the Rural Residential 5, 10, and 20 districts may reduce the size of a lot to below the development density standard (5, 10, or 20 acres), provided that development density is not increased. For, example, in a Rural Residential 5 zone, a BLA between a 5 acre lot and a 7 acre lot cannot create a two-acre lot (minimum allowed lot size) and a 10 acre lot as the 10 acre lot would appear to have additional density;- the adjustment is solely for the purpose of resolving issues of encroachments by buildings or other improvements; the administrator finds sufficient evidence of the encroachment and the proposed adjustment is the minimum necessary to resolve the issue, or a court must order the change; and the resulting lot has a sufficient area and dimension to meet minimum requirements for width and area for a building site, exclusive of all setback,

~~buffer, and open space requirements, to accommodate a residence, driveway, parking, and, where required, a well, stormwater system, and septic system and reserve area;~~

- (v) The administrator may allow expansion of existing lots through boundary line adjustments into adjoining land use districts without requiring compliance with lot size or density requirements of the adjoining district, provided that the adjustment is solely for the purpose of resolving issues of encroachments by buildings or other improvements. In order to approve the adjustment, the administrator must find sufficient evidence of the encroachment and the proposed adjustment is the minimum necessary to resolve the issue, or a court must have ordered the claim. The administrator shall keep a docket of such approvals for consideration as map amendments at the next annual review;
 - (vi) When land is transferred from an existing lot that does not meet the density requirement to another lot under this provision, no rights to increase density are transferred with the land;
 - (vii) Where one or more property owner(s) own two or more adjacent lots which are all deemed buildable by Mason County, and of which at least one is conforming in size, Mason County may approve a boundary line adjustment that results in the same number of conforming lots and does not create any lot less than the size of any original nonconforming lot;
- (D) When property is acquired in fee ownership by the public for public purposes by condemnation or other means:
- (i) No existing lot shall be reduced in dimension or area such that it does not have an adequate area, exclusive of all setback, buffer, and open space requirements, to accommodate a residence (or other building where residential use is prohibited), driveway, parking, and, where required, a well, stormwater system, and septic system and reserve area;
 - (ii) No rural residential district lot shall be divided in such a manner that the total number of residential units allowed after the acquisition would be greater than the total number of residential units allowed prior to the acquisition, but outlots may be created; and
 - (iii) Acquisition of an easement for road right-of-way does not divide the property.
- (4) Title 16, Mason County Code, regulates land divisions in Mason County and establishes a review process by which all applicable regulations can be addressed. The allowable size and configuration of any given lot in a land division is determined through this process. Issues to be considered in establishing a minimum size for any particular lot shall include adequate provisions for buffer yards ~~and, as setbacks as~~ set forth in ~~Section 17.03.036 or setbacks~~ in Chapter 17.04.
- (5) Redesigning an undeveloped plat or groups of contiguous lots:
- (A) Defining the Number of Lots Involved. In existing (as of June 17, 1998) contiguous lots in rural areas that are principally undeveloped, owner(s) may plat or re-plat the contiguous lots and may preserve some of the allowed density of the nonconforming existing lots as follows:
- (i) For the nonconforming lots, one lot for every four existing lots, or one lot per two and one-half acres, whichever is the greater number of lots; provided that existing lots greater than two and one-half acres shall not count for more than one lot in the proposed plat or re-plat;
 - (ii) For conforming lots that are included in the plat or groups of contiguous lots, the acreage of those lots is as determined by the density allowed in the designated zone. Areas

proposed to be dedicated for public roads are to be included in the two and one-half acres per lot standard for determination of the number of lots allowed in the re-plat of lot layout.

- (B) Criteria for Proposed Lot Design for Lots Less Than Two Acres in Size. The layout of lots that are less than two acres in size set forth in subsection (b)(5)(A) of this section should use the following standards:
- (i) Designation of Primary Conservation Areas (When Present). Primary conservation areas, as defined in M.C.C. Title 16, Plats and Subdivisions, shall be clearly identified, and shall be set aside as permanent open space. Primary conservation areas shall be included in the calculation of both standard and maximum density allowed, but they shall not be used in calculating the percentage of permanent open space required;
 - (ii) Designation of Secondary Conservation Areas (When Present). Secondary conservation areas, as defined in M.C.C. Title 16, Plats and Subdivisions, shall be identified and shall, to the greatest extent possible, be avoided as development areas. At least ten percent of the buildable area of the property be set aside as permanent open space. Buildable area excludes primary conservation areas, but includes secondary conservation areas;
 - (iii) When applicable, the design of an open space area should address the following:
 - a. Interconnection with designated open space on abutting properties,
 - b. The preservation of important site features, such as rare or unusual stands of trees, unique geological features, or important wildlife habitat,
 - c. Direct access from as many lots as possible within the development,
 - d. Minimizing the fragmentation of the open space areas. To the greatest extent possible, the designated open space should be located in large, undivided areas, and
 - e. A curvilinear roadway design which minimizes the visual impact of houses as may be seen from the exterior of the site;
 - (iv) When applicable, the design of the proposal should avoid the following:
 - a. The interruption of scenic views and vistas,
 - b. Construction on hill tops or ridge lines,
 - c. Direct lot access or frontage on existing public ways,
 - d. A "linear" configuration of open space (except when following a linear site feature, such as a river, creek or stream);
 - (v) Lots intended for residential use of less than twenty thousand square feet area are not allowed; and
 - (vi) Residential lots shall be grouped into clusters of two to eight lots with an open space separation of at least one hundred feet between clusters.
- (C) Transfer of Density Derived from this Review. Upon analysis of all of the opportunities and constraints identified on a specific group of parcels of land, if it is determined that the use of the provisions set forth in this chapter will not result in the use of the maximum density allowed, then the applicant shall have the right to transfer any unused development density to any parcel of land located in an urban growth area. By use of this transfer right, maximum density allowed in the urban growth area may be exceeded by up to fifty percent.

(c) — Dimensional Requirements. Dimensional requirements include setbacks, building height restrictions, and maximum allowed lot coverage. These requirements for each development area are set forth in Figure 17.03.032; consult the specific adopted urban growth area plan for density and dimensional requirements for the applicable zone designation.

Maximum height restrictions shall not apply to storage silos, antennas, transmission towers, water tanks on lands in all zones and on resource lands; and shall not apply to incineration facilities, boilers, electrical or generating plants, or industrial facilities on lands zoned as industrial areas.

Figure 17.03.032 Development Densities; Dimensional Requirements

Description of Use	Standard Residential Density	Maximum Residential Density	Standard Non-Residential Density*** (Floor Area Ratio)	Maximum Building Size	Maximum Building Height	Setback Requirements
Shelton Urban Growth Area (U)	4 du/ac	8 du/ac	1:1.5	n/a	35'	**
Belfair Urban Growth Area (U)	4 du/ac	6 du/ac	1:1.5	n/a	35'	**
Allyn Urban Growth Area (U)	4 du/ac	6 du/ac	1:2	10,000 sf (2)	35' (1)	**
Mineral Resource Areas (x)	1 du/40 ac	1 du/40 ac	n/a	n/a	35'*	**
Agricultural Resource Lands (x)	(a)	(a)	1:20	n/a	35'*	**
In-Holding Lands	1 du/5 ac	1 du/5 ac	1:20	10,000 sf	35'*	**

U = consult the specific adopted urban growth area plan and development regulations for density and dimensional requirements for the applicable zone designation.

FOR DEVELOPMENT STANDARDS IN RURAL AREA, SEE CHAPTER 1.04

* ;hg;resource based activities are exempt from this requirement

** ;hg;see buffer yard standards

*** ;hg;fire stations exempt from this requirement

(1) ;hg;except that the maximum building height in the Allyn UGA is 25 feet East of State Highway 3 between Wade Street and Evans Street (which is known as Lakeland Drive)

(2) ;hg;may be increased to 20,000 sf with a Special Use Permit

(x) ;hg;clustering of residential development is required

(a) ;hg;see the density provisions of Section 17.03.037

(Ord. 108-05 Attach. B (part), 2005)

17.03.033 Performance-based density bonuses.

Where they are greater than the standard residential densities, the "Maximum Residential Densities" shown in Figure 17.03.032 and in Chapter 17.04 may be achieved only through the use of the performance standards set forth in this chapter and in Title 16, or through the provisions contained in Section 17.03.037 of this chapter. These standards are designed and intended to encourage the preservation of the character of the land surrounding the proposed land use. The achievement of these bonuses will, in most cases, require an analysis of the land to document existing conditions, opportunities and constraints. Use of this information will assist in determining the most appropriate development pattern for each individual site.

(Ord. 108-05 Attach. B (part), 2005).

17.03.034 Classification of land uses established.

In order to determine the compatibility of differing land uses, and to minimize the impacts that development may have on abutting property, all land uses permitted in Mason County are classified into six categories. Those categories are illustrated in Figure 17.03.034.

**Figure 17.03.034
CLASSIFICATION OF LAND USES**

Category I

Open Space

- Passive recreation areas
- Walking or hiking trails
- Cemeteries

Residential, Type I

- Detached, single-family dwelling; 1 du/20 ac. or greater
- Accessory apartment
- Home occupation
- Child day care, family

Agriculture, Type I

- Crops
- Orchards
- Vineyards
- Pasture
- Farm stands
- Greenhouses, no sales to the public

Category II

Residential, Type II

- Detached, single-family dwelling; 1 du/ac. to 1 du/20 ac.

-
- Two to four-family dwelling; 1 du/ac. or greater

Public Institutional

- Schools
- Churches
- Libraries
- Post Offices

Recreation

- Parks
- Active recreation areas
- Bicycle/equestrian trails

Group Care Facilities, Type I

- Adult-day care facility
- Child day care, commercial
- Group homes

Lodging, Type I

- Campgrounds
- RV parks
- Bed and Breakfast, 12 or fewer guest rooms
- Vacant land

Category III

Residential, Type III

- Attached or detached single-family dwellings, more than 1 du/ac
- Multi-family dwellings
- Mobile home parks

Group Care Facilities, Type II

- Adult retirement communities
- Assisted living facilities

Category IV

Lodging, Type II

- Bed and Breakfast
- Motel
- Boarding House
- Hotel

Commercial, Type I
(hours of operation limited to 7:00 a.m. to 8:00 p.m.)

- Professional offices
- Retail, less than 10,000 s.f.
- Medical clinics
- Banks

Agriculture, Type II

- Greenhouses
- Nursery yards
- Livestock
- Kennels
- Parking Areas, Lots
- Cottage Industries

Category V

Commercial, Type II

- Retail, general
- Hospitals
- Animal clinics
- Automobile service station
- Vehicle sales
- Vehicle repairs
- Auction house
- Contractor yards
- Home and garden centers
- Health clubs
- Wholesale
- Boat yards/marinas
- Mobile home sales

Industrial, Type I

- Warehouse, distribution
- Light Industry
- Wholesale

Category VI

Industrial, Type II

-
- Heavy industry
 - Mining, extraction
 - Airport

Agriculture, Type III

- Forestry
- Logging

Rifle range

- Wrecking/junk yard

(Ord. 108-05 Attach. B (part), 2005)

17.03.035 Land divisions in resource lands.

- (a) Cluster development, as provided in Chapter 16.23, Mason County Code, ~~is required~~ may be allowed for all residential subdivisions or short plats located in the following development areas: agricultural resource lands, long-term commercial forests and mineral resource areas.
 - (1) No lot for which the construction of a residential dwelling is proposed under this section and Chapter 16.23, Mason County Code, shall exceed two acres in gross land.
 - (2) In agricultural resource lands, no open space lot shall be less than ten acres, as defined in Section 16.23.035, Mason County Code.
- (b) Land divisions for purposes other than residential development shall have a minimum lot size of ten acres for agricultural resource land; provided, however, that lots created for and restricted to the use of fire stations or for utilities are not required to meet the minimum lot sizes defined in this section.

(Ord. 108-05 Attach. B (part), 2005).

~~17.03.036 Buffer and landscape requirements.~~

~~As a method for allowing the placement of differing land uses adjacent to one another, buffer yards shall be required. These requirements do not apply to: (a) urban growth areas, where the public should consult the specific adopted urban growth area plan for density and dimensional requirements for the applicable zone designation; and (b) rural lands, where the standards included in Chapter 17.04 shall be applied. Subsection (f) of this section, the additional requirement for land adjacent to agricultural resource lands, continues to apply to rural lands. The location, size and type of buffer yard shall be determined by comparing the category of the proposed land use with the categories of all abutting land uses, in accordance with Figure 17.03.036. Buffer yard requirements are stated in terms of the number of plant units required per one hundred linear feet of buffer yard. Any land set aside as a buffer yard may be used in calculating the development density of a parcel of land.~~

- ~~(1) It is the intent of this section that the establishment of any buffer yard pursuant to the criteria set forth in this chapter will result in full compliance with the standards for maximum environmental noise levels as set forth in WAC 173-60. Buffer yards exceeding the minimum requirements of this section may be required in the event that maximum environmental noise level requirements are not met. It shall be the sole responsibility of the owner of the property upon which the buffer yard is established to assure compliance with these state established noise levels.~~

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- ~~(2) Determination of Buffer Yard Requirements. To determine the type of buffer yard required between two adjacent parcels, or between a parcel and a street, the following procedure shall be followed:~~
- ~~(A) Identify the land use category of the proposed use by referring to Figure 17.03.034;~~
 - ~~(B) Identify the uses of all adjacent properties by on-site survey;~~
 - ~~(C) Identify the land use categories of all adjacent parcels by referring to Figure 17.03.034;~~
 - ~~(D) Determine the buffer yard required on each boundary (or boundary segment) by referring to Figure 17.03.036.~~
- ~~(3) Responsibility for Buffer Yard.~~
- ~~(A) When a use is the first use to develop on one of two adjacent, vacant parcels, the first use shall provide the buffer which Figure 17.03.034 requires next to vacant land. The second use to develop shall, at the time of its development, provide all additional plant material and/or land necessary to provide the total buffer yard required between those two uses.~~
 - ~~(B) When an existing use changes to a higher intensity use as determined by Figure 17.03.034, all of the buffer yard requirements of this chapter shall be met.~~
 - ~~(C) When an existing use expands, the administrator shall determine whether the extent and location of the expansion shall require conformity with this chapter. In making such determination, the administrator may consider the size, location and purpose of the expansion, the relationship of any existing structures to the expansion, and the nature of surrounding land uses.~~
- ~~(4) Exemption from Buffer Yard Requirements. When a land use requires direct and unobstructed access to an adjacent transportation facility such as a railroad or airport, the requirements of this chapter shall be waived to the extent necessary to allow for such access.~~
- ~~(5) Use of Existing Materials.~~
- ~~(A) Existing, healthy plant materials on a parcel may be used to meet the requirements of this chapter.~~
 - ~~(B) Any open space created pursuant to Chapter 16.22 may be used to meet the requirements of this chapter.~~
 - ~~(C) Any wetland or associated buffer set aside pursuant to any federal, state or county environmental regulation may be used to meet the requirements of this chapter.~~
- ~~(6) Additional Requirements for Agricultural Lands. For lands adjacent to agricultural resource lands, in addition to the bufferyard requirements otherwise required, all structures or uses shall maintain a minimum setback of one hundred feet from designated agricultural tracts for land designated as urban growth areas, rural activity centers or rural community centers, or fifty feet for lands designated as rural areas, except for any structure or uses which have been identified as permitted uses in agricultural resource lands. Residential clusters created on lands adjacent to agricultural resource lands through a performance subdivision as provided in Chapter 16.22, Mason County Code, shall be separated from the agricultural resource land by the designated open space areas to a minimum width of one hundred feet on lands designated as urban growth areas, rural activity centers or rural community centers, or fifty feet for lands designated as rural areas.~~
- ~~(7) Required Plant Material Specifications. Figure 17.03.039 identifies the minimum sizes of the various types of plant materials required under this chapter.~~
- ~~(8) Substitution of Plant Materials.~~

~~(A) In buffer yards D, E, and F, evergreen canopy or evergreen under story trees may be substituted for deciduous canopy or under story without limitation.~~

~~(B) In buffer yards A, B, and C, up to fifty percent of deciduous canopy or under story may be substituted with evergreen canopy or under story.~~

~~(C) In all buffer yards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.~~

~~(9) Maintenance of Plant Materials.~~

~~(A) All planting materials required by this section shall be maintained by the property owner in a manner to assure the health of the planting, and to assure that the buffer yard continues to serve its intended function.~~

~~(B) If any required planting materials shall cease to serve their intended function due to size, age or health, the property owner shall replace such planting material with the same or similar plant types, as provided in this chapter.~~

~~(10) Variations of Buffer Yard Requirements.~~

~~(A) In all buffer yards, planting requirements may be reduced by twenty five percent by increasing the width of the buffer by fifty percent.~~

~~(B) In all buffer yards, the required width of the buffer yard may be reduced by fifty percent by increasing the amount of plantings by one hundred percent.~~

~~(C) In buffer yards A and B, the buffer yard width or the amount of planting may be reduced by fifty percent if any fence or berm shown in Figure 17.03.037 is used.~~

~~(D) In buffer yard C, the buffer yard width or the amount of planting may be reduced by fifty percent if a structure F3 or above is used.~~

~~(E) In buffer yard D, the buffer yard width or the amount of planting may be reduced by fifty percent if a structure F4 or B2 or above is used.~~

~~(F) In buffer yards E and F, the buffer yard width or the amount of planting may be reduced by fifty percent if a structure F6 or BW1 is used.~~

~~(11) Uses Allowed in a Buffer Yard.~~

~~(A) Where a wetland or open space set aside for any other purpose is used as a buffer yard, any use normally allowed in such wetland or open space may be allowed also within the buffer yard, except that mining, logging, or other forestry activities shall not be permitted in a buffer yard.~~

~~(B) Required stormwater facilities may be located within buffer yards, provided that the landscaping of such facility complies with the requirements of this section.~~

~~(12) In the determination of applicable buffer yards, either through this subsection or in Chapter 17.04, the front yard setback shall not be less than ten feet, except by the granting of a variance (Section 17.05.030).~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

**Figure 17.03.036
BUFFER YARD REQUIREMENTS**

	Adjacent Existing Land Use Classification
--	--

Proposed Land Use Intensity Class	I	II	III	IV	V	VI
I	A	B	C	D	E	F
II	B	A	B	D	D	F
III	C	B	A	C	D	E
IV	D	D	C	B	D	E
V	E	D	D	D	C	D
VI	F	F	E	E	D	D

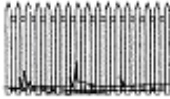


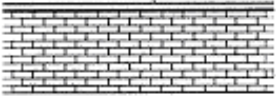
17.03.037 Density transfer and agricultural resource lands.

The following provisions apply only to agricultural resource lands or to land in the urban growth area which has received a transfer of density as described in this chapter:

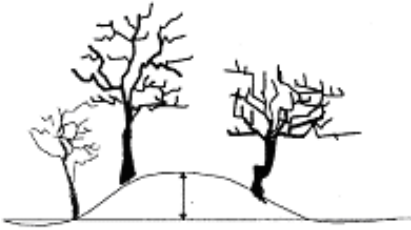
- (1) The standard residential density allowed for development on agricultural resource lands is one dwelling unit per ten acres, except as otherwise provided in this section.
 - (A) Resource subdivisions or short plats in agricultural resource lands are subject to the cluster subdivision provisions of Chapter 16.23 of this code. The maximum allowed density of such cluster subdivisions is one dwelling unit per five acres. The maximum number of residential lots that may be created, not including any lots restricted to agricultural/open space use, is equal to the number of dwelling units allowed. However, where there was a single-family dwelling on the property as of December 30, 1997, then an additional residence lot may be created, subject to the following:
 - (i) Only one such additional lot may be created for all land which was contiguous and in the same ownership as of December 31, 1997,
 - (ii) Each residence existing or vested at the time of application for the land division shall be each placed on their own residential lot;
 - (B) Each residential lot created as provided in subsection (1)(A) of this section, is allowed one dwelling unit;
- (2) Agricultural resource lands are granted an additional density of one dwelling unit per five acres, except that those agricultural resource lands which lie within an urban growth area are granted an additional density of four dwelling units per acre, provided that, in both cases, this additional density shall only be used if transferred to land which is not agricultural resource land but which is within the urban growth area;
- (3) Part or all of the agricultural resource lands maximum allowed residential density may be transferred for use on land which is not agricultural resource land but which is within the urban growth area rather than used on the originating property;
- (4) In the urban growth areas, density transfer under the provisions of this section may be used on the receiving property in order to allow residential development up to the "Maximum Residential Density," ~~shown in Figure 17.03.032,~~ without a performance based subdivision and without compliance with the performance standards or criteria for such subdivisions as established in Chapter 16.22 of this code.

(Ord. 108-05 Attach. B (part), 2005).

FENCES

Symbol	Height	Material
F1	44"	Wood Picket
		
F2	48"	Wood Rail
		
F3	6'	Wood Stockade
F4	8'	
		
F5	6'	Masonry Wall (Poured Concrete, Cement Block, Brick, etc)
F6	8'	
		

BERMS

Symbol	Height	Material
B1	4'	Earth
B2	5'	
B3	6'	
		
		Berm Height ↗

BERM WALLS

BW1	4' Berm w/6' Masonry Wall
BW2	5' Berm w/7' Masonry Wall
BW3	6' Berm w/8' Masonry Wall

Less Intensive | More Intensive



Figure 17.03.038

BUFFER YARD STANDARDS

	Bufferyard A	Bufferyard B	Bufferyard C	Bufferyard D	Bufferyard E	Bufferyard F
Buffer width	5'	10'	15'	20'	25'	50'
Structure Required	no	no	No	F3 or B1*	F4 or B2*	F5 or B3*
Plant units/100'						
Canopy trees	0-6	1	2	3	4	8
Under story trees	1	2	4	6	6	12
Shrubs	0	3	6	9	24	48
Evergreens	0	0	0	0	12	24

* See Figure 17.03.037 for structure details.

Figure 17.03.039

PLANT MATERIAL TYPES

Plant Material Type	Planting in Buffer Yards abutting Vacant Lands	All Other Plantings
Canopy tree (deciduous)		
-Single stem	1 ½ inch caliper	2 inch caliper
-Multi stem clump	6 feet height	8 feet height
Under story tree (deciduous)	4 feet height	6 feet height
Evergreen	4 feet height	6 feet height
Shrub		
-Deciduous	1 gal (15 inches height)	2 gal (24 inches height)
-Evergreen	1 gal (12 inches height)	2 gal (18 inches height)

Note: These requirements refer to the minimum size of plant materials at the time of planting.

17.03.040 Off-street parking.

- (a) Parking requirements for all land uses will follow the standards from Chapter 17.08, Mason County Parking Standards.
- (b) In all rural residential zones and inholding lands:
 - (1) No parcel without a residence shall have more than three vehicles located on the parcel;
 - (2) No parcel having a residence shall have more than ten vehicles located on the parcel;
 - (3) The limits of criteria (1) and (2) of this section apply regardless of the specific vehicles on the parcel or whether the vehicles are moved around on the parcel;

-
- (4) Vehicles contained in permitted residential garages or enclosed buildings approved for occupancy Group U-1 (motor vehicle storage) and having a complete floor surface and floor drainage that contains any fluids from infiltrating into the ground, shall not be counted or included in the limits of criteria (1) and (2) of this section;
 - (5) All vehicle accumulations on a parcel made nonconforming by these regulations shall be removed from the parcel by July 1, 2004;
 - (6) These limits shall apply to vehicles located on a parcel for more than seven days;
 - (7) A residence is defined in this section as a site-built, manufactured, or modular home permanently installed on the parcel;
 - (8) Vehicles in this section include, but are not limited to, cars, trucks, vans, buses, recreational vehicles, trailers, all-terrain vehicles, motorcycles, watercraft, airplanes, and earthmoving, logging, or construction equipment, but does not include farm equipment;
 - (9) Adjoining parcels of common ownership (not separated by state or county road) shall be considered part of the same parcel for the purposes of this section.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 47-09, Attach. C, 6-2-2009)

~~17.03.105 Motor vehicle impound yards.~~

~~Motor vehicle impound yards and their accessory structures are permitted in designated urban growth areas at sites which are designated for industrial or commercial/industrial mix on the Mason County comprehensive plan future land use map for the respective urban growth area, as amended.~~

- ~~(1) When the adjacent parcel is (1) designated industrial and either vacant or in industrial use, or (2) designated commercial/industrial mix and in industrial use, then the standard F3 fence shall be required along the property line with such uses.~~
- ~~(2) When the adjacent parcel does not meet the requirements stated in subsection A of this section, then the proposed impound yard shall be enclosed within a structure, or the operation shall be contained within one of the following buffers:
 - ~~(A) A minimum twenty foot wide buffer consisting of a type F4 fence on the project side of the buffer, together with a type B1 berm and plants as specified in Bufferyard E, planted in such a fashion that a year round screen at least eight feet in height shall be produced within three growing seasons;~~
 - ~~(B) A minimum twenty foot wide buffer consisting of the security and sight obscuring fencing on the project side of the buffer, together with four canopy trees, twelve understory trees, forty eight evergreen shrubs, and twenty four deciduous shrubs per one hundred lineal feet of buffer planted in such a fashion that a year round screen at least eight feet in height shall be produced within three growing seasons;~~~~
- ~~(3) Noise, odor, light and glare from these operations shall meet the standards of Section 17.04.400 (performance standards of rural industrial land uses);~~
- ~~(4) These operations shall include the following best management practices: (a) permanent paved surface that aids in the control and containment of spills and fluid leaks during movement and storage of impounded vehicles; (b) approved stormwater features that separate contaminants from rainfall and runoff; and (c) containment of moderate risk waste and petroleum products shall be conducted as set~~

~~forth in Mason County Resource Ordinance Section 17.01.080(P), Secondary Containment of Hazardous Materials;~~

~~(5) Guard dogs shall not be used.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.03.200 Intent of sign regulations.

The intent of the sign regulations is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the size, design, construction, location, electrification and maintenance of all signs and sign structures; to preserve and improve the appearance of the county as a place in which to live and as an attraction to nonresidents who come to visit or trade; to encourage sound signing practices as an aid to business and for public information while preventing excessive and confusing sign displays, aesthetic clutter, destruction of the environment and signs that pose a hazard to the public.

(Ord. No. 134-08, 12-16-2008)

17.03.201 Exemptions to the sign regulations.

The following are not to be regulated as signs or are exempt signs in the development regulations:

- A. The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization that they represent;
- B. Traffic or other county signs, signs required by law or emergency, railroad crossing signs, legal notices and signs erected by government agencies to implement public policy;
- C. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones;
- D. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses;
- E. Temporary signs or decorations, which are clearly incidental and customary and commonly associated with any national, local or religious holiday;
- F. "No trespassing," "no dumping," "no parking," "private," signs identifying essential public needs (i.e., rest rooms, entrance, exit telephone, etc.) and other informational warning signs, which shall not exceed three square feet; and
- G. Sculptures, fountains, murals, mosaics and design features that do not incorporate advertising or identification.

(Ord. No. 134-08, 12-16-2008)

17.03.202 Prohibited signs.

The following signs or displays are prohibited in all rural areas of the county and the Shelton UGA:

- A. Roof signs;
- B. Banners or signs over and/or across county roads;

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- C. Signs located in county right-of-way, unless otherwise approved with a road-use permit from the public works department. Except for temporary signs in accordance with the following restrictions:
 - (1) Signs shall not be posted in a manner or location, which may cause visual obstruction or visual safety hazard for traffic especially in and around intersections, driveways and other access points.
 - (2) Signs shall not be placed in a location typically used by motor vehicles in a lawful manner (road shoulders).
 - (3) Signs shall not be placed in a location, which may impede pedestrian, bicycle, or handicapped travel or access.
 - (4) Signs shall not be placed within drainage areas and other areas maintained by the county public works department.
 - (5) Signs shall not exceed four square feet in size.
 - D. Signs shall not be posted on trees including in county right-of-way.
 - E. Animated or flashing signs, provided that changing message center signs may be allowed when the image and/or message remains fixed for at least five seconds and that the only animation or appearance of movement allowed is the transition from one message and/or image to another by the scrolling on and/or off of the message and/or image;
 - F. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device from the traffic intended to be served by the sign, signal or device;
 - G. Advertising Vehicles. Signs that are attached to or placed on or in a vehicle or trailer parked on public or private property such that the primary use or intent becomes advertising. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during normal course of business;
 - H. Signs attached to utility poles or any other publicly owned structure;
 - I. Off-premises signs except for temporary signs as allowed in section 17.05.025. An off-premises sign shall not include a sign located on private property, other than the property where the business (business, commodity, service or entertainment conducted, sold or offered) is located provided that:
 - (1) The sign is placed with the property owner's consent;
 - (2) The business does not have frontage on a collector road; and
 - (3) The sign is placed for visibility from the collector road nearest to the business.
 - J. Any county official may confiscate signs wrongfully placed in the right-of-way or off-premises signs located in trees.

(Ord. No. 134-08, 12-16-2008)

17.03.203 Nonconforming signs.

Nonconforming signs (those that were permanently installed and legally erected prior to the adoption of this Code) shall be allowed to continue in use for up to twenty years from the adoption of this code (December 16, 2008) so long as they are continuously maintained, are not relocated, and are not structurally altered or made more nonconforming in any way.

Signs located in trees shall have until January 1, 2009, to be removed. Signs that aren't removed by January 1, 2009, will be considered a violation subject to fines and enforcement under title 15, chapter 15.13.

Permanent signs located within any part of the county right-of-way shall have until January 1, 2009, to be removed. Signs that aren't removed by January 1, 2009, will be considered a violation subject to fines and enforcement under title 15, chapter 15.13.

Nonconforming signs listed on a historical register shall be allowed to continue so long as they are continuously maintained and are not structurally altered or made more nonconforming in any way, with exception of improving structural integrity.

(Ord. No. 134-08, 12-16-2008)

Chapter 17.04 RURAL LANDS DEVELOPMENT STANDARDS

Division I. Rural Residential

Article I. Rural Residential 2.5 (RR 2.5)

17.04.211 Purpose.

This district provides for residential development, at a density of two and one-half acres per residential lot, and where areas of small lot residential development and subdivisions patterns were established before December 5, 1996.

(Ord. 108-05 Attach. B (part), 2005).

17.04.212 Uses permitted.

- (a) Uses. Single-family residential, hobby farm (small scale commercial agriculture, including aquaculture and wood lots), church, group homes, cell towers, public utilities.
- (b) Accessory Uses. Cottage industry (home occupation).
- (c) Special Permit Required Uses. Cemetery, commercial day care center, essential public facility, schools, and community and recreation centers.-
- (d) Signs are permitted not to exceed twelve square feet in size and six feet in height except for temporary signs permitted by section 17.05.025. Signs prohibited by section 17.03.20~~2~~³ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.213 Lot requirements.

- (a) Density and Lot Size. Maximum of one dwelling unit per two and one-half acres and one accessory dwelling unit per parcel; a minimum lot size of two acres, except as provided for in an approved performance subdivision.

(Supp. No. 58, 2-22)

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- (b) Lot Width and Depth. All lots shall have a minimum width at any point of fifty feet.
 - (c) Front Yard Setback. Twenty-five feet.
 - (d) Side and Rear Yard Setbacks. Side and rear yard setbacks for the residential dwelling and accessory building is twenty feet, and for accessory structures used for agricultural purposes or home occupations is fifty feet. Exception to the side yard standard is allowed on a parcel with a lot width up to one hundred feet at the building site: the required side yard setback for a residential dwelling and accessory structures shall be equal to ten percent of the lot width but in no case shall be less than five feet from the property line.
 - (e) A lot created by short plat, large lot or long plat subdivision which is restricted to special purposes, such as stormwater storage, community play areas, or utility facilities, and is restricted by perpetual covenants meeting county requirements to said purpose, is not required to meet minimum lot size requirements.

(Ord. 108-05 Attach. B (part), 2005).

17.04.214 Building regulations.

~~(a) Floor Area Ratio. One is to twenty, except for fire stations.~~

~~(ab) Size. ~~Three-Four~~ thousand eight hundred square feet maximum, ~~for non-agricultural and accessory buildings~~ except for dwellings and agricultural buildings.~~

~~(be) Height. Thirty-five feet, except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise compliant permitted land use.~~

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.216 Off-street parking.

Two spaces per lot.

(Ord. 108-05 Attach. B (part), 2005).

17.04.217 Special provisions.

- (a) Cell towers shall be located per Ordinance No. 5-98 Telecommunication Towers.
- (b) Accessory dwelling units are required to meet Section 17.03.029 standards.
- (c) Government operated day care centers, essential public facilities, churches, community centers, and schools may exceed three thousand sq. ft. as approved by a special use permit. Application for special use permit requires the applicant to provide the following information to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations: the location and size of lot(s); site plan with areas of proposed use; access to state and county roads; land uses on adjacent properties and potential impacts to those uses by the proposal; provision of parking areas and stormwater facilities; hours of operations; and anticipated sources of noise, glare, or odors from proposed use(s).
- (d) Essential public facilities, commercial day care centers, and schools which were in existence prior to June 17, 1996 and without a prior special use permit, may expand up to fifteen percent cumulatively from their size prior to June 17, 1996, without a special use permit. Expansions over fifteen percent will require a special use permit.

-
- (e) Front yard or rear yard setback may be reduced as provided in Section 17.05.034(C) or side yard setback may be reduced as provided in Section 17.05.034(d).

(Ord. 108-05 Attach. B (part), 2005).

Article II. Rural Residential 5 (RR 5)

17.04.221 Purpose.

This district provides for residential development on parcels of five acres or more.

(Ord. 108-05 Attach. B (part), 2005).

17.04.222 Uses permitted.

- (a) Uses. Single-family residential, hobby farm (small scale commercial agriculture, including aquaculture and wood lots), church, local community and recreation centers, group homes, cell towers, fire station, fish hatchery, public utilities.
- (b) Accessory Uses. Cottage industry (home occupation), single-family residence.
- (c) Special Permit Required Uses. Essential public facility, schools, commercial day care centers, cemetery, and home occupations and cottage industries that do not meet the standards in section 17.03.021.
- (d) Signs are permitted not to exceed twelve square feet in size and six feet in height except for temporary signs permitted by section 17.05.025. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.223 Lot requirements.

- (a) Density and Lot Size. Maximum of one principal residence per five acres or 1/128th of a section and one accessory dwelling unit per parcel; minimum lot size of two acres, except in an approved performance subdivision the minimum lot size is twenty thousand sq. ft., and except for fire stations.
- (b) Lot Width and Depth. All lots shall have a minimum width at any point of fifty feet.
- (c) Front Yard Setback. Twenty-five feet.
- (d) Side and Rear Yard Setbacks. Side and rear yard setbacks for the residential dwelling is twenty feet, for accessory buildings shall be twenty feet, for accessory structures used for agricultural purposes or home occupations shall be fifty feet, and for buildings of nonresidential land uses shall be twenty-five feet. Exception to the side yard standard is allowed on a parcel with a lot width up to one hundred feet at the building site: the required side yard setback for a residential dwelling and accessory structures shall be equal to ten percent of the lot width but in no case shall be less than five feet from the property line.
- (e) A lot created by short plat, large lot or long plat subdivision which is restricted to special purposes, such as stormwater storage, community play areas, or utility facilities, and is restricted by perpetual covenants meeting county requirements to such purpose, is not required to meet minimum lot size requirements.

(Ord. 108-05 Attach. B (part), 2005).

17.04.224 Building regulations.

~~(a) Floor Area Ratio. One is to twenty, except for fire stations.~~

~~(ab) Size. Three-Four thousand eight hundred square-~~ feet maximum ~~for non-agricultural and accessory buildings~~ except for dwellings and agricultural buildings.

~~(be) Height. Thirty-five feet, except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise complaint permitted land use.~~

(Ord. 100-07 Attach. B (part), 2007: Ord. 108-05 Attach. B (part), 2005).

17.04.226 Off-street parking.

Two Spaces per Residence. See Parking Ordinance for other land uses; ~~parking setback for nonresidential land uses shall be twenty-five feet.~~

(Ord. 108-05 Attach. B (part), 2005).

17.04.227 Special provisions.

(a) Cell towers shall be located per Ordinance No. 5-98, Telecommunication Towers.

(b) Accessory dwelling units are required to meet Section 17.03.029 standards.

(c) Government operated day care centers, essential public facilities, churches, community centers, and schools may exceed three thousand sq. ft. as approved by a special use permit. Application for special use permit requires the applicant to provide the following information to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations: the location and size of lot(s); site plan with areas of proposed use; access to state and county roads; land uses on adjacent properties and potential impacts to those uses by the proposal; provision of parking areas and stormwater facilities; hours of operations; and anticipated sources of noise, glare, or odors from proposed use(s).

(d) Essential public facilities, commercial day care centers, and schools which were in existence prior to June 17, 1996 and without a prior special use permit, may expand up to fifteen percent cumulatively from their size prior to June 17, 1996, without a special use permit. Expansions over fifteen percent will require a special use permit.

(e) Front yard or rear yard setback may be reduced as provided in Section 17.05.034(c) or side yard setback may be reduced as provided in Section 17.05.034(d).

(Ord. 108-05 Attach. B (part), 2005).

Article III. Rural Residential 10 (RR 10)

17.04.231 Purpose.

This district provides for new residential development on parcels of ten acres or more.

(Ord. 108-05 Attach. B (part), 2005).

17.04.232 Uses permitted.

- (a) Uses. Single-family residential, hobby farm (small scale commercial agriculture, including aquaculture and wood lots), church, local community and recreation centers, group homes, cell towers, fire station, fish hatchery, public utilities.
- (b) Accessory Uses. Cottage industry (home occupation), single-family residence.
- (c) Special Permit Required Uses. Essential public facility, schools, commercial child care centers, cemetery, and home occupations and cottage industries that do not meet the standards in Section 17.03.021.
- (d) Signs are permitted not to exceed twelve square feet in size and six feet in height except for temporary signs permitted by section 17.05.025. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.233 Lot requirements.

- (a) Density and Lot Size. Maximum of one principal residence per ten acres or 1/64th of a section and one accessory dwelling unit per parcel; minimum lot size of two acres, except as provided for in an approved performance subdivision the maximum density which may be allowed is one dwelling per five acres or 1/128th of a section and minimum lot size is twenty thousand sq. ft.
- (b) Lot Width and Depth. All lots shall have a minimum width at any point of fifty feet.
- (c) Front Yard Setback. Twenty-five feet.
- (d) Side and Rear Yard Setbacks. Side and rear yard setbacks for the residential dwelling is twenty feet, and accessory buildings shall be twenty feet, and for accessory structures used for agricultural purposes or home occupations shall be fifty feet. Exception to the side yard standard is allowed on a parcel with a lot width up to one hundred feet at the building site: the required side yard setback for a residential dwelling and accessory structures shall be equal to ten percent of the lot width but in no case shall be less than five feet from the property line.
- (e) A lot created by short plat, large lot or long plat subdivision which is restricted to special purposes, such as stormwater storage, community play areas, or utility facilities, and is restricted by perpetual covenants meeting county requirements to such purpose, is not required to meet minimum lot size requirements.

(Ord. 108-05 Attach. B (part), 2005).

17.04.234 Building regulations.

~~(a) Floor Area Ratio. One is to twenty, except for fire stations.~~

~~(ab)~~ Size. ~~Three-Four~~ thousand ~~eight hundred~~ square feet maximum ~~for non-agricultural and accessory buildings,~~ except for dwellings and agricultural buildings.

~~(be)~~ Height. Thirty-five feet, except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise complaint permitted land use.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.236 Off-street parking.

Two Spaces per Residence. See Parking Ordinance for other land uses; ~~parking setback for nonresidential land uses shall be twenty five feet.~~

(Ord. 108-05 Attach. B (part), 2005).

17.04.237 Special provisions.

- (a) Cell towers shall be located per Ordinance No. 5-98, Telecommunication Towers.
- (b) Accessory dwelling units are required to meet Section 17.03.029 standards.
- (c) Government operated day care centers, essential public facilities, churches, community centers, and schools may exceed three thousand sq. ft. as approved by a special use permit. Application for special use permit requires the applicant to provide the following information to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations: the location and size of lot(s); site plan with areas of proposed use; access to state and county roads; land uses on adjacent properties and potential impacts to those uses by the proposal; provision of parking areas and stormwater facilities; hours of operations; and anticipated sources of noise, glare, or odors from proposed use(s).
- (d) Essential public facilities, commercial day care centers, and schools which were in existence prior to June 17, 1996 and without a prior special use permit, may expand up to fifteen percent cumulatively from their size prior to June 17, 1996, without a special use permit. Expansions over fifteen percent will require a special use permit.
- (e) Front yard or rear yard setback may be reduced as provided in Section 17.05.034(c) or side yard setback may be reduced as provided in Section 17.05.034(d).

(Ord. 108-05 Attach. B (part), 2005).

Article IV. Rural Residential 20 (RR 20)

17.04.241 Purpose.

This district provides for new residential development on parcels of twenty acres or more.

(Ord. 108-05 Attach. B (part), 2005).

17.04.242 Uses permitted.

- (a) Uses. Single-family residential, hobby farm (small scale commercial agriculture, including aquaculture and wood lots), church, local community and recreation centers, fire station, fish hatchery, cell towers, public utilities.
- (b) Accessory Uses. Cottage industry (home occupation), single-family residence.
- (c) Special Permit Required Uses. Essential public facility, cemetery, and home occupations and cottage industries that do not meet the standards in Section 17.03.021.

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- (d) Signs are permitted not to exceed twelve square feet in size and six feet in height except for temporary signs permitted by section 17.05.025. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.243 Lot requirements.

- (a) Density and Lot Size. Standard density of one principal residence per twenty acres or 1/32nd of a section and one accessory dwelling unit per parcel; minimum lot size of two acres, except for an approved performance subdivision the maximum density which may be allowed is one dwelling per ten acres or 1/64th of a section and minimum lot size is twenty thousand sq. ft.
- (b) Lot Width and Depth. All lots shall have a minimum width at any point of fifty feet.
- (c) Front Yard Setback. Twenty-five feet.
- (d) Side and Rear Yard Setbacks. Side and rear yard setbacks for the residential dwelling is twenty feet, accessory buildings shall be twenty feet, and for accessory structures used for agricultural purposes or home occupations shall be fifty feet. Exception to the side yard standard is allowed on a parcel with a lot width up to one hundred feet at the building site: the required side yard setback for a residential dwelling and accessory structures shall be equal to ten percent of the lot width but in no case shall be less than five feet from the property line.
- (e) A lot created by short plat, large lot or long plat subdivision which is restricted to special purposes, such as stormwater storage, community play areas, or utility facilities, and is restricted by perpetual covenants meeting county requirements to such purpose, is not required to meet minimum lot size requirements.

(Ord. 108-05 Attach. B (part), 2005).

17.04.244 Building regulations.

~~(a) Floor Area Ratio. One is to twenty, except for fire stations.~~

~~(ab) Size. Three-Four thousand eight hundred square feet maximum, for non-agricultural and accessory buildings except for dwellings and agricultural buildings.~~

~~(be) Height. Thirty-five feet, except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise complaint permitted land use.~~

(Ord. 100-07 Attach. B (part), 2007: Ord. 108-05 Attach. B (part), 2005).

17.04.246 Off-street parking.

Two Spaces per Residence. See Parking Ordinance for other land uses; ~~parking setback for nonresidential land uses shall be twenty-five feet.~~

(Ord. 108-05 Attach. B (part), 2005).

17.04.247 Special provisions.

- (a) Cell towers shall be located per Ordinance No. 5-98, Telecommunication Towers.

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- (b) Accessory dwelling units are required to meet Section 17.03.029 standards.
 - (c) Essential public facilities and churches may exceed three thousand sq. ft. as approved by the special use permit. Application for special use permit requires the applicant to provide the following information to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations: the location and size of lot(s); site plan with areas of proposed use; access to state and county roads; land uses on adjacent properties and potential impacts to those uses by the proposal; provision of parking areas and stormwater facilities; hours of operations; and anticipated sources of noise, glare, or odors from proposed use(s).
 - (d) Essential public facilities, which were in existence prior to June 17, 1996 and without a prior special use permit, may expand up to fifteen percent cumulatively from their size prior to June 17, 1996, without a special use permit. Expansions over fifteen percent will require a special use permit.
 - (e) Front yard or rear yard setback may be reduced as provided in Section 17.05.034(c) or side yard setback may be reduced as provided in Section 17.05.034(d).
- (Ord. 108-05 Attach. B (part), 2005).

Article V. Rural Multi-Family (RMF)

17.04.251 Purpose.

This district ~~provides for~~designates existing multi-family residential development including mobile home parks. New RMF zoning designations are prohibited.

(Ord. 108-05 Attach. B (part), 2005).

17.04.252 Uses permitted.

Uses. Multi-family residences, duplex, mobile home park.

(Ord. 108-05 Attach. B (part), 2005).

17.04.253 Lot requirements.

- (a) Density and Lot Size. Minimum lot size of five acres.
- (b) Lot Width and Depth. All lots shall have a minimum width at any point of fifty feet; designate limited and safe access(es) to roads.
- (c) Front Yard Setback. Twenty-five feet.
- (d) Side and Rear Yard Setbacks. Side and rear yard setbacks for the residential dwelling is twenty feet, and accessory buildings shall be twenty feet.

(Ord. 108-05 Attach. B (part), 2005).

17.04.254 Building regulations.

~~(a) Floor Area Ratio. One is to twenty.~~

~~(a)~~ (b) Size. Three thousand sq. ft. maximum except for dwellings.

(be) Height. Thirty-five feet except for cell towers, antennas or water tanks.

(Ord. 108-05 Attach. B (part), 2005).

17.04.256 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards; locate parking to side or rear of building.

(Ord. 108-05 Attach. B (part), 2005).

17.04.257 Special provisions.

(a) Mobile home park expansions shall comply with the mobile home park ordinance.

(b) Front yard or rear yard setback may be reduced as provided in Section 17.05.034(c) or side yard setback may be reduced as provided in Section 17.05.034(d).

(Ord. 108-05 Attach. B (part), 2005).

Division II. Rural Commercial

Article I. Rural Commercial 1 (RC 1)

17.04.321 Purpose.

(See Section 17.02.043).

(Ord. 108-05 Attach. B (part), 2005).

17.04.322 Uses permitted.

(a) Uses. Convenience/general store, coffee stand, bed & breakfast, single family residential.

(ba) Uses Permitted with Special Use Permit. Convenience/general store, gas station, restaurant, bed and breakfast, laundry.

~~(b) Accessory Uses. Owner occupied residential.~~

(Ord. 108-05 Attach. B (part), 2005).

17.04.323 Lot requirements.

(a) Density. One owner/manager occupied residence per lot. ~~Lot size. Dependent on subject property location.~~

(b) Lot Width and Depth. All lots shall have a ~~minimum average width of not less than one-third of the median length and a~~ minimum width at any point of fifty feet; designate limited and safe access(es) to roads.

(c) Front Yard Setback. Thirty feet.

(d) Side and Rear Yard Setbacks. Twenty-five feet. Buffer plantings required in at least the first ten feet of this setback.

(Ord. 108-05 Attach. B (part), 2005).

17.04.324 Building regulations.

~~(a) Floor Area Ratio. One is to five, except for fire stations.~~

(ab) Size. Four thousand five hundred sq. ft. maximum except for dwellings.

(be) Height. ~~Two floors~~ Not to exceed thirty-five feet maximum except for agricultural buildings, antennas or water tanks.

(Ord. 108-05 Attach. B (part), 2005).

17.04.325 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.326 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.

(Ord. 108-05 Attach. B (part), 2005).

Article II. Rural Commercial 2 (RC 2)

17.04.331 Purpose.

(See Section 17.02.043).

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.332 Uses permitted.

- (a) Uses. Convenience/general store, retail, restaurant, vehicle and equipment repair and maintenance (automotive, truck, farm implement, and small engines), small office, laundry, professional services, public meeting space, nursery, post office/fire station, church, local community and recreation centers, commercial/government operated day care, single-family residential.
- (b) Uses Permitted with Special Use Permit. Gas, self-storage.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.333 Lot requirements.

- (a) Density. One residence per lot. ~~Lot size. Dependent on subject property location.~~
- (b) Lot Width and Depth. All lots shall have a ~~minimum average width of not less than one-third of the median length and a~~ minimum width at any point of fifty feet; designate limited and safe access(es) to roads.
- (c) Front Yard Setback. Thirty feet.
- (d) Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty-five feet. Buffer plantings required in the first ten feet of this setback.

(Ord. 108-05 Attach. B (part), 2005).

17.04.334 Building regulations.

~~(a) Floor Area Ratio. One is to five, except for fire stations.~~

- ~~(a)~~ Size. Maximum of four thousand five hundred square feet for single tenant and seven thousand five hundred square feet for multiple tenants; no maximum for dwellings.
- ~~(b)~~ Height. ~~Two floors. N~~ot to exceed thirty-five feet maximum except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise complaint permitted land use.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.335 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.202~~3~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.336 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.

(Ord. 108-05 Attach. B (part), 2005).

17.04.337 Special provisions.

Reserved.

(Ord. 108-05 Attach. B (part), 2005).

Article III. Rural Commercial 3 (RC 3)

17.04.341 Purpose.

(See Section 17.02.043).

(Ord. 48-07 (part), 2007; Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 52-19, att. A, 6-4-2019)

17.04.342 Uses permitted.

- (a) Uses. Convenience/general store, retail, restaurant, small office, laundry, professional services, personal services, public meeting space, nursery, public facilities - post office/fire station/fish hatchery/library/ranger station, church, local community and recreation centers, lodging facilities, including motels, RV parks, campgrounds and bed and breakfast, marina - sales, service and storage, auto service and repair, medical/dental clinic, animal clinic, winery, commercial/government operated day care, and single-family residential and single-family accessory use ~~or apartment~~.
- (b) Uses Permitted with Special Use Permit. Gas, self-storage.
- (c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.

(Ord. 48-07 (part), 2007; Ord. 108-05 Att. B (part), 2005).

(Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.04.343 Lot requirements.

- (a) Density. One residence per lot.
- (b) Lot Width and Depth. All lots shall have a ~~minimum average width of not less than one-third of the median length and a~~ minimum width at any point of fifty feet; designate limited and safe access(es) to roads.
- (c) Front Yard Setback. Thirty feet.
- (d) Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty ~~five~~ feet. Buffer plantings required in the first ten feet of this setback.

(Ord. 48-07 (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.344 Building regulations.

~~(a) Floor Area Ratio. One is to five, except for fire stations.~~

- (ab) Size. Maximum of four thousand five hundred sq. feet for single tenant and seven thousand five hundred sq. feet for multiple tenant; no maximum for dwellings.

(be) Height. ~~Two floors~~ Not to exceed thirty-five feet maximum except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise compliant permitted land use, or within the rural activity center of Taylor Town I and II only, as reviewed by special use permit, not to exceed fifty-five feet.

(Ord. 100-07 Attach. B (part), 2007: Ord. 48-07 (part), 2007: Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 52-19, att. A, 6-4-2019)

17.04.345 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 48-07 (part), 2007: Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.346 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.

(Ord. 48-07 (part), 2007: Ord. 108-05 Attach. B (part), 2005).

17.04.347 Special provisions for recreational vehicle parks.

RV parks shall comply with the following additional standards:

- (1) No recreational vehicle shall remain in the RV park for rental purposes or for a time period of more than one hundred twenty consecutive days and one hundred eighty days in a three hundred sixty-day period (this standard applies to new occupants at existing mobile home and recreational vehicle parks, and to new mobile home and recreational vehicle parks). The RV park management shall maintain rental records identifying each RV and registered occupants and shall present them to the county on written request. Failure to maintain or to present these records on request shall be sufficient grounds to rescind the RV park permit.
- (2) The recreational vehicle shall be built on a chassis and self-propelled or permanently towable, and shall not be set up in a RV park as a permanent structure for limited use.

(Ord. 48-07 (part), 2007: Ord. 108-05 Attach. B (part), 2005).

17.04.348 Special provisions for building size.

Commercial buildings larger than seven thousand five hundred square feet may be allowed in RC3 zoned areas with the approval of a special use permit, which shall include the following specific information and standards:

- (1) The site is located in a rural activity center.

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- (2) The design of the site, structure, and building facade shall be included in the special use permit review which shall consider the widths and heights typically found in the neighboring commercial development. This might be accomplished through indenting portions of the structure to separate portions of the facade, using a variety of architectural styles and building materials, orienting the building so that larger areas of facade are not visible from public ways or parking areas, or by similar techniques.
 - (3) The applicant shall provide market analysis that shows that the proposed size is appropriate to serve its market and that its market is principally the surrounding rural area and tourist.

(Ord. 48-07 (part), 2007).

Article IV. Rural Commercial 4 (RC 4)

17.04.351 Purpose.

~~(See Section 17.02.043) Reserved~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.04.352 Uses permitted.

~~(a) Uses. Convenience/general store, retail, restaurant, small office, laundry, professional services, personal services, public meeting space, nursery, public facilities—post office/fire station/fish hatchery/library/ranger station, church, local community and recreation centers, lodging facilities, including motels, RV parks, campgrounds and bed and breakfast, marina—sales, service and storage, auto service and repair, medical/dental clinic, animal clinic, winery, commercial/government operated day care, and single family residential accessory use or apartment.~~

~~(b) Uses Permitted by Special Use Permit. Gas, self-storage.~~

~~(c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)~~

17.04.353 Lot requirements.

~~(a) Density. One residence per lot.~~

~~(b) Lot Width and Depth. All lots shall have a minimum average width of not less than one-third of the median length and a minimum width at any point of fifty feet; designate limited and safe access(es) to roads.~~

~~(c) Front Yard Setback. Thirty feet.~~

~~(d) Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty five feet. Buffer plantings required in the first ten feet of this setback.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.04.354 Building regulations.

- (a) ~~Floor Area Ratio. One is to five, except for fire stations.~~
- (b) ~~Size. Maximum of four thousand five hundred sq. feet for single tenant and seven thousand five hundred sq. feet for multiple tenant; no maximum for dwellings.~~
- (c) ~~Height. Two floors not to exceed thirty five feet maximum except for agricultural buildings, cell towers, antennas, water tanks, or necessary structural elements for an otherwise complaint permitted land use, or within the rural activity center of Taylor Town I and II only, as reviewed by special use permit, not to exceed fifty five feet.~~

~~(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 52-19, att. A, 6-4-2019)~~

17.04.355 Signs.

~~Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free standing, and with a height maximum of twenty five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.203 are not allowed.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 134-08, 12-16-2008)~~

17.04.356 Off-street parking.

~~Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.04.357 Special provisions.

~~RV parks shall comply with the following additional standards:~~

- ~~(1) No recreational vehicle shall remain in the RV park for rental purposes or for a time period of more than one hundred twenty consecutive days and one hundred eighty days in a three hundred sixty day period (this standard applies to new occupants at existing mobile home and recreational vehicle parks, and to new mobile home and recreational vehicle parks). The RV park management shall maintain rental records identifying each RV and registered occupants and shall present them to the county on written request. Failure to maintain or to present these records on request shall be sufficient grounds to rescind the RV park permit;~~
- ~~(2) The recreational vehicle shall be built on a chassis and self-propelled or permanently towable, and shall not be set up in a RV park as a permanent structure for limited use.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

Article V. Rural Commercial 5 (RC 5)

17.04.361 Purpose.

This district provides for ~~existing~~ commercial development that includes open display vehicle sales land uses. (See Section 17.02.043)

(Ord. 126-06 Attach. B (part), 2006).

17.04.362 Uses permitted.

- (a) Uses. Sales and service of automobiles and trucks, recreational vehicles, watercraft, ~~and retail sales of~~ manufactured homes; ~~retail sales,~~ and single-family residential and single-family accessory use ~~or apartment.~~
- (b) Uses Permitted with Special Use Permit. Self-storage.
- (c) Other Uses. Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the administrator.

(Ord. 126-06 Attach. B (part), 2006).

(Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.04.363 Lot requirements.

- (a) Density. One residence per lot.
- (b) Lot Width and Depth. All lots shall have a ~~minimum average width of not less than one-third of the median length and a~~ minimum width at any point of fifty feet; designate limited and safe access(es) to roads.
- (c) Front Yard Setback. Thirty feet.
- (d) Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty ~~five~~ feet. Buffer plantings required in the first ten feet of this setback.

(Ord. 126-06 Attach. B (part), 2006).

17.04.364 Building regulations.

~~(a) Floor area ratio: one is to three, except for fire stations.~~

~~(ab)~~ Size: seven thousand five hundred sq. ft. maximum or reviewed through special use permit.

~~(be)~~ Height: ~~two floors~~ Not to exceed thirty-five feet maximum except for antennas or water tanks, or within the rural activity center of Taylor Town I and II only, as reviewed by special use permit, not to exceed fifty-five feet.

(Ord. 126-06 Attach. B (part), 2006).

(Ord. No. 52-19, att. A, 6-4-2019)

17.04.365 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 126-06 Attach. B (part), 2006).

(Ord. No. 134-08, 12-16-2008)

17.04.366 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County Parking Standards.

(Ord. 126-06 Attach. B (part), 2006).

17.04.367 Special provisions.

- (a) Retail land uses which were in existence prior to May 1, 2000 and without a prior special use permit, may expand up to twenty percent cumulatively from their building size at that date, without a special use permit. Expansions of building size over twenty percent will require a special use permit.
- (b) When an existing land use on a subject parcel expands, buffer plantings in the area of expansion shall be required in the first ten feet of the side and rear yard setbacks.

(Ord. 126-06 Attach. B (part), 2006).

Division III. Rural Industrial (RI)

17.04.401 Purpose.

The rural industrial (RI) district provides for isolated areas of primarily existing industrial type uses.

(Ord. 108-05 Attach. B (part), 2005).

17.04.402 Uses permitted.

- (a) Uses. Manufacturing, warehousing, truck yards, and contractor yards.
- (b) Accessory Uses. Retail space not to exceed ten percent of the floor area.
- (c) Special Permit Required Uses. Accessory air transportation.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.04.403 Lot requirements.

~~(a) — Density and Lot Size. Dependent on subject property location.~~

(~~a~~b) Lot Width and Depth. Designate limited and safe access(es) to roads.

(~~b~~e) Front Yard Setback. Fifteen feet.

(~~c~~e) Side and Rear Yard Setbacks. The side setback shall be twenty feet and the rear setback shall be twenty feet. At minimum, buffer plantings shall be in the first five feet of this setback.

(~~d~~e) The setback requirements of this section may be waived to the extent necessary to provide for direct and unobstructed access to an adjacent transportation facility such as a railroad or airport.

(Ord. 108-05 Attach. B (part), 2005).

17.04.404 Building regulations.

~~(a) — Floor Area Ratio. One is to five in rural areas or one is to three in RAC, except for fire stations.~~

(~~a~~b) Size. Seven thousand five hundred sq. ft. maximum or reviewed through special use permit.

(~~b~~e) Height. No maximum height for incineration facilities, boilers, electrical or generating plants, or industrial facilities on lands zoned as industrial areas.

(Ord. 108-05 Attach. B (part), 2005).

17.04.405 Signs.

One monument sign, ten-foot height and one hundred forty-square foot size limit; one wall sign that faces towards street or public access, forty-square foot size limit, and no more than ten percent of wall area. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.406 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.

(Ord. 108-05 Attach. B (part), 2005).

17.04.407 Special provisions.

New development shall be constructed and operated to meet the following performance standards:

- (1) Noise shall be controlled to comply with Chapter 9.36 Mason County Code;
- (2) Odor shall be controlled to comply with Olympic Air Pollution Control Authority Reg. 1, Section 9.11;
- (3) Light and glare shall be controlled such that:

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- (A) No light or combination of lights that cast light upon a public street or non-residentially zoned property shall exceed one foot-candle meter reading as measured at the edge of roadway or property line,
 - (B) No light or combination of lights that cast light upon a residentially zoned property shall exceed 0.4 foot-candle meter reading as measured at the residential property line,
 - (C) Direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, shall not be directed into any adjoining property,
 - (D) No flickering or flashing lights shall be allowed except to the extent necessary to meet state or federal safety requirements;
- (4) No vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three minutes or more duration in any one hour, nor any vibration producing an acceleration of more than 0.1 g, or which results in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure;
 - (5) Local traffic impact shall be limited to no more than five percent of the existing traffic, except as provided that by special use permit. Criteria for approval shall include limits on traffic and hours of operation;
 - (6) Outside storage of materials shall be screened and not visible from adjacent properties by the use of landscaping, berming and/or fencing;
 - (7) The following additional information is required for special use permit requests to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations, including, but not limited to: the location and size of lot(s); site plan with areas of proposed use; access to state and county roads; land uses on adjacent properties and potential impacts to those uses by the proposal; provision of parking areas and stormwater facilities; hours of operations; anticipated sources of noise, glare, or odors from proposed use(s); grading proposed; stormwater and erosion control plans; sanitation and support services provided; and traffic studies from activities proposed.

Where development existed as of the date of the ordinance codified in this chapter, it shall not meet the above performance standards, but that development and the adjoining lands shall continue to meet buffer yard standards as provided in Section 17.04.8023-036.

(Ord. 108-05 Attach. B (part), 2005).

Division IV. Rural Natural Resource (RNR)

17.04.501 Purpose.

The rural natural resource (RNR) district provides for isolated areas of resource based industry outside of the designated resource lands.

(Ord. 108-05 Attach. B (part), 2005).

17.04.502 Uses permitted.

- (a) Uses. Processing of native natural materials, including forest products, mining, aquaculture, agriculture,
- (b) Accessory Uses. Storage of finished products, retail sales of products up to ten percent of building area.

(Ord. 108-05 Attach. B (part), 2005).

17.04.503 Lot requirements.

- (a) Density and Lot Size. Five acres or greater. ~~dependent on subject property location.~~
- (b) Lot Width and Depth. Designate limited and safe access(es) to roads.
- (c) Front Yard Setback. Fifteen feet.
- (d) Side and Rear Yard Setbacks. The side setback shall be twenty feet and the rear setback shall be twenty feet. At minimum, buffer plantings shall be in the first five feet of this setback.
- (e) The setback requirements of this section may be waived to the extent necessary to provide for direct and unobstructed access to an adjacent transportation facility such as a railroad or airport.

(Ord. 108-05 Attach. B (part), 2005).

17.04.504 Building regulations.

~~(a) Floor Area Ratio. One is to twenty.~~

~~(a)~~ (b) Size. Two thousand sq. ft. additions or five percent of floor area of existing use buildings; ten thousand sq. ft. building maximum size for new development, except when larger building sizes are approved by special use permit.

~~(b)~~ (e) Height. Exempt from thirty-five feet limit.

(Ord. 108-05 Attach. B (part), 2005).

17.04.505 Signs.

One monument sign, ten-foot height and one hundred forty-square foot size limit; one wall sign that faces towards street or public access, forty-square foot size limit, and no more than ten percent of wall area. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.2023 are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.506 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.

(Ord. 108-05 Attach. B (part), 2005).

17.04.507 Special provisions.

New development shall be constructed and operated to meet the following performance standards:

- (1) Noise shall be controlled to comply with Chapter 9.36 Mason County Code;
- (2) Odor shall be controlled to comply with Olympic Air Pollution Control Authority Reg. 1, Section 9.11;

(Supp. No. 58, 2-22)

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- (3) Light and glare shall be controlled such that:
- (A) No light or combination of lights that cast light upon a public street or non-residentially zoned property shall exceed one foot-candle meter reading as measured at the edge of roadway or property line,
 - (B) No light or combination of lights that cast light upon a residentially zoned property shall exceed 0.4 foot-candle meter reading as measured at the residential property line,
 - (C) Direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, shall not be directed into any adjoining property,
 - (D) No flickering or flashing lights shall be allowed, except to the extent necessary to meet state or federal safety requirements;
- (4) No vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three minutes or more duration in any one hour, nor any vibration producing an acceleration of more than 0.1 g, or which results in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure;
- (5) Local traffic impact shall be limited to no more than five percent of the existing traffic, except as provided that by special use permit. Criteria for approval shall include limits on traffic and hours of operation;
- (6) Outside storage of materials shall be screened and not visible from adjacent properties by the use of landscaping, berming and/or fencing.

Where development existed as of the date of the ordinance codified in this chapter, it shall not meet the above performance standards, but that development and the adjoining lands shall continue to meet buffer yard standards as provided in Section 17.04.8023-036.

(Ord. 108-05 Attach. B (part), 2005).

Division V. Rural Tourist (RT)

17.04.601 Purpose.

(See Section 17.02.047).

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.602 Uses permitted.

- (a) Uses. Marina - sales, service and storage; overnight lodging facilities, including motel, RV park, campgrounds, and bed and breakfast; golf course, restaurant, retreat centers, commercial or nonprofit recreational activity facilities (such as water parks, bicycle courses and racquet court sports), and motorized commercial outdoor recreation (limited to a single parcel or combination of adjacent parcels under single ownership no less than one hundred acres total in size).
- (b) Accessory Uses. Employee housing; maintenance buildings/yards, offices, equipment storage and rental; retail and gas (one thousand square feet maximum building size); self-storage (contained space has one thousand square feet maximum building size; outdoor storage limited to recreation storage).

-
- (c) Special Permit Required Uses. Motorized commercial outdoor recreation (on a single parcel of combination of adjacent parcels under single ownership less than one hundred acres in total size); air transportation; and rifle ranges.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 26-15, 5-26-2015)

17.04.603 Lot requirements.

~~(a) — Density and Lot Size. Dependent on subject property location.~~

~~(ab)~~ Lot Width and Depth. All lots shall have ~~a minimum average width of not less than one-third of the median length and~~ a minimum width at any point of fifty feet; designate limited and safe access(es) to roads.

~~(be)~~ Front Yard Setback. Thirty feet for buildings; ten feet for signs.

~~(cd)~~ Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty-five feet. Buffer plantings required in the first ten feet of this setback.

(Ord. 108-05 Attach. B (part), 2005).

17.04.604 Building regulations.

~~(a) — Floor Area Ratio. One is to five in rural areas or one is to three in RC3, except for fire stations.~~

~~(ab)~~ Size. Five thousand sq. ft. maximum or reviewed by RV Park or special use permit.

~~(be)~~ Height. ~~Two floors~~ Not to exceed thirty-five feet maximum except for agricultural buildings, cell towers, antennas, or water tanks, or as reviewed by special use permit.

(Ord. 108-05 Attach. B (part), 2005).

17.04.605 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.606 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards. For bed and breakfasts, one stall for each bedroom shall be provided.

(Ord. 108-05 Attach. B (part), 2005).

17.04.607 Special provisions.

- (a) Application to RT uses requires applicant to provide such information: access to state and county roads; location and size of lot(s); land uses on adjacent properties; potential impacts to existing residential uses; how is proposed use related to recreational and tourist activities and/or to commercial services to tourists and adjacent rural populations.
- (b) RV parks shall comply with the following additional standards:
 - (1) No recreational vehicle shall remain in the RV park for rental purposes or for a time period of more than one hundred twenty consecutive days and one hundred eighty days in a three hundred sixty-day period (this standard applies to new occupants at existing mobile home and recreational vehicle parks, and to new mobile home and recreational vehicle parks). The RV park management shall maintain rental records identifying each RV and registered occupant and shall present them to the county on written request. Failure to maintain or to present these records on request shall be sufficient grounds to rescind the RV park permit.
 - (2) The recreational vehicle shall be built on a chassis and self-propelled or permanently towable, and shall not be set up in a RV park as a permanent structure for limited use.
- (c) Additional information, stated in Section 17.05.046, is required for special use permits, to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

Division VI. Rural Tourist—Campground (RTC)

17.04.611 Purpose.

(See Section 17.02.047).

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

17.04.612 Uses permitted.

- (a) Uses. Overnight lodging facilities, including RV park, and campgrounds; golf course, retreat centers, commercial or nonprofit recreational activity facilities (such as water parks, bicycle courses, and racquet court sports), and motorized commercial outdoor recreation (limited to a single parcel or combination of adjacent parcels under single ownership no less than one hundred acres total in size).
- (b) Accessory Uses. Employee housing; motel and bed and breakfast; Marina - sales, service and storage; retail, gas, self storage, restaurant.
- (c) Special Permit Required Uses. Motorized commercial outdoor recreation (on a single parcel or combination of adjacent parcels under single ownership less than one hundred acres in total size); and rifle ranges.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 26-15, 5-26-2015)

17.04.613 Lot requirements.

~~(a) — Density and Lot Size. Dependent on subject property location.~~

~~(ab)~~ Lot Width and Depth. All lots shall have a ~~minimum average width of not less than one-third of the median length and a~~ minimum width at any point of fifty feet; designate limited and safe access(es) to roads.

~~(be)~~ Front Yard Setback. Thirty feet for buildings; ten feet for signs.

~~(cd)~~ Side and Rear Yard Setbacks. Fifteen feet for lots contiguous to lots zoned commercial or industrial use; otherwise, twenty-five feet. Buffer plantings required in the first ten feet of this setback.

(Ord. 108-05 Attach. B (part), 2005).

17.04.614 Building regulations.

~~(a) — Floor Area Ratio. One is to twenty in rural areas, except for fire stations.~~

~~(ab)~~ Size. Five thousand sq. ft. maximum or reviewed by RV park or special use permit.

~~(be)~~ Height. ~~Two floors. N~~ot to exceed thirty-five feet maximum except for agricultural buildings, cell towers, antennas, or water tanks, or as reviewed by special use permit.

(Ord. 108-05 Attach. B (part), 2005).

17.04.615 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed ten percent of the area of the building face, and 2) a detached sign with an area size not to exceed ten percent of the building face, that is free-standing, and with a height maximum of twenty-five feet or height of building, whichever is less. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.20~~23~~ are not allowed.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008)

17.04.616 Off-street parking.

Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards. For bed and breakfasts, one stall for each bedroom shall be provided.

(Ord. 108-05 Attach. B (part), 2005).

17.04.617 Special provisions.

(a) Application to RTC uses requires applicant to provide such information: access to state and county roads; location and size of lot(s); land uses on adjacent properties; potential impacts to existing residential uses; how is proposed use related to recreational and tourist activities and/or to commercial services to tourists and adjacent rural populations.

(b) RV parks shall comply with the following additional standards:

-
- (1) No recreational vehicle shall remain in the RV park for rental purposes or for a time period of more than one hundred twenty consecutive days and one hundred eighty days in a three hundred sixty-day period (this standard applies to new occupants at existing mobile home and recreational vehicle parks, and to new mobile home and recreational vehicle parks). The RV park management shall maintain rental records identifying each RV and registered occupant and shall present them to the county on written request. Failure to maintain or to present these records on request shall be sufficient grounds to rescind the RV park permit.
 - (2) The recreational vehicle shall be built on a chassis and self-propelled or permanently towable, and shall not be set up in a RV park as a permanent structure for limited use.

Additional information, stated in Section 17.05.046, is required for special use permits, to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

Division VII. Master Planned Resort (MPR)

17.04.701 Purpose.

The master planned resort district provides for self-contained and fully integrated planned unit development in a setting of significant natural amenity, with the primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities. [See section 17.70 Master Development Plans for development regulations.](#)

(Ord. 108-05 Attach. B (part), 2005).

~~17.04.702 Uses permitted.~~

~~(a) — Uses. Recreation facilities; lodging facilities including hotel, motel, RV park, campgrounds; restaurant; retail; marina — sales, service and storage; golf course; casino; gas.~~

~~(b) — Accessory Uses. Employee housing.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

~~17.04.703 Lot requirements.~~

~~(a) — Density and Lot Size. Dependent on subject property location.~~

~~(b) — Lot Width and Depth. Designate limited and safe access(es) to roads.~~

~~(c) — Front Yard Setback. Minimize clearing of vegetation buffer and integrate parking to side or rear of building.~~

~~(d) — Side and Rear Yard Setbacks. The side setback shall be twenty feet and the rear setback shall be twenty feet. At minimum, buffer plantings shall be in the first five feet of this setback.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.04.704 Building regulations.

~~(a) Floor Area Ratio. One is to twenty.~~

~~(b) Size. Reviewed through special use permit.~~

~~(c) Height. Thirty-five feet maximum except for agricultural buildings, cell towers, antennas or water tanks, or as reviewed by special use permit.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)~~

17.04.705 Signs.

~~Reviewed as part of special use permit. Temporary signs permitted by section 17.05.025 are allowed. Signs prohibited by section 17.03.203 are not allowed.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

~~(Ord. No. 134-08, 12-16-2008)~~

17.04.706 Off-street parking.

~~Off-street parking (stall number and arrangement) shall be provided according with the provisions of the Mason County parking standards.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

17.04.707 Special provisions.

~~(a) Master-planned resorts must be designated by plan amendment and consistent with the Mason County comprehensive plan policies for master-planned resorts.~~

~~(b) RV parks existing at the date of development regulations adoption will comply with the existing standards of the mobile home and recreational vehicle parks ordinance. RV parks reviewed after this date of adoption shall comply with the following additional standards:~~

~~(1) No recreational vehicle shall remain in the RV park for rental purposes or for a time period of more than one hundred twenty consecutive days and one hundred eighty days in a three hundred sixty-day period. The RV park management shall maintain daily rental records identifying each RV and shall present them to the county on written request. Failure to maintain or to present these records on request shall be sufficient grounds to rescind the RV park permit;~~

~~(2) The recreational vehicle shall be built on a chassis and self-propelled or permanently towable, and shall not be set up in an RV park as a permanent structure for limited use.~~

~~(Ord. 108-05 Attach. B (part), 2005).~~

Division VIII. Buffer and Landscape Requirements

17.04.801 Purpose

The purpose of the buffer and landscape requirements is to provide visual buffering and preservation and protection of the character of the rural lands. Setbacks and buffer dimensional requirements are specified in each district of the rural lands and are contained in this chapter.

17.04.802 Planting Requirements

Buffer yard requirements are stated in terms of the number of plant units required per one hundred linear feet of buffer yard, see Figure 17.04.802(1).

- (a) Figure 17.04.802(2) identifies the minimum sizes of the various types of plant materials required under this chapter.
- (b) Substitution of Plant Materials.
 - (1) In buffer yards D, E, and F, evergreen canopy or evergreen under story trees may be substituted for deciduous canopy or under story without limitation.
 - (2) In buffer yards A, B, and C, up to fifty percent of deciduous canopy or under story may be substituted with evergreen canopy of under story.
 - (3) In all buffer yards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.
- (c) Maintenance of Plant Materials.
 - (1) All planting materials required by this section shall be maintained by the property owner in a manner to assure the health of the planting, and to assure that the buffer yard continues to serve its intended function.
 - (2) If any required planting material shall cease to serve their intended function due to size, age or health, the property owner shall replace such planting material with the same or similar plant types, as provided in this chapter.
- (d) Variations of Buffer Yard Requirements.
 - (1) In all buffer yards, planting requirements may be reduced by twenty-five percent by increasing the width of the buffer by fifty percent.
 - (2) In all buffer yards, the required width of the buffer yard may be reduced by fifty percent by increasing the amount of plantings by one hundred percent.
 - (3) In buffer yards A and B, the buffer yard width or the amount of planting may be reduced by fifty percent if any fence or berm shown in Figure 17.04.801(3) is used.
 - (4) In buffer yard C, the buffer yard width or amount of planting may be reduced by fifty percent if a structure F3 or above is used.
 - (5) In buffer yard D, the buffer yard width or the amount of planting may be reduced by fifty percent if a structure F4 or B2 or above is used.

(6) In buffer yards E and F, the buffer yard width or the amount of planting may be reduced by fifty percent if a structure F6 or BW1 is used.

(e) Uses Allowed in a Buffer Yard.

- (1) Where a wetland or open space set aside for any purpose is used as a buffer yard, any use normally allowed in such wetland or open space may be allowed also within the buffer yard, except that mining, logging, or other forestry activities shall not be permitted in a buffer yard.
- (2) Required stormwater facilities may be located within buffer yards, provided that the landscaping of such facilities complies with the requirements of this section.

Figure 17.04.802(1)

BUFFER YARD STANDARDS

	<u>Buffer yard A</u>	<u>Buffer yard B</u>	<u>Buffer yard C</u>	<u>Buffer yard D</u>	<u>Buffer yard E</u>	<u>Buffer yard F</u>
<u>Buffer width</u>	<u>5'</u>	<u>10'</u>	<u>15'</u>	<u>20'</u>	<u>25'</u>	<u>50'</u>
<u>Structure Required</u>	<u>no</u>	<u>no</u>	<u>No</u>	<u>F3 or B1*</u>	<u>F4 or B2*</u>	<u>F5 or B3*</u>
<u>Plant units/100'</u>						
<u>Canopy trees</u>	<u>0.6</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>8</u>
<u>Under story trees</u>	<u>1</u>	<u>2</u>	<u>4</u>	<u>6</u>	<u>6</u>	<u>12</u>
<u>Shrubs</u>	<u>0</u>	<u>3</u>	<u>6</u>	<u>9</u>	<u>24</u>	<u>48</u>
<u>Evergreens</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>12</u>	<u>24</u>

* See Figure 17.04.802(3) for structure details.

Figure 17.04.802(2)

PLANT MATERIAL TYPES

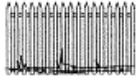


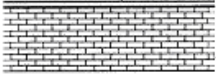
<u>Plant Material Type</u>	<u>Planting in Buffer Yards abutting Vacant Lands</u>	<u>All Other Plantings</u>
<u>Canopy tree (deciduous)</u>		
<u>Single stem</u>	<u>1 ½ inch caliper</u>	<u>2 inch caliper</u>
<u>Multi-stem clump</u>	<u>6 feet height</u>	<u>8 feet height</u>
<u>Under story tree (deciduous)</u>	<u>4 feet height</u>	<u>6 feet height</u>
<u>Evergreen</u>	<u>4 feet height</u>	<u>6 feet height</u>
<u>Shrub</u>		
<u>Deciduous</u>	<u>1 gal (15 inches height)</u>	<u>2 gal (24 inches height)</u>
<u>Evergreen</u>	<u>1 gal (12 inches height)</u>	<u>2 gal (18 inches height)</u>

Note: These requirements refer to the minimum size of plant materials at the time of planting.


Figure 17.04.802(3)

BUFFER YARD STRUCTURES & BERMS

FENCES

Symbol	Height	Material
F1	44"	
		Wood Picket
F2	48"	
		Wood Rail
F3	6'	
F4	8'	
		Wood Stockade
F5	6'	
F6	8'	
		Masonry Wall (Poured Concrete, Cement Block, Brick, etc)

BERMS

Symbol	Height	Material
B1	4'	Earth 
B2	5'	
B3	6'	

Berm Height ↗

BERM WALLS

BW1	4' Berm w/6' Masonry Wall
BW2	5' Berm w/7' Masonry Wall
BW3	6' Berm w/8' Masonry Wall

Less Intensive | More Intensive



Chapter 17.05 ADMINISTRATIVE PROCEDURES

Article I. Structures and Uses

17.05.006 Review of structures.

Structures which are assembled for a certain purpose or use shall be reviewed under the standards of that use (for example, boathouse, dock, boat lift, shed or deck), whether secured in a fixed location or on a mobile framework.

(Ord. 108-05 Attach. B (part), 2005).

Article II. Nonconforming Buildings and Uses

17.05.011 Applicability.

The provisions of this section shall apply to buildings, lands or uses which become nonconforming as a result of the application of this chapter to them, or from the classification or reclassification of the property under this chapter, or any subsequent amendment thereto.

(Ord. 108-05 Attach. B (part), 2005).

17.05.012 Continuing existing uses.

- (a) Any lawful use of land and/or building or structure, either existing or under construction, may be continued, without regard to whether the use or building becomes nonconforming as a result of application of this chapter.
- (b) Any lawful use of land and/or building or structure for which a use or building permit has been applied may (subject to the issuance of such permit) be completed, and may be used as intended, without regard to whether the use or building would be nonconforming as a result of application of this chapter.
- (c) Any lawful use of land and/or building or structure which is vested by application of state law may be completed, and may be used as intended, without regard to whether the use or building would be nonconforming as a result of application of this chapter.

(Ord. 108-05 Attach. B (part), 2005).

17.05.014 Alterations and enlargements.

- (a) Unless otherwise specifically provided in this chapter, nonconforming buildings shall not be enlarged or structurally altered unless the enlargement or alteration is required by law, or unless the enlarged building area is occupied by a conforming use. Any such enlargement or structural alteration shall meet the setback and buffer requirements of this chapter, as those setback and buffer requirements are applied to the entire parcel of land, subject to the determination of the administrator. ~~as set forth in Section 17.03.036(3)(C).~~

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- (b) Nonconforming nonresidential uses and structures located outside urban growth areas may be permitted to expand, subject to the following conditions:
- (1) The floor area of the existing building(s) shall not increase by more than twenty percent or ten thousand square feet, whichever is greater; and
 - (2) The **setback and** buffer yard requirements of this chapter shall be applied to the entire parcel of land, and shall be met, subject to the determination of the administrator, ~~as set forth in Section 17.03.036(3)(C).~~
- (c) Normal upkeep, repair and maintenance of nonconforming structures is permitted, provided that such activities shall not increase the nonconformity of the use or structure(s).
- (d) Unless otherwise specifically provided in this chapter, no nonconforming use shall be enlarged or increased, or extended to occupy a greater area of land than occupied by such use at the time this chapter becomes effective.
- (e) Unless otherwise specifically provided in this chapter, no nonconforming use shall be moved, in whole or in part, to any other portion of the lot or parcel of land occupied by the nonconforming use at the time this chapter becomes effective.
- (Ord. 108-05 Attach. B (part), 2005).

17.05.016 Abandonment; reconstruction.

- (a) If any nonconforming use of land and/or building is abandoned, or ceases for any reason whatsoever (including destruction of the building) for a period of two years or more, then any future use of such land and/or building shall conform to the provisions of this chapter. Upon written request of the property owner, the administrator shall grant one, one-year extension to the aforementioned two-year period.
- (b) Any nonconforming building or structure which has been damaged or destroyed by fire, earthquake, flood, wind or other disaster may be rebuilt for the same nonconforming use only, subject to the following restrictions:
- (1) The restoration or repair of such nonconforming building shall not serve to extend or increase the nonconformance of the original building or use; and
 - (2) A building permit allowing for such restoration or repair must be issued within two years of the disaster. Upon written request of the property owner, the administrator shall grant one, one-year extension to the aforementioned two-year period.

(Ord. 108-05 Attach. B (part), 2005).

17.05.018 Change of use.

Any current nonconforming use of land or a structure shall not be changed to any other use, unless:

- (1) The new use conforms to the provisions of the ordinance codified in this chapter;
- (2) The new use is of equal or lesser intensity than the most current use, as determined by the **Classification of Land Uses, Figure 17.03.034** administrator;
- (3) By special use permit, the new use is of equal to or less intensity than any prior use that occurred in a ten-year period preceding the date of application for said special use permit, based upon the current site conditions and compatibility with area land uses; and

(4) Provided that the land use has not been abandoned per Section 17.05.016.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

Article III. Temporary Uses

17.05.022 Temporary construction buildings.

Temporary structures for the housing of tools and equipment, or buildings containing supervisory offices in connection with construction projects, may be established and maintained during the progress of construction on such progress. Such buildings and/or structures shall be abated and removed from the premises within thirty days after completion of the project, or thirty days of cessation of work.

(Ord. 108-05 Attach. B (part), 2005).

17.05.023 Temporary construction signs.

Signs identifying persons engaged in or responsible for construction on a site shall be permitted while construction is in progress upon the issuance of a building or use permit. Such sign shall not exceed sixty-four square feet (per face) in size, and shall be removed within six months of its placement on the site.

(Ord. 108-05 Attach. B (part), 2005).

17.05.024 Temporary sales office.

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.

(Ord. 86-08 Attach. A, 2008).

17.05.025 Temporary signs.

Temporary signs are those signs ~~associated with a particular event or short term activity such as, but not limited to; agricultural or garage sales signs, grand opening displays, festival, carnival or parade signs, political signs and real estate signs~~intended and designed to be displayed for a limited period of time and associated with a particular event or short term activity; ~~which temporary signs~~ are to be removed within ten days ~~when of~~ the event or activity end~~ings~~. Temporary signs are allowed in all rural areas of the county and the Shelton UGA subject to the following limitations:

- (a) Signs shall not be placed within the county right-of-way unless otherwise approved with a road-use permit from the public works department, and with adjacent property owner's permission, except as allowed under section 17.03.202~~(a)-C.~~
- (b) Signs shall not be posted in a manner or location that may cause visual obstruction or a visual safety hazard for traffic especially in and around intersections, driveways and other access points.
- (c) It shall be the responsibility of the owner to remove a temporary sign within ten days after such sign is no longer serving its purpose~~including, but not limited to; the end of an event, meeting, festival, carnival or parade; the sale, lease, or rent of property; the end of an annual election cycle; the end of any type of sale.~~

-
- (d) County officials shall have the authority to remove signs when not placed in accordance with this section.

(Ord. No. 134-08, 12-16-2008)

Article IV. Variances

17.05.031 Purpose.

The purpose of this section is to provide a means of altering the requirements of this chapter in specific instances where the strict application of these regulations would deprive a property of privileges enjoyed by other properties which are similarly situated, due to special features or constraints unique to the property involved.

(Ord. 108-05 Attach. B (part), 2005).

17.05.032 Use variances prohibited.

No variance shall be granted to permit the establishment of a use otherwise prohibited within the development area in which the property concerned is located, except as provided in Section 17.05.018(2). Applications for such variances shall not be accepted for processing or review.

(Ord. 108-05 Attach. B (part), 2005).

17.05.034 Granting of variances authorized.

- (a) The hearing examiner shall have the authority to grant a variance from the provisions of this chapter when, in their opinion, the conditions set forth in Section 17.05.036 have been met. The hearing examiner shall have the authority to attach conditions to any such variance when, in their opinion, such conditions are necessary to protect the public health, safety or welfare, or to assure that the spirit of this chapter is maintained.
- (b) The administrator shall have the authority to grant a variance from the provisions of this chapter when the granting of such variance will result in a measurable deviation of ten percent or less from the provisions set forth in this chapter. In issuing such variance, the administrator shall make a positive determination that the conditions set forth in Section 17.05.035 have been met. The administrator shall have the authority to attach conditions to any such variance when, in his (her) opinion, such conditions are necessary to protect the public health, safety or welfare, or to assure that the spirit of this chapter is maintained.
- (c) The administrator may allow a reduction in the required front yard setback or rear yard setback by administrative variance under the following circumstances: for existing lots of record as of March 5, 2002, where physical attributes of the lot (such as steep slopes, wetlands, streams, soils; lot width at the front yard line of no more than fifty feet or lot size of no more than one-quarter acre; and existing improvements of buildings, septic systems, and well areas) preclude a proposed development from meeting the twenty-five-foot front yard setback or twenty-foot rear yard setback standards. The front yard setback or rear yard setback shall be the minimum necessary to accommodate a reasonable development proposal, but not less than ten feet distance from the property line or road access easement boundary. The administrator shall document in the property file the rationale for the administrative variance decision.
- (d) The administrator may allow a reduction in the required side yard setback by administrative variance under the following circumstances: for existing lots of record as of March 5, 2002 that are parcels designated as Rural Residential 2.5, Rural Residential 5, Rural Residential 10, or Rural Residential 20; and where physical

(Supp. No. 58, 2-22)

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attributes of the lot (such as steep slopes, streams, wetlands, and soils; lot width at the front yard line of no more than fifty feet or lot size of no more than one-half acre; and existing improvements of buildings, septic systems, and well areas) preclude a proposed development from meeting the twenty-foot side yard setback standard. The variance to the side yard setback shall be the minimum necessary to accommodate a reasonable development proposal. This side yard setback shall not be less than five feet distance from the property line. The administrator shall document in the property file the rationale for the administrative variance decision.

(Ord. 108-05 Attach. B (part), 2005).

17.05.035 Findings required for approval of a variance.

See Mason County Code Title 15 Development Code Section 15.09.057.

(Ord. 108-05 Attach. B (part), 2005).

17.05.036 Procedural requirements for a variance.

- (a) Application for a variance shall be made to the department of community development, on forms furnished by the county.
- (b) Any application for a variance shall include an application fee as established by the board.
- (c) Variance applications decided by the hearing examiner shall require a public hearing, as set forth in ~~Section 17.05.050 of this chapter~~ Title 15.

(Ord. 108-05 Attach. B (part), 2005).

Article V. Special Uses

17.05.041 Purpose.

A special use is one which possesses unique characteristics due to size, nature, intensity of use, technological processes involved, demands upon public services, relationship to surrounding lands or other factors. The purpose of this section is to provide for adequate oversight and review of such development proposals, in order to assure that such uses are developed in harmony with surrounding land uses, and in a manner consistent with the intent of this chapter and the comprehensive plan.

(Ord. 108-05 Attach. B (part), 2005).

17.05.042 Authority.

Review authority is granted under Title 15 Development Code Section 15.03.050, Hearing Examiner.

(Ord. 108-05 Attach. B (part), 2005).

17.05.044 Decision criteria.

The review of special use permit applications shall be in accordance with the following criteria:

Any application for a special use permit shall not be approved unless an affirmative finding with regard to each of these criteria is made.

- (1) That the proposed use will not be detrimental to the public health, safety and welfare;
- (2) That the proposed use is consistent and compatible with the intent of the comprehensive plan;
- (3) That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated through appropriate measures to protect adjacent properties and the community at large;
- (4) That the proposed use is served by adequate public facilities which are in place, or planned as a condition of approval or as an identified item in the county's capital facilities plan;
- (5) That the proposed use will not have a significant impact upon existing uses on adjacent lands; and
- (6) If located outside an urban growth area, that the proposed use will not result in the need to extend urban services.

(Ord. 108-05 Attach. B (part), 2005).

17.05.046 Procedural requirements for a special use permit.

Review procedures shall follow the standards of Title 15 Development Code Section 15.09, Review and Approval Process. The following additional information is required, as applicable, for applications for special use permits, to aid in analyzing the request, preparing necessary conditions, and providing consistency with dimensional and performance standards in these and other relevant county regulations. Including but not limited to:

- (1) The location and size of lot(s);
- (2) Site plan with areas of proposed use;
- (3) Access to state and county roads;
- (4) Land uses on adjacent properties and potential impacts to those uses by the proposal;
- (5) Provision of parking areas and stormwater facilities;
- (6) Hours of operations;
- (7) Anticipated sources of noise, glare, or odors from proposed use(s);
- (8) Grading proposed;
- (9) Stormwater and erosion control plans;
- (10) Sanitation and support services provided; and
- (11) Traffic studies from activities proposed.

(Ord. 100-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

Article VI. Administration and Enforcement

17.05.071 Validity and severability.

- (a) This chapter shall be governed by the laws of the state of Washington. In the event that any portion or section of the ordinance codified in this chapter be declared invalid or unconstitutional by a court of

competent jurisdiction, the remainder of the ordinance codified in this chapter shall not be affected and shall remain in full force and effect.

- (b) This chapter is intended to conform to and promote the provisions of the Mason County comprehensive plan. In the event of conflict between the two documents, the more specific interpretation shall apply.
(Ord. 108-05 Attach. B (part), 2005).

17.05.072 Enforcement.

Enforcement procedures are set forth in Title 15 Development Code Chapter 15.13, Enforcement. No permit for the construction, alteration or expansion of any building, structure or part thereof shall be issued unless the plans, specifications and intended uses of the subject property conform in all respects to the provisions of this chapter.

(Ord. 108-05 Attach. B (part), 2005).

17.05.079 Amendments.

This chapter may be amended whenever required by public necessity, convenience or welfare. Amendments may be initiated by the board, the planning advisory commission, the administrator, or by any owner of property within Mason County. Amendments may be made either to the text, or to the development areas map. The procedure for an amendment shall be as follows:

- (1) Petitions for amendment shall be received by the administrator, who shall forward such petition to the planning advisory commission and the board for review;
- (2) The planning advisory commission shall, in public session, review and consider the proposed amendment. Upon due deliberation, the commission shall forward its recommendation to the board. The commission shall not make an affirmative recommendation unless it finds that the proposed amendment is in conformity to the comprehensive plan;
- (3) Upon receipt of the recommendation of the commission, the board shall set a date for a public hearing on the amendment. Notice requirements for the public hearing shall be as set forth in ~~Section 17.05.052~~[Title 15](#);
- (4) The board shall conduct its hearing in accordance with the provisions set forth in ~~Section 17.05.054~~[Title 15](#);
- (5) In its deliberations, the board shall first determine whether the proposed amendment is in conformity with the comprehensive plan. The board shall not approve an amendment unless it makes such an affirmative finding.

(Ord. 108-05 Attach. B (part), 2005).

17.05.080 Rezone criteria.

- (a) Rezone Criteria. The county shall review a rezone proposal and enter written findings for the following criteria:
- (1) Development allowed by the proposed rezone designation shall not damage public health, safety and welfare;

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- (2) The zone designation shall be consistent with the Mason County comprehensive plan, development regulations, and other county ordinances, and with the Growth Management Act; and that designation shall match the characteristics of the area to be rezoned better than any other zone designation;
 - (3) No rezone shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase sprawling, low-density rural development, or to significantly increase uses incompatible with resource-based uses in the vicinity;
 - (4) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially increase demand for urban services in rural areas, including, but not limited to, streets, parking, utilities, fire protection, police and schools;
 - (5) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage development in urban areas where adequate public services and facilities exist or can be provided in an efficient manner;
 - (6) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to materially interfere with the Growth Management Act goal to encourage retention of open space, to conserve fish and wildlife habitat, and generally to protect the environment, including air and water quality;
 - (7) No rezone to more intensive land use shall be approved if, either by itself or together with other rezoning and/or development, whether actual or potential, the cumulative impacts of such zoning would be to create pressure to change land use designations of other lands or to increase population growth in rural areas as projected in the Mason County comprehensive plan;
 - (8) These criteria shall not be construed to prevent corrective rezoning of land necessitated by clerical error or similar error of typography or topography committed in the original zoning of such land.
- (b) Rezone Characteristics. The burden of proof shall be on the applicant to show through responses to these criteria and information provided that the proposed rezone to more intensive land use is warranted. In rural activity centers and hamlets, any rural land use rezone may be appropriate provided that the criteria above are satisfied. Outside of rural activity centers and hamlets, approval of rezone requests to a more intensive land use in rural areas shall not exceed five per calendar year and the total amount of acreage subject to rezoning shall not exceed fifty acres, except for errors in original zoning, as specified in subsection (a)(8) of this section. For purposes of this section, the numeric limit shall apply to both direct rezones for rural residential to rural commercial, rural tourist, or rural industrial, and also intervening rezones from rural residential to rural tourist, rural tourist campground, or rural natural resources with subsequent rezone requests to rural commercial or rural industrial. For purposes of this section, the total acreage limit shall not include the acres of parcels rezoned to rural tourist campground or rural natural resources.

Such rezones must involve small-scale businesses as defined in Mason County Code Chapter 17.06, be isolated as required by RCW 36.70A.070(5)(d), and may not occur within one-half mile by road of any urban growth area, rural activity center; hamlet; or isolated rural commercial, rural tourist, or rural industrial area, or any other LAMIRD under RCW 36.70A.070(5)(d). ~~Rural Commercial 3 zoning shall not be allowed outside of rural activity centers and hamlets.~~ Rural natural resource, rural residential, rural tourist campground, and master planned resorts may occur anywhere in rural areas provided that the criteria above are satisfied. In the siting of new rural natural resource districts, consideration must be given that current and potential future development on site will not, in combination with development on adjacent properties, create a pattern of low-density sprawling development.

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- (c) Initial Zoning after Redesignation of Resource Land. Subsections (a) and (b) do not apply to a decision to initially zone land when it is redesignated from long-term commercial forest, ~~pursuant to policy RE-105 of the comprehensive plan.~~ The board of commissioners shall determine the initial zoning for such redesignated land by applying the planning policies in Chapter III of the Comprehensive Plan.

(Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 36-12, Att. A, 4-17-2012)

Chapter 17.06 DEFINITIONS

17.06.010 Definitions.

Note: The definitions used in the Mason County development regulations are those terms defined in Moskowitz, Harvey S. and Lindbloom, Carl G.; The New Illustrated Book of Development Definitions. New Brunswick, NJ, Center for Urban Policy Research, 1993, except as specifically defined in separate county ordinance(s).

"Accessory building or use" means any building or use which:

- (1) Is subordinated to, and serves a principal building or principal use; and
- (2) Is subordinate in area, extent or purpose to the principal building or principal use served; and
- (3) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- (4) Is located on the same lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.

"Accessory dwelling unit or ADU" means a second dwelling unit added onto, created within or detached from an existing single-family detached dwelling for use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping. See Section 17.03.029 for requirements for ADUs.

"Accessory uses" include signs that are related to and support a business or activity.

"Adequate public facilities" means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums. (WAC 365-195-210)

"Administrator" means the director of community development for Mason County shall serve as the administrator. The board may also designate an acting administrator who shall have all of the duties and powers of the administrator in the absence of or inability of the administrator to act.

"Adult day-care facility" means an establishment providing for regularly-scheduled care and supervision of adults whose age or medical condition warrants such care, and where such care is provided for periods of less than twenty-four hours.

"Adult retirement community" means a residential development for persons who are at least fifty-five years of age. Such development may include the following as accessory uses:

- (1) Social and recreation activities;
- (2) Communal meal service;
- (3) Limited health care facilities;

(4) Transportation facilities; and

(5) Personal services.

"Agricultural lands" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock.

"Agricultural resource lands" means land designated by Mason County as agricultural lands of long-term commercial significance.

"Agricultural sales sign" means a ~~usually seasonal~~ temporary sign used to announce and/or direct the public to a sale of locally grown agricultural products.

"Air transportation" means commercial air transport service, such as charter and/or docking facilities.

"Animated sign" means any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere.

"Appurtenant structure" means a structure that is ordinarily connected to the use and enjoyment of a single-family residence; normal appurtenant structures include, but are not limited to, a garage, deck, storage shed, woodshed, pump house, upland retaining wall and fence.

"Aquaculture" means the commercial cultivation of aquatic life, such as fish, shellfish and seaweed.

"Assisted living facility" means an institution or a distinct part of an institution that is licensed or approved to provide healthcare under medical supervision for twenty-four or more consecutive hours to two or more patients who are not related to the governing authority or its members by marriage, blood or adoption.

"Available public facilities" means that facilities or services are in place or that a financial commitment has been made to provide that facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development. (WAC 365-195-210)

"Bed and breakfast" means overnight accommodations and a morning meal in a room or suite of rooms provided to guests for compensation, where such room or suite is located in a building occupied by the owner of the facility.

"Best management practices" means a physical, structural, or managerial practice which has gained general acceptance for its ability to prevent or reduce environmental impacts.

"Billboard" means the same as an off-premises sign.

"Board" means the Mason County board of commissioners.

"Bufferyard" means an area of plantings surrounding a land use which screens or blocks vision, noise pollutants, or other negative by-products associated with that use. The bufferyard might consist of open space, landscaped areas, undisturbed areas of natural vegetation, fences, walls, berms or any combination thereof.

"Building" means a structure intended for use or occupancy by humans.

"Building face" means the wall on the side of the building facing the road accessing the property; the size of sign is the portion (i.e. ten percent) of the area value resulting from the product of the wall height times the wall width.

"Building size" is determined by measuring the building footprint from the outside walls. Does not include roof overhangs up to two feet. Roof overhangs larger than two feet from outside wall will be included in the overall size of the building.

"Capacity" means the measure of the ability to provide a level of service on a public facility.

"Capital improvement" means land, improvements to land, structures (including design, permitting, and construction), initial furnishings and selected equipment. Capital improvements have an expected useful life of at least ten years.

"Carrying capacity" means the intrinsic constraints on the development of an area. The development that may be allowed without an (unacceptable) significant adverse impact, on a cumulative basis, on an environmental or social value intended to be protected by the comprehensive plan. Carrying capacity in the biological sciences is the population of a species in a particular environment which can be sustained on an on-going basis. "The maximum number of inhabitants that an environment can support without detrimental effects." (Websters 11) For human populations, this concept less useful in the sense that resources which are locally in short supply can be transferred from anywhere in the world, and the level of impact that human society has on the environment is variable based on the technology used and the way that technology and other human activities are managed. Humans do not have the limited range of behaviors other species have. Examples of values to be protected in the plan would be native fisheries or rural character.

"Cemetery" means in accordance with R.C.W. 68.40, any one or combination of the following land uses in a place used for, or intended to be used and dedicated, for cemetery purposes: (1) burial park for earth interment; (2) mausoleum for crypt interment; and columbarium for permanent cinerary interment.

"Changing message center sign" means an electrically or electronically controlled sign where different automatic changing messages are shown on the same lamp blank.

"Child care center, commercial." "Commercial child care center" means an establishment providing for regularly-scheduled care, supervision and protection of children for periods less than twenty-four hours. Such establishment shall be subject to licensing and regulation requirements pursuant to WAC 388-155.

"Child care center, family." "Family child care center" means an establishment providing for regularly-scheduled care, supervision and protection of children for periods less than twenty-four hours, in a dwelling, where such care and supervision is provided by a resident of the dwelling, and where no nonresident is regularly employed. Such establishment shall be subject to licensing and regulation requirements pursuant to WAC 388-150.

"City" means any city or town, including a code city. (RCW 36.70A.030)

"Clustered development" means grouping the allowed development on only a portion of the site in such a way that a significant proportion of the site remains in common open space, recreation, resource-based use, any combination of those uses, or remains undeveloped with some kind of restriction on additional development.

"Commercial uses" means businesses involved in: (1) the sale, lease or rent of new or used products to the consumer public; (2) the provision of personal services to the consumer public; (3) the provision of leisure services in the form of food or drink and passive or active entertainment; or (4) the provision of product repair or servicing of consumer goods.

"Commission" means the Mason County planning advisory commission.

"Community on-site septic systems" means a sewage system used to serve multifamily residential complexes or groups of individual residences.

"Comprehensive land use plan, comprehensive plan, or plan" means the Mason County comprehensive plan, as adopted pursuant to the Growth Management Act, and as thereafter may be amended.

"Concurrency" means adequate public facilities are available when the impacts of development occur. This definition includes the two concepts of "adequate public facilities" and of "available public facilities" as defined in this section. (WAC 365-195-210)

"Consistency" means a term which means that no feature of a plan or regulation is incompatible with any other feature of a plan or regulation. Consistency is indicative of a capacity for orderly integration or operation with other elements in a system. (WAC 365-195-210)

"Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.

"Contiguous development" means development of areas immediately adjacent to one another. (WAC 365-195-210)

"Convenience store" means any retail establishment offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

"Cottage housing" is generally defined as a grouping of small, single family dwelling units clustered around a common area and developed with a coherent plan for the entire site.¹

"Cottage industry" means a business, occupation, or profession that is incidental to a residential use and is carried on by a member or members of the household living in the residential unit on the site. There may be up to five employees working on the site who do not reside on the site. Cottage industries may be conducted within the residential dwelling or within an accessory structure.

"County" means Mason County, Washington.

"Critical areas" means areas which include the following areas and ecosystems: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flowed areas; and (e) geologically hazardous areas. (RCW 36.70A.030)

"Density" means a measure of the intensity of development, generally expressed in terms of dwelling units per acre. Density can also be expressed in terms of population (i.e., people per acre).

"Density transfer" means the transfer of all or part of the permitted residential density on a parcel to another parcel.

"Design guidelines" means a set of guidelines defining parameters to be followed in site and/or building design and development.

"Design standards" means a set of standards defining parameters to be followed in site and/or building design and development.

"Development" means the construction, reconstruction, conversion, structural alteration, relation or enlargement of any structure, and any mining, excavation, filling, or other associated land disturbance.

"Development districts" means areas in which a variety of development options are allowed if they are consistent with the purpose of the district.

"Development regulations" means any controls placed on development or land use activities by a county or city. Including, but not limited to, zoning ordinances, subdivision ordinances, and binding site plan ordinances. (RCW 36.70A.030)

"Director" means the director of community development, and whose responsibilities may be delegated when not contrary to law or ordinance.

"Domestic water system" means any system providing a supply of potable water which is deemed adequate pursuant to RCW 19.27.097 for the intended uses of a development. (WAC 365-195-210)

"Easement" means a covenant which grants or restricts a specific right of use.

¹Note(s)—"What is Cottage Housing?" MRSC.Org, 30 November 2016

"Educational learning center" means a facility dedicated to environmental and resource education and research. This land use would be permitted on lands designated for long term agricultural use in urban growth areas with a special use permit. This land use would be permitted on agricultural resource lands with a special use permit, using the special use permit criteria and meeting the standard that the proposed land use shall have no more cumulative impacts than if the land remained in traditional agricultural production.

"Environmental impact statement (EIS)" means a document detailing the expected environmental impacts of a proposed action.

"Erosion" means the wearing away of the earth's surface as a result of the movement of wind, water or ice.

"Erosion hazard areas" means those areas that because of natural characteristics, including vegetative cover, soil texture, slope gradient, and rainfall patterns, or human-induced changes to such characteristics, are vulnerable to erosion.

"Essential public facilities" means and includes facilities such as prisons, correctional facilities, juvenile detention centers, courthouses, wastewater/sanitary treatment facilities and systems, solid waste facilities, transportation facilities (including public works operations and vehicle maintenance facilities), airports and hospitals.

"Facility" means the physical structure or structures in which a service is provided.

"Fire flow" means the amount of water volume needed to provide fire suppression. Adequate fire flows are based on industry standards, typically measure in gallons per minute (gpm). Continuous fire flow volumes and pressures are necessary to insure public safety. The fire flow volume shall be in addition to the requirements of the water system for domestic demand.

"Flashing sign" means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source.

"Floodplain" means that area of land adjoining a body of water that has been or may be covered by floodwater.

"Floor area ratio" is determined by summing the gross horizontal areas of all the floors of a building, measured from the exterior walls, or the centerline of walls separating two buildings, and dividing that sum by the gross area of the parcel proposed for use or development. Space devoted to off-street parking or loading is not included in this calculation.

"Front yard" and "front yard setback" mean the space extending the full width of the lot between a structure or building and the front lot line or road easement boundary, whichever is closer. The setback is measured from the [furthest projection of the](#) building to the closest point of the front lot line or road easement boundary, whichever is closer. See Figure 17.06 A.

"Fully contained community (FCC)" means a reserved capacity for new urban development that will be characterized by urban densities and intensities, urban governmental services, and meets the criteria established in the comprehensive plan and in RCW 36.70A.350.

"Garage sale signs (yard sales, moving sales, patio sales)" means temporary signs used to announce and/or direct the public to a sale of used items.

"Geologically hazardous areas" means areas that because of the susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. (RCW 36.70A.030)

"Greenbelt" means a linear corridor of open space which often provides passive recreation and nonmotorized transportation opportunities, serves as a buffer between developments and varying land uses, or creates a sense of visual relief from urban landscapes.

"Groundwater" means water that fills all the unblocked pores of material lying beneath the water table.

"Group homes" means a nonprofit or for-profit boarding home for the sheltered care of persons with special needs, which may provide food, shelter, and a combination of personal care, social and counseling services and transportation.

"Growth Management Act (GMA), or Act" means the Growth Management Act as enacted in 1990 and subsequently amended by the state of Washington.

"Hamlets" are intended to provide a focal point and community identity for surrounding rural area, while they meet some of the immediate needs of rural residents, resource dependent industry, and visitors. They may include one or two civic, community, or retail uses such as post office, community center, church, grange, gas station, or small convenience store. Residential uses are not included in hamlets. They may be served by community water systems and community sewage treatment facilities but have only rural governmental services.

"Height" shall be measured using average grade level. The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed structure and shall be determined by averaging the ground elevations at the midpoint of all exterior walls of the proposed structure.

"Hobby farm" means rural parcel(s) with a principal residential land use and secondary noncommercial or small-scale commercial farming, livestock raising, aquaculture, or forestry activities conducted on the property.

"Home occupation" means a business, occupation, or profession that is incidental to and carried on within a portion of a residential dwelling unit by a member or members of the household. ~~The business may have up to three employees in addition to members of the household.~~

"Hotel" means a facility offering guest lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.

"Household" means all persons who occupy a housing unit which is intended as separate living quarters and having direct access from the outside of the building or through a common hall. The occupants may be a single-family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. (U.S. Department of Commerce, Bureau of the Census)

"Impact mitigation" means the mitigation of the negative impacts of a development proposal. Mitigation includes, but is not limited to the following: avoiding the impact through change in the proposal, minimizing the impact through changes to the proposal, rectifying the impact by repairing, rehabilitating or restoring the affected environment, reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action, compensating for the impact by replacing, enhancing, or providing substitute resources or environments, and monitoring the impact and taking appropriate corrective measures. The term includes to voluntary and mandatory actions to compensate for the costs of reducing impacts; including traffic impacts.

"Infill" means the development of housing or other buildings in vacant sites in an already developed area.

"Infrastructure" means facilities and services needed to sustain industry, residential, and commercial activities. Infrastructure may include, but not be limited to, water and sewer lines, streets, and power and communication lines.

"Inholding land" means blocks of land that are surrounded on all sides by designated long-term commercial forest lands and are crucial for conservation of those lands, but are not directly of long-term commercial significance for forestry.

"Inn" means a commercial facility for the housing and feeding of guests, where the principal structure of such facility has been converted from a residential use.

"Intensity" means a measure of land use activity based on density, use, mass, size and impact.

"Level of service (LOS)" means an established minimum capacity of public facilities or services that must be provided per unit demand or other appropriate measure of need. (WAC 365-195-210); a qualitative measure describing the operational conditions within the traffic stream, and their perception by motorists and passengers.

"Local and community recreation centers" or "community centers" means places and buildings primarily designed for use by local residences for sports, leisure-time activities, or assembly for the public or for community service groups.

"Long-term commercial forests" or "long-term commercial forest land" means land so designated by the county in order to provide special protection for the continued use of the land for the production of timber. Land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production as defined in RCW 36.70A.30(8) and (10).

"Lot" means a designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit. See Figure 17.06 A to see location of lot lines and setbacks.

"Major arterial" or "principal arterial" means roads which convey traffic along corridors to areas of a high density of commercial or industrial activity. Major arterial or principal arterial emphasize mobility and de-emphasize access.

"Master planned resort" means a self-contained and fully integrated development in a setting of significant natural amenities that includes short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreation facilities. It may also include permanent residential uses as an integrated plan of the overall resort development. (WAC 365-195-210)

"Minerals" means a term which includes gravel, sand, and valuable metallic substances. (RCW 36.70A.030)

"Minor arterial" or "secondary arterial" means roads which link activity centers and convey traffic onto major arterial. Minor arterial provide both mobility and access.

"Mixed use" means development that combines two or more different land uses in the same project. For example, a mixed use project may include both commercial uses and residential uses.

"Mobile home" means a factory-assembled structure, transportable in one or more sections, that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, and electrical systems contained therein.

"Mobile home park" means a tract of land occupied or designed for occupancy by two or more mobile homes.

"Modular housing," or "modular home" refers to a dwelling that is designed for human habitation and is either entirely or substantially prefabricated or assembled at a place other than a building site. Modular homes or modular housing, commonly referred to as factory built housing, are placed on permanent foundations. For the purposes of this chapter, modular homes shall be treated the same as any other single-family dwelling units.

"Multifamily" means a structure containing four or more, joined dwelling units.

"Nonconforming land use" means a use or activity that was lawful prior to the adoption, revision or amendment of the ordinance codified in this chapter but fails by reason of such adoption, revision or amendment to conform to the present performance standards of the Mason County development regulations.

"Nonconforming structure" means a structure that was lawful prior to the adoption, revision or amendment to the ordinance codified in this chapter but fails by reason by such adoption, revision or amendment to conform to the present performance standards of the Mason County development regulations.

"Nontraditional housing types" means dwelling types other than on-site built housing units. Nontraditional housing types include, but are not limited to, manufactured housing, mobile homes and houseboats.

"Office" means a structure that generally houses a business, government, professional, medical or financial institution for the nondaily needs of individuals, groups or organizations.

"Off-premises sign" means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

"On-premises sign" means any communication device, structure or fixture that is intended to aid in identification and to advertise and/or promote a business, service, activity, interest or view at the location on which the sign is located.

"Open space." There are three kinds of open space land: private, common use, and public open space. Private open space includes farms, forest lands, and other parcels of undeveloped land. Common use open space is land within a residential development or other development which is designated for common access by the residents of the development or by the general community. Public open space is publicly-owned land available for recreational use of the entire community. Open water areas, such as the hood canal or lakes, is also often considered as open space because it creates a sense of openness.

"Performance standards" means criteria that are established and must be met before a certain use or intensity of use will be permitted. These measures are designed to guide development of property and include, but are not limited to, open space requirements, site design, bufferyards, screening, size and heights limits for buildings, noise, vibration, glare, heat, air or water contaminants and traffic.

"Performance subdivision" means a subdivision or short subdivision in which the applicant seeks to gain additional residential density by designing the proposed development in clusters of development and areas of open space which recognizes and preserves those land elements which are deemed worthy of protection. Within this chapter, performance subdivisions include those authorized under Chapters 16.22 and 16.23 of this code.

"Permitted use" means any use which is authorized or allowed outright, not requiring a special use permit or the approval of the board.

"Person." Within the context of this chapter, "person" means and intended to include an individual, firm, partnership, association or corporation; or a state, or any political subdivision of a state, or any agency thereof.

"Personal services" means establishments primarily engaged in providing services involving the care of a person, or his or her personal goods or apparel.

"Planned unit development (PUD)" means a residential development that includes a mix of housing types such as single-family, townhouses, and other multi-family, and groups uses to provide common open space or to include recreation such as golfing as part of the development.

"Plat" means a map or plan, especially of a piece of land dividing into building lots.

"Political sign" means a [temporary](#) sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.

"Primary treatment" means the first step in wastewater treatment in which solids in a wastewater stream are allowed to settle out. The suspended solids and the BOD (biochemical oxygen demand) are reduced by twenty-five to forty percent.

"Public services" means and includes fire protection and suppression, law enforcement, public health, education, recreation, environmental protection and other governmental services. (RCW 36.70A.030)

"Public water system" means any systems of water supply intended or used for human consumption or other domestic uses, including source, treatment, storage, transmission, and distribution facilities where water is being furnished to any community, collection, or number of individuals, but excluding a water systems serving on single-family residence. (WAC 248.54)

"RCW" means Revised Code of Washington.

"Real estate signs" means any temporary sign pertaining to the sale, lease or rental of land or buildings.

"Rear yard" and "rear yard setback." The "rear yard" means the space extending the full width of the lot between a structure or building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line. The "setback" is measured from the furthest projection of ~~means the closest distance from~~ the structure to the rear lot line. See Figure 17.06 A.

"Recreation storage" means the storage of recreational vehicles, boats, boat trailers, camper trailers, personal water craft, and similar outdoor recreational equipment.

"Recreational vehicle (RV) park." As defined in the mobile home and recreational parks Ordinance No. 118-91.

"Rehabilitation" means the physical improvement, remodeling, or partial reconstruction of existing structures rather than their demolition and replacement.

"Residential development" means the development of land, or the construction or placement of dwelling units for residential occupancy or appurtenant structures and for accessory uses. This definition shall not be construed to authorize any use under the variance criteria.

"Resource lands" means those lands which are suitable for agriculture, forest mineral extraction and protected by resource lands regulations.

"Resource-based" means a use that is dependent upon, or supports uses that are dependent upon, natural resources including, but not limited to, forestry, agriculture, aquaculture, horticulture and mineral extraction.

"Resource-based industry" means a manufacturing, industrial, or commercial business which requires a location near agricultural land, forest land, or mineral resource land or aquacultural area upon which it is dependent or supports. Examples include sawmills, plant nurseries, feed stores.

"Retail" means the selling of goods or merchandise to the public and providing services incidental to the sale of such goods. Retail does not include new and used auto sales, boat sales, recreational vehicle sales, or mobile/modular home sales.

"Right-of-way" means land owned by a government or an easement for a certain purpose over the land of another, used for a road, ditch, electrical transmission line, pipeline, or public facilities such as utility or transportation corridors.

"Road adequacy standards" means standards by which government agencies can assess whether adequate road facilities are being provided and regulated.

"Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

"Runoff" means water from rain, snowmelt, or irrigation that flows over the ground surface and returns to streams.

"Rural activity center (RAC)" means concentrated settlements within rural lands that may include a variety of residential, small scale commercial, resource-based and rural light industrial, recreation and public uses. They may also include a compact, pedestrian-oriented core. They may be served by community water systems and have community sewage treatment facilities but have only rural governmental services. They reflect an existing development pattern, but they are not intended to expand. RAC boundaries are established in the comprehensive plan.

"Rural areas" means rural areas in Mason County include those areas not designated as urban areas, resource lands, RACs or hamlets. They currently provide for rural residential, farming, forestry, recreation, and single-purpose commercial, retail and industrial uses. These uses are expected to continue and increase over the

next twenty years. In rural areas, the rural landscape will remain dominant, and include a variety of protected natural features.

"Rural lands" means those areas outside of designated resource lands and urban growth areas. Natural features contribute significantly to rural character of these lands. These features include, but are not limited to, forests, farmlands, and farm buildings, pastures, meadows, shorelines, wetlands, streams, lakes, hills and mountains. Types of uses within rural lands include resource-based land uses, recreational uses, residential uses, and low intensity nonresidential uses. Rural lands can be served by rural governmental services and included districts such as rural activity centers, hamlets and rural areas.

"Sandwich board sign" means an "a-framed" portable sign measured by height X width.

"Sanitary sewer systems" means all facilities, including approved on-site disposal facilities, used in the collection, transmission, storage, treatment or discharge of any waterborne waste, whether domestic in origin or a combination of domestic, commercial or industrial waste. (WAC 365-195-210)

"Secondary treatment" means the second step in purifying sewage which uses biological processes in addition to settling and provides purification from eighty-five to ninety-five percent.

"Seismic hazard areas" means areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement or soil liquefaction.

"Self-Storage Facility" means a building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.²

"Sewage" means the total of organic waste and wastewater generated by residential, industrial and commercial establishments.

"Sewer" means the closed pipe which carries raw sewage from a home or business to a treatment facility.

"Sewerage" means the entire system of sewage collection, treatment and disposal.

"Side yard" and "side yard setback" mean the space extending the full width of the lot between a structure or building and the side lot line and measured perpendicular to the building to the closest point of the side lot line. The side yard setback is ~~measured from the furthest projection of the closest distance from~~ the structure to the side lot line. See Figure 17.06 A.

"Sight distance" means the length of a roadway required which is sufficient enough to ensure safe operation of a motor vehicle at posted speeds.

"Sign" means any communication device, structure or fixture that is intended to aid in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way.

"Single-family dwelling" means a detached building containing one dwelling unit.

"Small scale" means a term which indicates that development regulations will limit the intensity, size, scale, number of uses and other factors of a particular development.

"Small scale business" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has twenty or fewer employees.

²Note(s)—Moskowitz, Harvey S. (2004) The latest illustrated book of development definitions (new expanded ed.) Rutgers, the State University of New Jersey

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof and recyclable materials. (RCW 70.95.030)

"Special needs housing" means all housing that is designed for an individual or family who requires supportive social services in order to live independently or semi-independently. These households require all types of housing including emergency, transitional and permanent housing. Special needs groups include, but are not limited to, the homeless; elderly; AIDS victims; single parents; runaway and homeless youth; severely physically handicapped; mentally and emotionally disturbed; chronically mentally ill, developmentally disabled; farm workers (migrant labor households) and persons with substance abuse problems. (Washington State Department of Community Development, Assessing your Community's Needs, a Practical Guide to Preparing Housing Assessments under the GMA and CHAS Requirements, June 1992.)

"Special use permit" means a "special use" refers to a land use that are found to possess characteristics relating to their size, numbers of people involved, the traffic generated, and their immediate impact on the area which makes impractical their being identified exclusively with any particular performance district as defined in this chapter. In order to determine that the location of these uses will not be unreasonably incompatible with uses permitted in the surrounding areas; and to permit the planning commission to recommend stipulations and conditions as may reasonably assure that the basic intent of this chapter will be served, these uses will be subject to review and recommendation by the planning commission and final determination by the board regarding the approval, denial or approval with conditions for the issuance of a special use permit by the Mason County community department of community development.

"State Environmental Policy Act (SEPA)" means a Washington state law requiring the systematic assessment of the environmental impacts of any action that is expected to significantly affect the environment.

"Structure" means anything constructed in the ground, or anything erected which requires location on the ground, or is attached to something having location on or in the ground, but not including fences or signs seven feet or less in height, driveways, or other paved areas.

"Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose of sale, lease, or transfer of ownership, unless specifically exempted in RCW Chapter 58.17.040.

"Surface waters" means streams, rivers, ponds, lakes or other waters designated as "waters of the state by the Washington Department of Natural Resources (WAC 222-16-030)."

"Temporary sign" means those signs ~~intended and designed to be displayed for a limited period of time and associated with a particular event or short term activity, associated with a particular event or short term activity, such as, but not limited to; agricultural or garage sales signs, festival, carnival or parade signs, political signs and real estate signs,~~ which are ~~to be then~~ removed within ten days ~~when of~~ the event or activity end~~ings~~.

"Tertiary treatment" means the third step in purifying sewage that removes additional nutrient levels.

"Urban governmental services" means and includes those governmental service historically and typically delivered by cities, and include storm and sanitary sewer services, fire and police protection services, public transit services and other public utilities associated with urban areas and normally not associated with non-urban areas. (RCW 36.70A.030)

"Urban growth" means growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth. (RCW 36.70A.030)

"Urban growth area" means those areas designated by a county pursuant to RCW 36.70A.110.

"Urban level of facilities and services" means those services defined as "urban governmental services" with levels of service as defined within capital facilities element of the Mason County comprehensive plan.

"Utilities or public utilities" means enterprises or facilities serving the public by means of an integrated systems of collection, transmission, distribution, and processing facilities through more or less permanent physical conditions between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water for the disposal of sewage. (WAC 365-195-210)

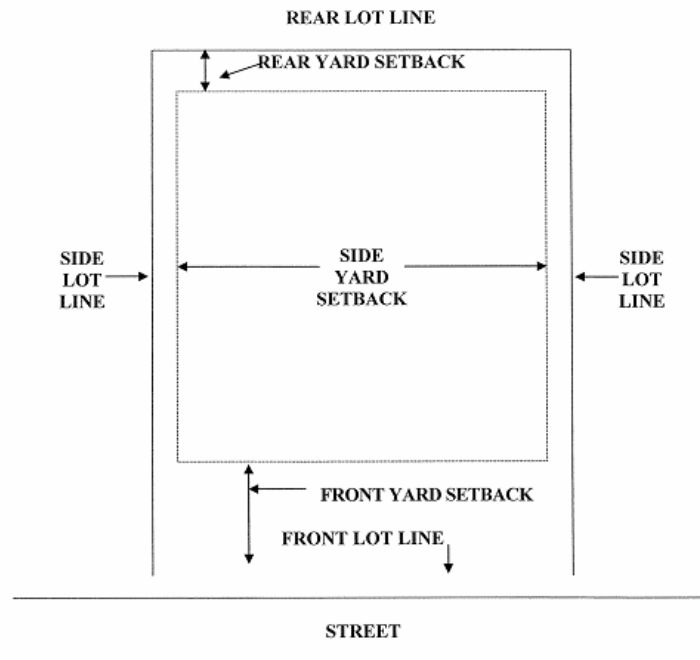
"Water dependent use" means a use or portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Examples of some water dependent uses include: boat ramps, swimming areas, aquaculture, marinas, water intakes and outfalls, fish pens and fish screens.

"Watershed" means region drained by or contributing water to a stream, lake or other body of water.

"Wetland or wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swaps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands. (RCW 36.70A.030)

(Ord. 73-07 Attach. B (part), 2007; Ord. 108-05 Attach. B (part), 2005).

(Ord. No. 134-08, 12-16-2008; Ord. No. 14-14, Att. A, 3-18-2014; Ord. No. 72-16, Att. A, 10-18-2016; Ord. No. 09-17, Attach. A, 3-17-2017)



Chapter 17.10 GENERAL PROVISIONS FOR ALLYN ZONING CODE*

Article I. General Provisions

17.10.110 Title.

The regulations codified under Chapters 17. 10 to 17.17 shall be known as the Allyn Zoning Code, which code adopts a zoning districting plan for the Allyn urban growth area.

(Ord. 63-07 Exh. A (part), 2007).

17.10.120 Authority.

The Allyn Zoning Code is enacted under the authority and police powers of Mason County and the Revised Code of Washington including, but not limited to, the requirements and authority of Chapter 36.70, Planning Enabling Act and Chapter 36.70A RCW, the Washington State Growth Management Act.

(Ord. 63-07 Exh. A (part), 2007).

17.10.130 Purpose and applicability.

Purpose. The purpose of this code is to:

- (1) Establish zoning districts (map) and development regulations (text) to guide the development and use of property within the Allyn Urban Growth Area (AUGA) consistent with and implementing the vision, goals and policies of the Mason County Comprehensive Plan and of the Allyn Urban Growth Area Plan.
- (2) Provide safe, attractive and livable residential neighborhoods with a variety of affordable housing units for at members of the community.
- (3) Provide for a combination of neighborhood, community wide and tourist based commercial opportunities within distinct functional zoning districts that encourage compatible and complementary uses with a related scale and design.
- (4) Provide adequate parking, attractive signage, pedestrian access and open spaces.
- (5) Promote an urban and neighborhood design that enhances public safety through adequate but non-intrusive street and structure lighting, creation of defensible spaces, reduced response times, identification and separation of hazardous uses, readable and consistent building addressing and adequate fire hydrant location, flows and pressure.
- (6) Provide for development of a sustainable urban infrastructure, with minimum negative impacts on the environment and limiting fiscal impacts on existing residents and businesses, concurrent with the demand for services.
- (7) Provide for efficient and safe traffic flow for vehicles, non-motorized vehicles and pedestrians.
- (8) Provide for the development of a variety of parks and open spaces in all districts.
- (9) Preserve and promote the natural setting of the community.

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- (10) Provide for sustainable economic growth, including job creation, within a predictable development environment.
 - (11) Provide for thorough, timely and complete review of development proposals to ensure compatibility with the Allyn urban growth area comprehensive plan as well as county and state design, construction and environmental regulations.

Applicability. Except as specifically provided below, the regulations in Chapters 17.10 through 17.16 of the Allyn Zoning Code apply to the use and development of all the properties located within the boundary of the Allyn urban growth area. Use and development of properties includes, but is not limited to, new uses and development as well as changes of use or alteration to existing structures or developed sites.

(Ord. 63-07 Exh. A (part), 2007).

17.10.140 Relationship to the Mason County comprehensive plan and other sections of the Mason County Code.

- (a) Comprehensive Plan. The Growth Management Act requires consistency between the comprehensive plan and development regulations such as zoning. These zoning regulations are intended to implement the Growth Management Act Goals, the county wide planning policies, and the goals, policies and objectives adopted in the comprehensive plan for urban areas. This includes, but is not limited to: land use, building density and intensity, roadway functionality, utilities and infrastructure, open space, housing, protection of sensitive environmental areas and concurrency of infrastructure.
- (b) Mason County Code. All other sections of the Mason County Code apply within the Allyn Urban Growth Area as provided in those sections, except where the Allyn Zoning Code provides text or maps specific to the Allyn UGA.

(Ord. 63-07 Exh. A (part), 2007).

17.10.150 Relationship to the private agreements.

The county has no authority to enforce private covenants, conditions and restrictions either recorded by deed or other agreements except as their compliance may have been made a part of a project approval. However, permit approval by the county does not establish a right in conflict with private Covenants, Conditions and Restrictions.

(Ord. 63-07 Exh. A (part), 2007).

Article II. Allyn Zoning Code Specific Definitions

17.10.200 Allyn Zoning Code specific definitions.

The Allyn Zoning Code specifically defines the following definitions and abbreviations. For other definitions, refer to the Mason County Code, Title 17, Chapter 17.06 Definitions:

"Accessory dwelling unit" or "ADU" means a second dwelling unit added onto or created within an existing single-family dwelling for use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping. See Section 17.03.029 for requirements for ADUs as applicable.

In the Allyn UGA, ADUs must meet the following requirements:

- ~~(1) The ADU shall be subject to a special use permit, unless in the shoreline jurisdiction, it is subject to a shoreline permit;~~
- ~~(2) In shoreline jurisdiction, the owner of the ADU must reside on the lot in either the principal residence or ADU;~~
- ~~(3) The ADU shall not exceed fifty percent of the square footage of the habitable area of the primary residence or one thousand feet, whichever is smaller;~~
- ~~(4) All setback requirements must be met by the ADU;~~
- ~~(5) All applicable health district standards for water and sewer must be met by the ADU;~~
- ~~(6) No recreational vehicles shall be allowed as ADU;~~
- ~~(7) Only one ADU is allowed on any property;~~
- ~~(8) An additional off-street parking space must be provided for the ADU.~~

"Group dwellings" means and includes boarding houses, nursing homes, rest homes, boarding schools, or private residence clubs, excluding adult family homes of six or fewer persons as exempted by state regulation.

"Gross acreage" or "gross area" means all land, excluding tidelands, within the exterior boundaries of the development, including, but not limited to, land allocated for open space and land to be dedicated for streets or roads.

"Height, building" or "building height" means the vertical distance from average finish grade level to the highest point of a building or structure excluding any chimney, antenna, or other uninhabitable vertical appurtenances.

"Lot coverage" means the portion of a lot that is occupied by impervious surfaces, including, but not limited to, buildings, parking areas, and sidewalks.

"Net acres," "net acreage," or "net square feet" means the net acreage or square-footage is calculated from the gross area of the site less any lands allocated for open space or right-of-way.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. B, 1-18-2022)

Article III. Districts Established

17.10.310 Established.

Zoning Districts within the Allyn UGA are established as follows:

"R-1"	Single-Family Residential District
"R-1R"	Residential - Recreational District
"R-1P"	Residential - Platted District
"R-2"	Medium Density Multifamily Residential District
"R-3"	High Density Multifamily Residential District
"MHP"	Mobile Home Park Overlay District
"VC"	Village Commercial District
"T"	Tourist Commercial Overlay District
"HC"	Highway Commercial District
"BP"	Business Park District
"PF"	Public Facility Overlay District

"PD"	Planned Development Overlay District.
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(Ord. 63-07 Exh. A (part), 2007).

17.10.320 Boundaries—Map.

- (a) A parcel specific Allyn UGA Official Zoning Map (Allyn Map), designating the boundaries of zoning districts and approved overlay districts and planned developments, shall be adopted and signed by the county board of commissioners, which map shall be on file with the planning department. The zoning districts established by this title are also available as a series of GIS layers (“layers”) on the Mason County GIS (gis.masoncountywa.gov/mason). The public web-based GIS is adopted as a part of this title insofar as it indicates such designations, locations and boundaries of zoning districts, and shall be deemed to be part of this title.
- (b) The map (“layers”) shall be amended as provided for in Title 17, Section 17.05.079 Amendments of the Mason County Code.

(Ord. 63-07 Exh. A (part), 2007).

Article IV. General Regulations

17.10.410 Purpose and applicability.

To provide for regulations that are applicable to the various zoning districts in the Allyn UGA in general. Development within the ~~all~~ districts established by the Allyn Zoning Code, Chapters 17.10 to 17.17 shall be subject to the general regulations and provisions of this chapter.

(Ord. 63-07 Exh. A (part), 2007).

17.10.420 Group dwellings.

Group dwellings, such as boarding houses, nursing homes, rest homes, boarding schools, or private residence clubs, excluding adult family homes of six or fewer persons as exempted by state regulation, shall be permitted only in multifamily residential districts and shall require a special use permit for the establishment, operation and maintenance of such use. State licensed adult family homes are permitted uses in all residential and commercial zones.

(Ord. 63-07 Exh. A (part), 2007).

17.10.430 Accessory uses and buildings.

Accessory uses and buildings may only be established concurrent with or subsequent to the primary structure. They shall be consistent in design with the primary building, and they shall not alter the nature of the use on site in respect to uses permitted in the district.

(Ord. 63-07 Exh. A (part), 2007).

17.10.440 Height limits generally.

Chimneys, silos, cupolas, monuments, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances may be permitted in excess of height limits provided a special use permit is first obtained in each case; provided, however, that telecommunication towers and antenna and amateur radio are regulated under Ordinance Number 5-98 as amended (Ordinance Number 53-04). (Note: Ordinance Number 5-98 allows addition of an antenna to existing structures under certain height limits and camouflaged "alternative tower structures" up to seventy feet in urban growth areas without a special use permit. Amateur radio is not restricted.)

(Ord. 63-07 Exh. A (part), 2007).

17.10.450 Special use permit required for certain uses.

It is recognized that certain uses have special operational characteristics that have the potential to adversely affect adjacent properties and/or businesses. Accordingly, uses that are conditionally allowed within the established zoning districts, subject to obtaining a special use permit, shall require review and approval on an individual basis.

Special use permits shall be reviewed by the standards adopted in Chapter 17.05, Article V of the Mason County Code. As a condition of approval, the special use permit review shall include consideration of operating hours, adjacent and nearby incompatible uses, parking demand and availability, noise, access, impact on services, security and suitability of the site and/or structure to the proposed use and may provide conditions on the proposal appropriate to the findings on these issues in addition to the other criteria for a special use permit.

(Ord. 63-07 Exh. A (part), 2007).

17.10.460 Setbacks.

- (a) Where a parcel is less than fifty feet in width the required side yard setback shall be five feet, but in no case shall be less than required by building or fire codes.
- (b) No accessory structure shall be located closer than five feet from a property line.
- (c) Residential development may be eligible for a reduction of the standard side yard setback with review and approval of a building administrative variance, but in no case shall the setback be less than required by building or fire codes.
- (d) The expansion of existing residential structures located in commercial or industrial zones shall comply with the setback requirements for the type of structure in the zone in which it is allowed.
- (e) All required setbacks shall be measured from the nearest property line, except that front yard setbacks shall be measured from the property line or the edge of an access easement.
- (f) Proof of survey is required for any building permit for a new building or expansion of the building footprint. The survey shall be no older than ten years unless the relevant survey monuments are visible.
- (g) Additional building setback—Buildings shall be setback from the rights-of-way of the plat of Allyn as set forth on the "Proposed Plat of Allyn Right-of-Way Map," dated April 28, 2005.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. C, 1-18-2022)

17.10.470 Dedication and/or improvement of public right-of-way and/or easements.

Subdivision or short subdivision approval shall require the dedication of, or granting of easements for, land required for construction of any road, water, sewer, utility or other public purpose necessary to serve the site. Any new residential construction, commercial construction, or change of use approval shall be conditioned to provide for public right-of-way and/or easement improvements of streets and sidewalks, or other provisions for pedestrians, according with the adopted road and pedestrian access plan as necessary to serve the site.

(Ord. 63-07 Exh. A (part), 2007).

17.10.480 Underground utilities.

All service utilities such as telephone, TV cable, electric power lines, etc., shall be placed underground within a utility easement, in conduit and or utility ducting, for any new site development, construction or major reconstruction. Utility boxes may be contained within underground utility vaults, or located above grade when carefully located and property screened to minimize visual impacts. Said undergrounding shall be at the expense of the project developer or owner of the property that is ~~the~~ being developed, redeveloped, or undergoing substantial reconstruction. Existing overhead power or communication lines along the frontage of any new site development or major reconstruction shall be placed underground at the expense of the developer or property owner as a condition of permit issuance unless the site has less than two hundred feet of street frontage or the utilities are located along the west side of Highway 3. If less than two hundred feet, then property owner provides an easement for underground utilities list above. Any and all installers and providers of conduit and utility ducting must allow, for a fee, the sharing or equal access to conduit and or utility ducting infrastructure. Unless voluntarily entered into, this section shall not be applicable or required for adjacent properties that are not a part of the site development, redevelopment, or substantial reconstruction.

(Ord. 63-07 Exh. A (part), 2007).

17.10.490 Vehicle parking.

Outdoor Vehicle Parking in the residential districts R-1, R-2, and R-3 shall be limited as provided including boats and RVs shall comply with the following standards:

- (1) Unenclosed vehicle storage or parking is prohibited on parcels without a residence or business.
- (2) No parcel having a residence shall have more than one inoperable vehicle located on the parcel.
- (3) The limits of subsections (1) and (2) above apply regardless of the specific vehicles on the parcel or whether the vehicles are moved around on the parcel.
- (4) All vehicle accumulations on a parcel made non-conforming by these regulations shall be removed from the parcel within six months from the date of adoption of the ordinance codified in this chapter.
- (5) These limits shall apply to vehicles located on a parcel for more than seven days.
- (6) A residence is defined in this section as a site-built, manufactured, or modular home permanently installed on the parcel.
- (7) Vehicles in this section include, but are not limited to, cars, trucks, vans, buses, recreational vehicles, trailers, all-terrain vehicles motorcycles, watercraft, airplanes, and earthmoving, logging, or construction equipment, but do not include farm equipment.
- (8) Adjoining parcels of common ownership (not separated by state or county road) shall be considered part of the same parcel for the purposes of this section.

(Ord. 63-07 Exh. A (part), 2007).

17.10.495 Cluster development.

The clustering of residential density as provided in a master development plan or on adjoining lots in common ownership is allowed in residential districts only to provide a diversity of housing types densities, and affordability, preserve unique, fragile, and environmentally critical areas; provide efficient use of the land and infrastructure; implement ~~low~~-low impact development techniques; promote innovative, quality design; and provide for the inclusion of on-site amenities such as open spaces, community facilities, enhanced landscaping, and recreational opportunities. Cluster development allows grouping of residential structures on a portion of the available land while reserving a significant amount of the site as undeveloped open space. Housing density of the underlying district remains the same while residences are clustered on a smaller portion of the total available land. The remaining land shall be converted into undeveloped open space and shared by the residents of the community. Maximum lot coverage, lot area, building height, dimensions, setbacks, and parking requirements for the underlying zoning district shall apply to the cluster development.

(Ord. 63-07 Exh. A (part), 2007).

Article V. "PD"—Planned Development Overlay District

17.10.510 Purpose.

The intent of the planned development (PD) overlay zoning district is to encourage creative, imaginative new development that would not otherwise be allowed under the strict application of this title. Specifically, it is the purpose of this chapter to:

- (1) Encourage flexibility in design and development that will result in a more efficient and desirable use of land and greater preservation of open space;
- (2) Permit flexibility of design, placement of buildings, use of required open spaces, circulation facilities, off-street parking areas, and otherwise better utilize the potential of sites characterized by special features, such as geography, topography, size or shape;
- (3) Provide for maximum efficiency in layout of streets, utility networks, and other public improvements;
- (4) Produce an integrated or balanced development of supportive uses that might otherwise be inharmonious or incongruous;
- (5) Provide a guide for developers and county officials who review and approve developments meeting the standards and purposes of this chapter; and
- (6) Encourage the use of low impact development (LID) practices to reduce stormwater runoff, and promote the use of credits or incentives to achieve this purpose.

(Ord. 63-07 Exh. A (part), 2007).

17.10.520 Overlay zoning district.

Planned development, approved in accordance with the procedures of this chapter, shall be an overlay zone and the uses are limited to those which are allowed in the underlying zoning district. Planned developments shall be required where this overlay zone appears on the Allyn urban growth area (UGA) zoning map. Planned developments shall be permitted in all zoning districts, with exception of Public Open Space. The approval of a

planned development shall modify and supersede the regulations of the underlying zoning district, except in the case of allowable residential density and uses, and the specific design standards within Mason County Code Title 16, Plats and Subdivisions.

(Ord. 63-07 Exh. A (part), 2007).

17.10.530 Development standards.

The following standards shall govern the interpretation and administration of this section:

- (1) Relationship of PD Site to Adjacent Areas. The design of a planned development shall take into account the relationship of the site to the surrounding areas. The perimeter of the PD shall be so designed as to minimize undesirable impact of the PD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PD.
- (2) Site Acreage Minimum. The minimum site shall be one acre.
- (3) Minimum Lot Size. The minimum lot size provisions of other sections of the zoning ordinance are waived in a planned development.
- (4) Density. In a PD, the density allowed within the underlying zoning district shall determine the dwelling unit density of the PD.
- (5) Maximum Coverage. Building coverage and development of the site shall not exceed the percentage permitted by the underlying zone.
- (6) Landscaping Required. All common open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the hearing examiner. Natural landscape features which are to be preserved, such as existing trees, drainage ways, rock out-croppings, etc., may be included as part of the required setback buffer and landscaping.
- (7) Setback and Side Yard Requirements.
 - (A) Building and parking setbacks along the exterior boundary line of the PD area shall meet the required setbacks within the underlying zoning district, or, if the abutting properties are undeveloped, a reduction of up to twenty percent of the minimum required setback is allowed. In no event shall such setbacks be less than five feet.
 - (B) Setbacks or Side Yards Between Buildings. The standard setbacks and yard requirements between buildings may be waived in a PD. Buildings may have common walls and, therefore, built to the property line as in townhouse construction. Wherever buildings are separated, a minimum distance of ten feet shall be maintained between such buildings.
- (8) Off-Street Parking. Off-street parking shall be provided in a PD in the same ratios for types of buildings and uses as required for the underlying zoning district, and as described in Chapters 17.10 through 17.17.
- (9) Commercial developments are subject to binding site plan review procedures as described in the Mason County Code, Section 17.03.031.

(Ord. 63-07 Exh. A (part), 2007).

17.10.540 Open space standards.

The following standards shall govern the interpretation of this section:

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- (1) Common Open Space. Each planned development shall dedicate not less than twenty percent of the gross land area for common open space for the use of its residents.
 - (2) Location.
 - (A) The area proposed for open space shall be within the PD and within reasonable walking distance of all dwelling units in the PD.
 - (B) Where practical, the proposed dedicated open space shall be located adjacent to other established or planned park and recreational areas in adjacent developments, schools, or county parks; provided, that such dedication would increase the overall benefit to the residents of the subject PD and conform to other criteria in the section.
 - (3) Access.
 - (A) All dwelling units within the PD must be provided legal access to the proposed area for dedication. Private or common access roads, trees or other landscaping may separate the area proposed for dedication. However, access should not be blocked by major obstacles such as state routes, arterial roads, or canyons and/or ravines where pedestrian trails cannot be established.
 - (B) Areas dedicated for active recreational open space shall have reasonable access from street frontages. Design measures should accomplish the purposes of access and security.
 - (4) Types of Open Space.
 - (A) Land dedicated for open space should be usable for (i) greenbelts that serve as a buffer, using native vegetation, or an aesthetic amenity such as boulevard trees; (ii) active or passive recreational activities; or (iii) for protecting environmentally sensitive areas such as wetlands.
 - (B) Except as provided in subsection (4)(c) or (d) below, thirty percent of the dedicated open space area shall be suitable for active recreation. The topography, soils, hydrology, and other physical characteristics of the area proposed for active recreation shall be of such quality as to provide a dry, obstacle-free space in a configuration which is suitable for active recreation.
 - (C) The percentage of active recreational areas may be increased to as high as fifty percent to meet anticipated recreational needs.
 - (D) The percentage of active recreational area may be decreased to as low as zero if it is determined that: (i) inclusion of buffers or environmentally sensitive lands such as wetlands would better meet the open space needs of the residents of the subdivision; or (ii) meeting the standard would require detrimental grading or other disturbance of the natural setting.
 - (5) Structures. Common open space may contain complimentary structures, such as a gazebo or maintenance equipment shed, and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the PD, provided that the building coverage of such building or structure combined with the building coverage of the residential structures shall not exceed the maximum permitted by the underlying zoning district.
 - (6) Implementation.
 - (A) The area proposed for open space shall be dedicated in common to the lot owners within the plat or to a lot owner's association. Maintenance and operation of the dedicated open space shall be the responsibility of the lot owners.
 - (B) The county may choose to accept dedication, maintenance and operation responsibilities when the area to be dedicated is either one or a combination of the following:
 - (i) Greater than ten acres;

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- (ii) Adjacent to an established or future parks or school grounds;
 - (iii) Is an access to a body of water greater than three acres in size;
 - (iv) Is an environmentally sensitive area;
 - (v) If the county feels it is in the public interest to accept dedications.
- (C) The dedication shall be identified on the PD.
- (7) Improvements. The removal of septic systems, and abandoned cars, construction debris, and other forms of solid waste within the area proposed for dedication shall be required prior to final approval of the PD.
- (8) Stormwater Detention Facilities. Stormwater detention ponds may be allowed by the county as part of dedicated open space subject to the following criteria:
- (A) The detention pond shall be constructed so as to drain fully when precipitation is not occurring (i.e., no standing water may be left) unless the pond is designed as an aesthetic amenity.
 - (B) The side slope of the detention pond shall not exceed thirty-three percent unless slopes are existing, natural and covered with vegetation.
 - (C) If detention facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be left in natural or near-natural condition.
 - (D) The detention area shall be landscaped in a manner that is both aesthetic and able to withstand the inundation expected.
 - (E) Use of a dedicated open space area for stormwater detention shall not be acceptable if the detention area must be fenced or otherwise rendered unsuitable or unavailable for recreation use during dry weather.
 - (F) In the case of joint use of open space for detention and recreation, the lot owners or owners' association shall be responsible for maintenance of the detention facilities.
- (9) Rights and Duties. The owners of open space shall have the following rights that may be exercised in respect of such land, subject to restrictive covenants or other restrictions:
- (A) The right to locate recreational facilities, such as tennis courts, swimming pools, picnic tables, and fireplaces accessory to picnic tables designed to be used exclusively for the use of residents of the development and their guests;
 - (B) The right to locate pedestrian paths, bicycle paths and bridle paths;
 - (C) The right to take whatever measures are reasonably necessary to protect and maintain such land, or land or property adjacent thereto, or to correct a hazardous condition posing a threat to life or limb;
 - (D) The right to conduct agricultural activities, including the selective harvesting of mature trees;
 - (E) The right to regulate access to or entry on the open space land and duty to maintain such land.
- (Ord. 63-07 Exh. A (part), 2007).

17.10.550 Procedure for initiation—Application—Fee.

Planned development projects may be initiated by any owner or group of owners of property acting jointly, or as a developer authorized to act as agent for an owner or group of owners. Such application shall be made on

the forms provided by the department, together with a filing fee as established by resolution of the board of county commissioners.

(Ord. 63-07 Exh. A (part), 2007).

17.10.560 Application—Supporting documentation.

An application for a planned development shall include the information provided in the Mason County Code, Title 16, Sections 16.16.040 and 16.16.050. At a minimum, the following items shall be submitted in a written statement:

- (1) The acreage contained within the proposed planned development; the total number of dwelling units being proposed; and the average number of dwelling units per acre of land;
- (2) The number and acreage of each type of dwelling units proposed;
- (3) The acreage of open space to be contained in the planned development and the percentage it represents of the total area;
- (4) The total acreage of each type of nonresidential use, including the approximate floor area and type of commercial and industrial uses.

(Ord. 63-07 Exh. A (part), 2007).

17.10.570 Public hearing—Criteria for decision.

The application for a planned development shall be heard before the hearing examiner in accordance with the procedures in Title 15. The hearing examiner's decision to approve or deny the development shall be based on at least, but not limited to, the following criteria:

- (1) Conformance to the Allyn UGA plan;
- (2) The proposal's compatibility with the surrounding area or its potential future use; and
- (3) The proposal shall be designed to minimize impacts on adjacent properties and, conversely, to minimize impacts of adjacent land use and development on the proposal.

(Ord. 63-07 Exh. A (part), 2007).

17.10.580 Appeal.

The decision of the hearing examiner shall be final unless appealed in accordance with the provisions of Title 15.

(Ord. 63-07 Exh. A (part), 2007).

17.10.590 Implementation.

- (a) Building permits and other permits required for the construction or development of property under the provisions of this chapter shall be issued only when the work to be performed meets the requirements of the approved planned development.

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- (b) Amendments to the approved planned development. The hearings examiner may allow changes to the approved planned development provided the changes are consistent with all applicable county plans and policies. Such changes shall be considered pursuant to the procedures provided in Title 15.
 - (c) Minor Administrative Alterations. Once a PD has been reviewed and approved by the hearings examiner, it shall not be altered unless approved by the community development director or his/her designee upon a determination that the alteration is not substantial enough to constitute a change to the approved planned development.

(Ord. 63-07 Exh. A (part), 2007).

Article VI. "PF"—Public Facilities Overlay District

17.10.610 Purpose.

This district is intended for the accommodation of needed public facilities within Allyn in accordance with the Allyn urban growth area plan. Support facilities for infrastructure, utilities and similar capital facilities would be allowed in this district.

(Ord. 63-07 Exh. A (part), 2007).

17.10.620 Uses allowed subject to approval of a special use permit per the MCC.

Public and semi-public essential facilities necessary to the public convenience including:

- (1) Airports;
- (2) Government buildings;
- (3) Educational institutions;
- (4) Hospitals, clinics, and sanitariums (excluding animal hospitals and clinics);
- (5) Correctional institutions;
- (6) Water delivery systems;
- (7) Sewer and wastewater treatment and facilities;
- (8) Stormwater treatment and facilities;
- (9) Public and private utilities as supported by the Allyn subarea plan.

(Ord. 63-07 Exh. A (part), 2007).

17.10.630 Bulk and dimension standards.

To be determined through approval of a special use permit.

(Ord. 63-07 Exh. A (part), 2007).

17.10.640 Additional development and design criteria.

- (a) There shall be a demonstrated need for the use within the community, which shall not be contrary to public interest.
- (b) The use shall be consistent with the goals and policies of the Allyn Urban Growth Area Plan.
- (c) The approval body shall find that the use as proposed will not be detrimental to the health, safety or general welfare or to private or public improvements and infrastructure.
- (d) There shall be adequate attenuation of noise, smoke, odors, traffic and unsightly construction or storage.
- (e) There shall be adequate landscaping, yard setbacks and fencing to mitigate the impacts on adjacent properties and uses.
- (f) Modifications to bulk and dimension standards must be based on a demonstrated need for the function of the use.

(Ord. 63-07 Exh. A (part), 2007).

17.10.650 Off-street parking.

Project specific as required by conditions of the special use permit.

(Ord. 63-07 Exh. A (part), 2007).

17.10.660 Signs.

Project specific as required by conditions of the special use permit.

(Ord. 63-07 Exh. A (part), 2007).

17.10.670 Development approval.

All development projects in the PF district shall require approval of a special use permit with concurrent site plan or binding site plan approval consistent with the MCC.

(Ord. 63-07 Exh. A (part), 2007).

Article VII. "POS"—Public Open Space

17.10.710 Purpose.

The "POS" district is intended to provide areas for essential public uses and facilities necessary to the public convenience, and in particular to provide for public park, recreational, and open space. Since certain special property uses have intrinsic characteristics relating to their function or operation which may necessitate buildings or structures associated with the special property use to exceed predictable height, bulk, and dimensional or other development standards, those exceeding established standards are reviewed through a special use permit process.

(Ord. 63-07 Exh. A (part), 2007).

17.10.720 Permitted uses.

Parks, playgrounds, community recreation centers and open space.

(Ord. 63-07 Exh. A (part), 2007).

17.10.730 Accessory uses.

Accessory uses are allowed in conjunction with permitted uses and those uses approved through a special use permit.

- (1) Restroom, shower and changing rooms;
- (2) Storage required for supplies and equipment;
- (3) Other property uses which have intrinsic characteristics relating to the function or operation.

(Ord. 63-07 Exh. A (part), 2007).

17.10.740 Uses allowed subject to approval of a special use permit.

Public and semipublic essential facilities necessary to the public convenience including:

- (1) Bus stations and transit facilities;
- (2) Buildings or structures associated with the special property use, which exceed predictable height, bulk, dimensional, or other development standards.

(Ord. 63-07 Exh. A (part), 2007).

Chapter 17.11 RESIDENTIAL ZONING DISTRICTS IN THE ALLYN UGA*

Article I. "R-1"—Single-Family Residential District

17.11.110 Purpose.

The purpose of the R-1 district is to stabilize and retain the character and integrity of existing single-family detached dwelling neighborhoods and establish criteria for the development of new residential subdivisions and neighborhoods.

(Ord. 63-07 Exh. A (part), 2007).

17.11.120 Allowed uses.

Uses allowed in the R-1 district shall be as follows:

- (1) Single-family dwellings;
- (2) Duplexes;
- (3) Commercial child care center.

(Ord. 63-07 Exh. A (part), 2007).

17.11.130 Accessory uses.

The following use are permitted only as they are accessory to the primary allowed uses and may or may not require a special license or permit in addition to building permits:

- (1) Home occupations, also known as cottage industries, require a special use permit unless they meet the standards as adopted in Section 17.03.021 of the Mason County Code.
- (2) Accessory structures including shops and detached garages (total square footage not exceeding the square footage of the primary residential structure);
- (3) Accessory dwelling unit (as specifically defined in this code);
- (4) Family child care center;
- (5) Group homes and adult day care facilities (up to six residents plus staff).

(Ord. 63-07 Exh. A (part), 2007).

17.11.140 Uses allowed subject to obtaining a special use permit.

- (a) Churches;
- (b) Schools;
- (c) Bed and breakfast inn;
- (d) Other essential public facilities;
- (e) Private recreation facilities;
- (f) Accessory dwelling units (in accordance with MCC Section 17.03.029);
- (g) Small scale agricultural activities and buildings;
- (h) Livestock limited to one head per acre on a minimum five acre site.

(Ord. 63-07 Exh. A (part), 2007).

17.11.150 Bulk and dimension standards.

The following standards may be altered without a variance only through use of an overlay zone, PD regulations as adopted in Article V of Chapter 17.10 or as a Master Development Plan in conformance with adopted Mason County Regulations. Height and setback standards allow for minor deviations by architectural treatments such as chimneys, copulas, bay windows, porch covers, and door landings.

Density	Max of 4 dwelling units per gross acre
Lot coverage	40% Max lot coverage
Min. lot area	SFD = 7,000 net sq. ft. SFD = Corner Lot 9,000 net sq. ft. Duplex = 11,000 net square feet.
Lot dimensions	Minimum lot frontage width is 60 for interior lots, 70 feet for corner lots and 40 feet for cul-de-sac and curve lots, and 20 feet for flag lots, provided that the minimum lot width is reached and maintained at a setback of 20 feet.

Height	The maximum height of structures in the district shall be as follows: Primary building: 35 feet (25 feet east of SR 3) - Accessory Structure: 20 feet.
Setbacks	Yard setbacks refer to the setback of structures (over two feet in height) from the property line. A roof overhang, chimneys, copulas, bay windows, porch covers and door landings are allowed to project a maximum of two feet into a minimum setback. Additional standards for setbacks in special situations are in Section 17.10.460.
Front yard	20 feet. 10 feet on cul-de-sacs as long as the average minimum setback is 20 feet. Storage sheds are not permitted within a front yard setback
Side yard	5 feet, or less with review and approval of an administrative building variance, see Section 17.10.460.
Street side yard	10 feet.
Rear yard	20 feet.
Storage sheds not larger than 120-sq. ft. in area or ten feet in height	5 feet.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. C, 1-18-2022)

17.11.160 Parking.

Per Chapter 17.14, with additional requirements in Section 17.10.490 Vehicle parking.

(Ord. 63-07 Exh. A (part), 2007).

17.11.170 Development and design criteria.

(Reserved)

Article II. "R-1R"—Residential-Recreational District

17.11.210 Purpose.

The purpose of the R-1R district is to establish minimum guidelines and regulations for the undeveloped areas of Lakeland Village. The intent is to insure the continuance of the character and integrity of existing residential neighborhoods.

(Ord. 63-07 Exh. A (part), 2007).

17.11.220 Allowed uses.

Uses allowed in the R-1R district shall be as follows:

- (1) Single-family dwellings;
- (2) Duplex dwellings;

- (3) Triplex dwellings;
- (4) Multifamily;
- (5) Golf courses and golf and country club related facilities;
- (6) Public and private parks.

(Ord. 63-07 Exh. A (part), 2007).

17.11.230 Accessory uses.

The following uses are permitted only as they are accessory to the primary allowed uses and may or may not require a special license or permit in addition to building permits:

- (1) Well heads and water treatment facilities and other utility facilities;
- (2) Common open space and recreation facilities;
- (3) Residential accessory uses and structures.

(Ord. 63-07 Exh. A (part), 2007).

17.11.240 Uses allowed subject to obtaining a special use permit.

- (a) Bed and breakfast inn;
- (b) Other essential public facilities;
- (c) Assisted living facilities;
- (d) Small-scale agricultural activities and buildings with livestock limited to horses or cattle on a minimum five acre site.

(Ord. 63-07 Exh. A (part), 2007).

17.11.250 Bulk and dimension standards.

The following standards may be altered without a variance only through use of an overlay zone, PD regulations as adopted in Article V of Chapter 17.10 or as a Master Development Plan in conformance with adopted Mason County Regulations. Height and setback standards allow for minor deviations by architectural treatments such as chimneys, copulas, bay windows, porch covers, and door landings.

Density	Maximum of 5 dwelling units per gross acre
Lot coverage	50% maximum lot coverage for single-family dwellings. 75% maximum lot coverage for duplexes. Not applicable to triplexes or multifamily.
Min. lot area.	Single-family = 6,000 net square feet. Single-family on a corner lot = 7,500 net square feet. Duplex = 10,000 net square feet.
Lot dimensions	Minimum lot frontage width is 60 for interior lots, 70 feet for corner lots and 40 feet for cul-de-sac and curve lots, and 20 feet for flag lots.
Height	The maximum height of structures in the district shall be 35 feet.
Setbacks	Yard setbacks refer to the setback of single-family dwellings and duplexes from the property line. A 2-foot roof eave overhang is allowed in the setback.

Front yard	20 feet. 10 feet on cul-de-sacs as long as the average minimum setback is 20 feet.
Side yard	5 feet, or less with review and approval of an administrative building variance, see Section 17.10.460.
Street side yard	10 feet
Rear yard	20 feet.
Triplexes/Multifamily and Cluster Development	15 feet from county road right-of-way, 5 feet from all other lot lines including golf courses.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. C, 1-18-2022)

17.11.260 Parking.

Reference Chapter 17.14.

(Ord. 63-07 Exh. A (part), 2007).

17.11.270 Development and design criteria.

(Reserved)

Article IV. "R-2"—Medium Density Multifamily Residential District

17.11.410 Purpose.

The purpose of the R-2 district is to provide for medium density multifamily and single-family attached residential dwellings with building scale, yards, and setbacks reflecting the intensity of development located proximate to commercial and public services and transit. The R-2 district provides a buffer between more intense uses and single-family neighborhoods.

(Ord. 63-07 Exh. A (part), 2007).

17.11.420 Allowed uses.

- (a) Single-family dwelling;
- (b) Duplexes;
- (c) Triplexes;
- (d) Multifamily.

(Ord. 63-07 Exh. A (part), 2007).

17.11.430 Accessory uses.

- (a) Home occupations, also known as cottage industries, require a special use permit unless they meet the standards as adopted in Section 17.03.021 of the Mason County Code.

- (b) Accessory structures including shops and detached garages (total square footage not exceeding fifty percent of the square footage of the primary residential structure, or ten percent of the net parcel area, whichever is greater).
 - (c) Accessory dwelling unit (as specifically defined in this code).
 - (d) Common facilities of an apartment, condominium, or townhouse development, such as recreational areas, club houses, and laundry facilities.
 - (e) Family child care center.
 - (f) Group homes (up to six residents plus staff).
 - (g) Well heads and water treatment facilities and other public utilities.
- (Ord. 63-07 Exh. A (part), 2007).

17.11.440 Use allowed subject to obtaining a special use permit.

- (a) Schools.
- (b) Churches.
- (c) Parks.

(Ord. 63-07 Exh. A (part), 2007).

17.11.450 Bulk and dimension standards.

The following standards may be altered without a variance only through use of an overlay zone, PD regulations as adopted in Article V of Chapter 17.10 or as a master development plan in conformance with adopted Mason County regulations. Height and setback standards allow for minor deviations of up to three feet as long as a minimum three-foot setback is maintained, by architectural treatments such as chimneys, copulas, bay windows, entry covers and door landings.

Density	Max of 10 dwelling units per gross acre.
Lot coverage	60% max lot coverage
Min. lot area	Interior lot: 4,800 net sq. ft. Corner lot: 9,600 net sq. ft.
Lot dimensions	Minimum lot frontage width is 60 for interior lots, 70 feet for corner lots and 40 feet for cul-de-sac and curve lots, and 20 feet for flag lots, provided that the minimum lot width is reached and maintained at a setback of 20 feet.
Height	Primary building: 35 feet (25 feet east of SR 3) Accessory structure: 20 feet.
Setbacks	Yard setbacks refer to the setback of structures from the property line. Additional standards for setbacks in special situations are in Section 17.10.460.
Front yard	15 feet. 10 feet on cul-de-sacs as long as the average setback is 15 feet.
Side yard	5 feet, or less with review and approval of an administrative building variance, see Section 17.10.460.
Street side yard	8 feet
Rear yard	10 feet. In cases when the rear yard abuts a right-of-way, the primary structure setback shall be 20 feet. Storage sheds not larger than 120-sq. ft. in area, 5 feet.

Garage doors	20 feet with roll-up door, or 5 feet from an alley or private drive.
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(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. C, 1-18-2022)

17.11.460 Off-street parking.

See also Chapter 17.14 and Section 17.10.490 Vehicle parking for additional requirements.

(Ord. 63-07 Exh. A (part), 2007).

17.11.470 Additional development and design criteria.

(Reserved)

Article V. "R-3"—High Density Multifamily Residential District

17.11.510 Purpose.

The purpose and function of the R-3 District is to allow for the development of dense multifamily apartment rental housing in integrated development projects with on-site management, recreation amenities, parking and open space. This district is typically located near services and transit routes and serves to promote affordable family housing as well as housing for single persons and for young couples entering the housing market.

(Ord. 63-07 Exh. A (part), 2007).

17.11.520 Allowed uses.

- (a) Residential apartments complexes of at least ten units.
- (b) Attached single-family residential projects of at least ten units.
- (c) Group homes and residential care facilities: twelve or fewer.
- (d) Artist studios.

(Ord. 63-07 Exh. A (part), 2007).

17.11.530 Accessory uses.

- (a) Common facilities of an apartment, condominium, or townhouse development, such as recreational areas, playgrounds, club houses, and laundry facilities.
- (b) Parking lots and garages.
- (c) Storage units.
- (d) Family day care.

(Ord. 63-07 Exh. A (part), 2007).

17.11.540 Uses allowed subject to obtaining a special use permit.

- (a) Churches.
 - (b) Fraternal and community service clubs.
 - (c) Public schools.
 - (d) Private academic schools.
 - (e) Commercial child care center.
- (Ord. 63-07 Exh. A (part), 2007).

17.11.550 Bulk and dimension standards.

The following standards may be altered without a variance only through use of an overlay zone, PD regulations as adopted in Article V of Chapter 17.10 or as a master development plan in conformance with adopted Mason County regulations. Height and setback standards allow for minor deviations by architectural treatments such as chimneys, copulas, bay windows, entry covers, and door landings.

Density	Maximum of 20 dwelling units per net acre.
Lot coverage	70% maximum lot coverage
Min. lot area	Interior lot 21,750 net sq. ft. Corner Lot 21,750 net sq. ft.
Lot dimensions	Minimum lot width is 50 for interior lots, 60 feet for corner lots and 40 feet for cul-de-sac and curve lots, provided that the minimum lot width is reached and maintained at a setback of 20 feet.
	Lots shall be regular in shape with side property lines roughly parallel.
Height	Primary building: 35 feet, or as reviewed by special use permit.
Setbacks	Yard setbacks refer to the setback of structures from the property line. Where a property abuts another zone district with a more restrictive setback requirement, the most restrictive setback shall apply. Additional standards for setbacks in special situations are in Section 17.10.460.
Front yard	10 feet
Side yard	5 feet, or less with review and approval of an administrative building variance, see Section 17.10.460.
Street side yard	7 feet
Rear yard	10 feet

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Atts. A, C, 1-18-2022)

17.11.560 Off-street parking.

See Chapter 17.14 and Section 17.10.490 Vehicle Parking for additional requirements.

(Ord. 63-07 Exh. A (part), 2007).

17.11.570 Additional development and design criteria.

(Reserved)

17.11.580 Approval of plans.

In addition to other required permits all developments in the R-3 district shall require binding site plan approval.

(Ord. 63-07 Exh. A (part), 2007).

Article VI. "MHP"—Mobile Home Park Overlay District

17.11.610 Purpose.

The purpose of the mobile home park overlay district is to provide for accommodation of mobile homes in planned, integrated, mobile home parks so as to protect the health, safety and welfare of the community. The "MHP" district is a residential zone and may be overlaid over any residentially zoned district.

(Ord. 63-07 Exh. A (part), 2007).

17.11.620 Permitted uses.

All uses in a mobile home park shall require a mobile home park permit.

(Ord. 63-07 Exh. A (part), 2007).

17.11.630 Accessory uses.

Accessory uses shall be allowed as permitted in an approved mobile home park permit.

(Ord. 63-07 Exh. A (part), 2007).

17.11.640 Uses permitted subject to obtaining a mobile home park permit.

(a) Mobile home parks.

(Ord. 63-07 Exh. A (part), 2007).

17.11.650 Binding site plan required.

(a) A preliminary binding site plan shall be approved concurrently with a mobile home park permit for a mobile home park.

(b) A final binding site plan shall be recorded prior to occupancy of a mobile home park.

(Ord. 63-07 Exh. A (part), 2007).

17.11.660 Bulk and dimension standards.

Park size	The minimum area for a mobile home park shall be 3 acres.
Space size	The size of individual mobile home spaces shall be as provided in Chapter 16.22 Mobile Homes and Trailer Parks.
Height limit	25 feet
Setbacks	Additional standards for setbacks in special situations are in Section 17.10.460.
Perimeter	There shall be a 20 foot landscaped setback around the perimeter of the park
Individual units	Individual dwelling units and accessory structures shall be setback from space lines as required by Chapter 16.22 Mobile Homes and Trailer Parks.

(Ord. 63-07 Exh. A (part), 2007).

17.11.670 Additional development and design criteria.

The establishment or expansion of a mobile home park shall be subject to approval of a mobile home park permit. When different development standards are applicable from other regulations (e.g., the shoreline master program) the more restrictive shall apply.

(Ord. 63-07 Exh. A (part), 2007).

17.11.680 Parking.

In addition to the requirements and standards of Chapter 17.14 the following shall apply:

Spaces required:

- *2 spaces per each dwelling unit (may be tandem).
- *.5 guest spaces per dwelling unit (spread throughout park).

(Ord. 63-07 Exh. A (part), 2007).

17.11.690 Signs.

A sign program shall be submitted for approval concurrently with the application for a mobile home park permit.

(Ord. 63-07 Exh. A (part), 2007).

Article VII. "R-1P"—Residential-Platted District

17.11.710 Purpose.

The purpose of the R- 1P district is to stabilize and retain the character and integrity of existing residential neighborhood of the Lake Land Village plat. The area has been platted but is still being developed with a mix of

single-family and small multifamily dwellings built around or near the golf courses, takes, and other amenities provided by the development.

(Ord. 63-07 Exh. A (part), 2007).

17.11.720 Allowed uses.

Uses allowed in the R-1P district shall be as follows:

- (1) Single-family dwellings.
- (2) Duplexes and multifamily dwellings including condominiums.

(Ord. 63-07 Exh. A (part), 2007).

17.11.730 Accessory uses.

The following use are permitted only as they are accessory to the primary allowed uses and may or may not require a special license or permit in addition to building permits:

- (1) Home occupations, also known as cottage industries, require a special use permit unless they meet the standards as adopted in Section 17.03.021 of the Mason County Code.
- (2) Accessory structures including shops and detached garages (total square footage not exceeding the square footage of the primary residential structure).
- (3) Accessory dwelling unit (as specifically defined in this code).
- (4) Family child care center.
- (5) Group homes (up to six residents plus staff).
- (6) Well heads and water treatment facilities and other utility facilities.
- (7) Common open space and recreation facilities.

(Ord. 63-07 Exh. A (part), 2007).

17.11.740 Uses allowed subject to obtaining a special use permit.

- (a) Churches.
- (b) Schools.
- (c) Commercial child care center.
- (d) Bed and breakfast inn.
- (e) Other essential public facilities.
- (f) Accessory dwelling units (in accordance with MCC Section 17.03.029).

(Ord. 63-07 Exh. A (part), 2007).

17.11.750 Bulk and dimension standards.

The following standards may be altered without a variance only through use of an overlay zone, PD regulations as adopted in Article V of Chapter 17.10 or as a master development plan in conformance with adopted Mason County regulations. Height and setback standards allow for minor deviations by architectural treatments such as chimneys, copulas, bay windows, porch covers, and door landings.

Density	Max of 6 dwelling units per gross acre
Lot coverage	40% Max lot coverage for single-family
Min. lot area	SFD = 7,000 net sq. ft. SFD = Corner lot 9,000 sq. ft. Duplex= 11,000 net sq. ft.
Lot dimensions	Minimum lot frontage width is 60 for interior lots, 70 feet for corner lots, 20 foot frontage for flag lots, and 40 feet for cul-de-sacs and curved lots.
Height	The maximum height of structures in the district shall be as follows: Primary building: 35 feet Accessory structure: 20 feet.
Setbacks	Yard setbacks refer to the setback of structures (over two feet in height) from the property line. A 2-foot roof eave overhang is allowed in the setback. Additional standards for setbacks in special situations are in Section 17.10.460.
Front yard	20 feet, 10 feet on cul-de-sacs as long as the average minimum setback is 20 feet.
Side yard	5 feet, or less with review and approval of an administrative building variance, see Section 17.10.460.
Storage sheds not larger than 120-sq. ft. in area	5 feet
Street side yard	10 feet
Rear yard	Original construction and elevated decks 20 feet.
Single story addition	10 feet unless rear yard abuts a right-of-way.
Garage doors	25 feet/ 20 feet for roll-up door.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 2022-006, Att. C, 1-18-2022)

17.11.760 Parking.

Per Chapter 17.14, with additional requirements in Section 17.10.490 Vehicle parking.

(Ord. 63-07 Exh. A (part), 2007).

17.11.770 Development and design criteria.

(Reserved)

Chapter 17.12 COMMERCIAL ZONING DISTRICTS IN THE ALLYN UGA*

Article I. "VC"—Village Commercial District

17.12.110 Purpose.

The village commercial district is a pedestrian and transit oriented mixed use district primarily designed as a location for neighborhood, community wide and tourist retail, office, restaurant, entertainment, service uses, including transient accommodations, and residential uses. The district will provide opportunities for transit routes and stops and to provide shared parking opportunities. Physically the district will retain the pedestrian oriented scale and intensity of use of the rest of the village core area. Because of its nature the village commercial district zone may only be located in the village center.

- (1) Goals of the district are:
 - (A) Promote private development and uses, which complement public streetscape, infrastructure and governmental improvements and uses;
 - (B) Foster civic pride in the area and thereby stabilize and improve property values and stimulate business investment;
 - (C) Encourage new uses and services consistent with the downtown, pedestrian oriented character of the area to achieve a viable and sustainable commercial district;
 - (D) Prohibit new uses that are incompatible with the function and purpose of the district and encourage the relocation to other locations in the community, of existing nonconforming uses;
 - (E) Encourage efficient land use and investment in the rehabilitation, expansion and use of existing structures and in-fill sites through increased zoning densities and parking allowances and flexibility;
 - (F) Encourage the concept of "mixed" commercial, residential and civic uses in order to, provide affordable housing opportunities, provide a diverse market for retail goods and services, promote alternative modes of transportation, maximize the use of public infrastructure investments and foster a greater sense of "neighborhood" within the district;
 - (G) Encourage a sense of "ownership" of the village core within all members of the community as the social and cultural heart of the village by providing opportunities for cultural and celebratory events and development of public spaces and buildings;
 - (H) Promote a physical environment through architectural, streetscape and open space improvements that are evocative of the historic and natural character of the community;
 - (I) Provide shared parking opportunities;
 - (J) Promote tourist oriented market opportunities including water-related activities.

(Ord. 63-07 Exh. A (part), 2007).

(Ord. No. 10-17, Att. A, 3-14-2017; Ord. No. 25-17, Att. A, 4-25-2017)

17.12.120 Permitted uses.

The following uses, subject to applicable licensing and development regulations, shall be allowed outright within the "VC" district:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Appliance and communication equipment repair shop and/or sales;
- (4) Art galleries and artist studios;
- (5) Art and craft supplies, retail;
- ~~(6) Vehicle parts store;~~
- ~~(76) Bakery, with on site sales;~~
- ~~(87) Banks and financial institutions; Bicycle shops;~~
- ~~(98) Barbers and beauty shops; Book stores;~~
- ~~(109) Bicycle shops; Banks and financial institutions;~~
- ~~(1110) Book stores; Barbers and beauty shops;~~
- ~~(1211) Camera shop;~~
- ~~(1312) Catering;~~
- ~~(1413) Clothing sales and rentals and shoe stores;~~
- ~~(5114) Dance and music studios.~~

- (15) Delicatessen;
- (16) Dry cleaners and laundries not including laundromats;
- (17) Duplex (restricted to parcels one-half acre or less);
- (18) Fabric and yarn goods;
- (19) Florists;
- (20) Food stores, retail including groceries, bakers, butchers, health, candy;
- (21) Furniture stores;
- (22) Grocery stores;
- (23) Hardware stores; Hotels/motels;
- (24) Hotels/motels; Household fixtures including plumbing, lighting, heating/cooling;
- (25) Hobby shops; Hardware stores;
- (26) Hobby shops; Household fixtures including plumbing, lighting, heating/cooling;
- (27) Jewelry store;
- (28) Locksmith;
- (29) Medical offices, clinics, equipment and services (i.e. labs);

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- (30) Multi-family dwelling units (minimum four units);
 - (31) Music stores, recordings and instruments;
 - (32) Offices;
 - (33) Paint and glass shops;
 - (34) Pharmacy, dispensing;
 - (35) Photographic studio;
 - (36) Printing, publishing and reproduction;
 - (37) Radio and television broadcasting station;
 - (38) Residential (one or more) attached to any other permitted non-residential use;
 - (39) Restaurants, cafes and food stands: sit down and walk up;
 - (40) Retail shops not otherwise named similar in size, character and impacts;
 - (41) Second hand stores and pawn shops;
 - (42) Sports related service businesses such as kayak rentals, boat tours, scuba instruction;
 - (43) Sporting goods store including equipment rental and repair;
 - (44) Stationary and office supply stores;
 - (45) Toy stores;
 - (46) Theater, live stage;
 - (47) Theater, motion picture, one screen and no more than two hundred fifty seats;
 - (48) Tourism related retail and service businesses such as travel, tour and event agencies;
 - (49) Transit stops;
 - (50) Triplex (restricted to parcels three-quarter acre or less);
 - (51) Vehicle parts store.
 - ~~(51) Dance and music studios.~~

(Ord. 63-07 Exh. A (part), 2007).

(Ord. No. 10-17, Att. A, 3-14-2017; Ord. No. 25-17, Att. A, 4-25-2017; Ord. No. 85-18, Att. A, 12-4-2018)

17.12.130 Accessory uses.

The following uses shall be permitted as ancillary to permitted uses or uses obtaining a special use permit in the district and shall not be established independent of the primary use:

- (1) Alcoholic beverage sales: on-site, in association with full menu food uses;
- (2) Merchandise repair excluding vehicles;
- (3) Micro brewery;
- (4) Hotel lounge;
- (5) Parking of one delivery vehicle;

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- (6) Dance floors;
 - (7) Music and electronic game machines up to a total of four;
 - (8) Live entertainment except between the hours of one-thirty a.m. and seven a.m.;
 - (9) Public sidewalk food and merchandise vendors including Espresso carts and newsstands with written consent of all adjacent landowners.

(Ord. 63-07 Exh. A (part), 2007).

17.12.140 Use permitted subject to obtaining a special use permit.

The following uses, subject to applicable licensing and development regulations, shall be allowed within the "village commercial" district only with approval of a special use permit except that a special use permit shall not be required where any of the listed uses are included in an approved Planned Development. Consideration shall be given to the purpose and development standards of the district including any adopted design guidelines. The design of the site, structure, and building facade shall be included in the special use permit review which shall consider the widths and heights typically found in the neighboring commercial development to determine the compatibility of the proposal with the existing development. That compatibility might be accomplished through indenting portions of the structure to separate portions of the facade, using a variety of architectural styles and building materials, orienting the building so that larger areas of facade are not visible from public ways or parking areas, or by similar techniques.

- (1) Antique malls over ten thousand sq. ft.
- (2) Bars and taverns other than those associated with full menu food service.
- (3) Churches.
- (4) Veterinary clinics.
- (5) Commercial parking lots not associated with an on-site use.
- (6) Day care center.
- (7) Drive-through sales, service, pick-up or delivery.
- (8) Gasoline retail sales.
- (9) Gyms, fitness and aerobic studios.
- (10) Laundromats.
- (11) Private transportation depot.
- (12) Schools.
- (13) Private recreation facilities including game arcades, batting cages, shooting galleries and skating rinks.
- (14) Outdoor storage of merchandise.
- (15) Motorized vehicle repair.
- (16) Assisted Living Facilities.

(Ord. 63-07 Exh. A (part), 2007).

17.12.150 Bulk and dimension standards.

Minimum lot area	9,600 sq. ft.
Maximum height	The maximum height of any structure in the "VC" district shall be 35 feet, or as reviewed by special use permit (not to exceed 25 feet East of SR 3), except that church spires, bell towers, chimneys and other architectural features may exceed the height limit by 50% and communication facilities by as much as permitted through approval of a special use permit.
Minimum setbacks:	
Front property line	10 ft
Side and back	5 ft
Additional setbacks may be required to provide line of site clearance for vehicle drivers for the purpose of public safety.	
Maximum lot coverage	There shall be no maximum lot coverage standard in the "VC" district.
Floor area ratio	There is no maximum floor area ratio and there shall be a minimum ratio of 5:1.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.12.160 Additional development and design criteria.

Development criteria are established to ensure compatibility of uses permitted within the district, to encourage good building and landscaping design, and to ensure the protection of the public health, safety and general welfare. In addition to development regulations found elsewhere in this title the following standards shall apply to development projects within the "VC" district. Additional standards for setbacks are in Section 17.10.460.

- (1) General criteria.
 - (A) Parking. Required parking for the "VC" district shall be as stipulated in Chapter 17.14 "Off-Street Parking" of this title.
 - (B) Signs. Private signage shall be allowed as stipulated in Chapter 17.15, "Signs" of this title.
 - (C) Trash. Exterior trash containers shall be located within enclosures matching design criteria on file with the building and public works department except where placed outside at a designated location for collection the same day as the collection is scheduled.
 - (D) Storage. All exterior storage shall be screened from view behind solid walls or fences no greater than eight feet in height.
 - (E) Fencing. Fencing shall be decorative and compatible in design and integrated with architecture of the associated use. Fences, except for storage areas, shall be no more than six feet in height and shall not obstruct line of sight clearance or safety exiting.
 - (F) The address of all buildings and individual units shall be displayed on the exterior of the building, including on alley frontages, in a manner that allows for easy identification by the public and emergency response personnel.

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- (G) Entries. Each building and commercial units within buildings, shall have at least one primary entry on any street frontage unless units with a building share a common entry from which the unit may be accessed during all business hours. Entries shall be clearly defined, oriented to pedestrian travel ways and away from vehicle driveways. Entries shall be provided with weather protection.
 - (H) Structures shall be located proximate to the street to promote store front display, pedestrian activity and a harmonious streetscape while leaving opportunities to create space between building tells and the public sidewalk for exterior uses, sign displays, exterior seating, landscaping, architectural interest such as cantilevered second stories, canopies and esplanades and to provide locations for public art and information.
 - (I) All electrical, mechanical and plumbing equipment, including roof equipment, and appurtenances shall be screened from view or otherwise architecturally treated except those required for safety purposes.
 - (J) Architecture and aesthetics. (Reserved).
- (2) Commercial.
- (A) All street doors shall be for pedestrian access only.
 - (B) Loading areas. Loading or pick-up of merchandise or materials shall be restricted to alleyways or designated on-site loading areas.
 - (C) Outdoor display of sales of merchandise. The outdoor sale or display of merchandise, whether on-site or on public property or right-of-way, shall only be allowed as permitted under guidelines approved by the county board of commissioners.
 - (D) Canopies, signs, balconies and other architectural projections may encroach into the public right-of-way with approval of an encroachment permit by the public works director and when an overhead clearance of a minimum of eight feet is maintained.
 - (E) Ground floor frontages shall be provided with large framed display windows above a height of three feet so that at least fifty percent of the frontage wall is transparent between a height of three feet and below eight feet.
- (3) Residential. Required residential parking shall be provided on site.

(Ord. 63-07 Exh. A (part), 2007).

(Ord. No. 10-17, Att. A, 3-14-2017; Ord. No. 25-17, Att. A, 4-25-2017)

17.12.170 Signs.

See Chapter 17.15.

(Ord. 63-07 Exh. A (part), 2007).

17.12.180 Off-street parking.

See Chapter 17.14.

(Ord. 63-07 Exh. A (part), 2007).

Article II. "T"—Tourist Commercial Overlay District

17.12.210 Purpose.

The "tourist commercial" district is an overlay district limited in size and location as dictated by its function. It may only overlay the "village commercial" district. The purpose of "tourist commercial" district is to provide through development and design controls and use limitations a mixed recreation, cultural and commercial district to enhance and promote the economic revitalization of Allyn's historic central business district. The intent is the creation of an attractive pedestrian oriented commercial and recreation district enjoyed by both locals and visitors. Goals of the district are:

- (1) Promote private development and uses, which complement and are integrated with public streetscape open spaces and other governmental improvements and uses;
- (2) Foster civic pride in the area and thereby stabilize and improve property values and stimulate investment;
- (3) Encourage new uses and services consistent with the tourist, pedestrian oriented and active outdoor character of the area to achieve a viable and sustainable commercial district;
- (4) Prohibit new uses that are incompatible with the function and purpose of the district and encourage the relocation, to other locations within the community, of nonconforming uses;
- (5) Encourage efficient land use and investment in the rehabilitation, expansion and use of existing structures and in-fill sites through flexible development and parking standards;
- (6) Encourage the concept of pedestrian oriented development to allow easy and safe pedestrian access throughout the district, between properties and businesses and to adjoining districts through thoughtful design of public improvements and private buildings and sites, the development of an attractive and stimulating streetscape and pedestrian and bike trails and paths;
- (7) Enhance the pedestrian experience and safety as well as make local merchandising more effective by providing a built environment that will slow traffic down while maintaining through traffic and delivery opportunities;
- (8) Promote alternative modes of transportation, maximize the use of public infrastructure investments, better design and foster a greater sense of "neighborhood" within the district;
- (9) Encourage a sense of "ownership" of the district within all members of the community;
- (10) Promote a physical environment through architectural, streetscape and open space improvements that are evocative of the historic, rural and natural character of the community particularly in relation to the waterfront;
- (11) Provide an attractive "destination" for tourists and other visitors to the region and a "gathering place" for locals;
- (12) "Capture" a greater share of the drive by traffic on SR 3 and get visitors "out of their cars" and into shops;
- (13) Provide for adequate attractive, safe and accessible shared and public parking areas, which connect rather than divide uses and activities and allow a maximum non-vehicle development of property;
- (14) Provide a location for community wide social and cultural events and celebrations by reinforcing streets and parks as public places and the development of public and semipublic space;
- (15) Maximize the use of public infrastructure, spaces and property to promote and enhance business development and activity.

(Ord. 63-07 Ex. A (part), 2007).

17.12.220 Permitted uses.

The following uses, subject to applicable licensing and development regulations, shall be permitted within the "tourist commercial" district:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Art galleries and artist studios;
- (4) Art and craft supplies, retail;
- (5) Bakery, with on site sales;
- (6) Bicycle shops;
- (7) Book stores;
- (8) Barbers and beauty shops;
- (9) Camera shop;
- (10) Catering;
- (11) Clothing sales and rentals and shoe stores;
- (12) Delicatessen;
- (13) Florists;
- (14) Food stores, retail including groceries, bakers, butchers, health, candy;
- (15) Hotels/motels;
- (16) Hobby shops;
- (17) Jewelry store;
- (18) Offices;
- (19) Music stores, recordings and instruments;
- (20) Photographic studio;
- (21) Restaurants, cafes and food stands: sit down and walk up;
- (22) Retail shops not otherwise named similar in size, character and impacts;
- (23) Sports related service businesses such as kayak rentals, boat tours, scuba instruction;
- (24) Sporting goods store including equipment rental and repair;
- (25) Toy stores;
- (26) Theater, live stage;
- (27) Theater, motion picture, one screen and no more than two hundred fifty seats;
- (28) Tourism related retail and service businesses such as travel, tour and event agencies.

Due to the unique nature of the "tourist commercial" overlay district, the following are not allowed:

- (1) Auto sales;
- (2) Auto repair and service uses;

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- (3) Outdoor storage yards;
 - (4) Mortuary services;
 - (5) Drive through sales, service, pick-up, or delivery, but not including a drive through espresso stand;
 - (6) Veterinary Clinic;
 - (7) Laundromats;
 - (8) Manufacturing and fabrication processes except for those that are compatible with tourism and recreational activities.

(Ord. 63-07 Exh. A (part), 2007).

17.12.230 Accessory uses.

- (a) Alcoholic beverage sales: on-site, in association with food uses.
- (b) Merchandise repair.
- (c) Micro brewery.
- (d) Hotel lounge.
- (e) Parking of one delivery vehicle.
- (f) Dance floors.
- (g) Music and electronic game machines up to a total of four.
- (h) Live entertainment except between the hours of one-thirty a.m. and seven a.m.
- (i) Public sidewalk food and merchandise vendors including Espresso carts and newsstands with written consent of all adjacent landowners.

(Ord. 63-07 Exh. A (part), 2007).

17.12.240 Uses allowed subject to obtaining a special use permit.

- (a) Bars and taverns other than those associated with full menu food service.
- (b) Churches.
- (c) Commercial parking lots not associated with an on-site use.
- (d) Day care.
- (e) Gyms, fitness and aerobic studios.
- (f) Private transportation depot.
- (g) Schools.
- (h) Private recreation facilities including game arcades, batting cages, shooting galleries.

(Ord. 63-07 Exh. A (part), 2007).

17.12.250 Bulk and dimension standards.

Same as for "village commercial" district except as follows:

Height On the shore side of SR 3 a maximum of 25 feet.

(Ord. 63-07 Exh. A (part), 2007).

17.12.260 Additional development and design criteria.

Same as for "village commercial" district as well as:

- (1) Comply with any design guidelines for district as adopted by board of commissioners.
- (2) As a condition of permit approval easements may be required for utilities, vehicle and pedestrian access, drainage and views, as are determined to be necessary to meet the goals of the district stated above.
- (3) Exterior social spaces shall be provided as part of project design.
- (4) Compliance with state handicap access requirements shall include maintenance of travel way standards to allow complete access throughout the district including from property to property and from all parking lots to common travel ways.

(Ord. 63-07 Exh. A (part), 2007).

17.12.270 Signs.

See Chapter 17.15.

(Ord. 63-07 Exh. A (part), 2007).

17.12.280 Off-street parking.

In addition to the requirements of Chapter 17.14 the following standards shall apply in the "tourist commercial" overlay district:

- (1) Parking lots shall be pedestrian friendly and allow pedestrian and vehicle access between parking lots on adjacent properties.

(Ord. 63-07 Exh. A (part), 2007).

Article III. "HC"—Highway Commercial District

17.12.310 Purpose.

The purpose of the highway commercial district is to provide a zone for vehicle oriented, community wide or sub-regional, retail shopping uses and integrated shopping centers located outside of the village center with frontage on and direct access from a major arterial road.

(Ord. 63-07 Exh. A (part), 2007).

17.12.320 Permitted uses.

Permitted uses in the HC zone consist of retail, service, office, dining and entertainment uses to the general public that take place inside a completely enclosed building in an integrated shopping center or as otherwise permitted by this title. (See 17.12.340) Such uses include:

- (1) Apparel stores;
- (2) Appliance stores;
- (3) Art galleries;
- (4) Banks and lending institutions;
- (5) Bicycle shops;
- (6) Book stores;
- (7) Camera shops;
- (8) Department stores;
- (9) Drug stores and pharmacies;
- (10) Food stores, including bakeries with on site sates, candy shops and health foods;
- (11) Furniture and office equipment stores;
- (12) Hardware stores;
- (13) Hobby shops and art supplies;
- (14) Jewelry stores;
- (15) Music and musical instrument stores;
- (16) Offices;
- (17) Restaurants, sit down;
- (18) Sporting goods stores;
- (19) Toy shops;
- (20) Supermarkets;
- (21) Variety stores.

(Ord. 63-07 Exh. A (part), 2007).

17.12.330 Accessory uses.

- (a) Minor outdoor display of merchandise.
- (b) Vending machines, screened from view.
- (c) Minor recycling facilities.
- (d) Transit stops.

(Ord. 63-07 Exh. A (part), 2007).

17.12.340 Use allowed subject to a special use permit.

Due to their potential negative impacts on adjacent uses and public improvements the following uses, and similar uses, shall require approval of a special use permit:

- (1) Vehicle drive through lanes;
- (2) Game arcades;
- (3) Movie and stage theaters;
- (4) Pet shops;
- (5) Gas stations;
- (6) Hotels and motels;
- (7) Veterinarian offices;
- (8) Motor vehicle sales, rental, repair or service;
- (9) On site liquor sales not in conjunction with a restaurant;
- (10) Bars and night clubs;
- (11) Dance clubs;
- (12) Churches;
- (13) Mortuaries;
- (14) Skating rinks and similar active entertainment uses;
- (15) Major recycling facilities.

Approval of a special use permit shall consider hours of operation, proximity of existing and future adjacent uses, vehicle access, circulation and parking demand, concentrations of similar uses, screening of unsightly features and on-site private security.

(Ord. 63-07 Exh. A (part), 2007).

17.12.350 Bulk and dimension standards.

Maximum height	35 feet, or as reviewed by special use permit.
Maximum lot coverage (building, parking, and impervious surfaces)	80%
Setbacks	20 foot landscaped perimeter setback except may be reduced to 5 feet where site abuts another commercial site. Additional standards for setbacks in special situations are in Section 17.10.460.

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.12.360 Additional development and design criteria.

(Reserved)

17.12.370 Off-street parking.

Per Chapter 17.14, Off-Street Parking.
(Ord. 63-07 Exh. A (part), 2007).

17.12.380 Signs.

Per Chapter 17.15, Signs.
(Ord. 63-07 Exh. A (part), 2007).

17.12.390 Development approval.

In addition to other requirements, all development in the "HC" district shall require site plan approval except where a binding site plan is already required.
(Ord. 63-07 Exh. A (part), 2007).

Article IV. "BP"—Business Park

17.12.410 Purpose.

The purpose of the business park district is to provide a zone for office, professional services, and light manufacturing business development. To promote a "campus" atmosphere that attracts business and employers while minimizing potential impacts such as noise, odors, light or glare, or significant adverse visual impacts.
(Ord. 63-07 Exh. A (part), 2007).

17.12.420 Permitted uses.

- (a) Appliance repair.
- (b) Furniture and major appliance sales.
- (c) Home furnishing sales.
- (d) Home improvement centers.
- (e) Printing and publishing.
- (f) Offices.
- (g) Medical clinics and other medical support services.
- (h) Health clubs and aerobic facilities.
- (i) Research and Development (R & D) facilities.
- (j) Light manufacturing.

(Ord. 63-07 Exh. A (part), 2007).

17.12.430 Accessory uses.

- (a) Vehicle fleet parking.
 - (b) Other uses ancillary to the primary permitted use.
 - (c) Common open space, public traits, viewing areas, and similar uses when ancillary to the primary use.
- (Ord. 63-07 Exh. A (part), 2007).

17.12.440 Use allowed subject to a special use permit.

- (a) Outdoor storage, when screened.
 - (b) Day care and temporary assisted care.
 - (c) Community utility and infrastructure.
- (Ord. 63-07 Exh. A (part), 2007).

17.12.450 Bulk and dimension standards.

Minimum lot area	19,200 sq. ft.
Maximum lot coverage	(building, parking, and impervious surfaces) = 90%
Maximum height limit	35 feet, or as reviewed by special use permit.
Minimum setbacks	Additional standards for setbacks in special situations are in Section 17.10.460.
Front	20 foot landscaped setback.
Side and rear	10 foot landscaped setback from non-residential and 20 foot from residential

(Ord. 63-07 Exh. A (part), 2007; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.12.460 Additional development and design criteria.

(Reserved)

17.12.470 Off-street parking.

Per Chapter 17.14, Off-Street Parking.

(Ord. 63-07 Exh. A (part), 2007).

17.12.480 Signs.

Per Chapter 17.15, Signs.

(Ord. 63-07 Exh. A (part), 2007).

17.12.490 Development approval.

All development projects in the BP district shall require approval of a binding site plan, in conformance with Mason County Code, Section 17.03.031.

(Ord. 63-07 Exh. A (part), 2007).

Chapter 17.14 OFF-STREET PARKING IN THE ALLYN UGA*

17.14.010 Intent and purpose.

- (a) The purpose and intent of these off -street parking regulations is to:
- (1) Relieve congestion and provide for safe movement of traffic along public streets;
 - (2) To promote the general welfare and convenience and prosperity of residential, commercial and manufacturing developments which depend on the availability of off-street parking facilities;
 - (3) To protect adjacent properties and neighborhoods from intrusion of vehicular traffic and parking congestion generated by developments with inadequate parking;
 - (4) To promote the general business climate through safe, pedestrian friendly, and environmentally sensitive and energy efficient lighting, for example:
 - (A) Downward directed lighting that does not glare into adjoining areas,
 - (B) Signing and design of parking lots which provides attractive and functional landscape areas, addresses stormwater management issues, complements and enhances adjacent businesses, and provides for public safety through driveway design and location criteria and the ingress and egress from public streets.
- (b) For the purposes of this chapter recreational vehicle shall refer to all motor homes, campers, utility trailers, living trailers, boat trailers and similar vehicles. On-street parking and the use of the public rights-of-way are regulated by Title 10 of the Mason County Code.

(Ord. 63-07 Exh. A (part), 2007).

17.14.020 Application.

- (a) Except as otherwise allowed by this chapter, off-street parking spaces, covered spaces, drive through spaces, loading spaces, handicapped accessible spaces, bicycle spaces and parking lots as required by, and to the standards established by, this code shall be provided as follows:
- (1) For the establishment of a new nonresidential land use and/or the construction of new nonresidential buildings.
 - (2) For the floor area or outdoor use area proposed for expansion of an existing nonresidential land use that increases the parking demand and the required number of parking spaces.
 - (3) For the change in use of an existing residential property that results in an intensification of the land use relative to parking demand and the required number of parking spaces.
 - (4) When an identified circumstance is reached for the establishment of phased parking development.

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- (5) For the establishment or construction of a new residential dwelling unit or expansion of a residential unit by more than fifty percent of the original floor area.
- (b) Except as otherwise required by this chapter existing legal nonconforming parking may remain and be maintained as established unless there is a danger to the public health, safety or welfare. Any improvements to or expansion of nonconforming parking lots shall conform to the provisions of this chapter except that a voluntary improvement and/or expansion shall not be required to comply with the minimum number of spaces required and the expansion of spaces that is triggered due to a change of use shall only be the difference between that required for the existing use and the new use.
- (c) Requirements for uses not specifically listed in this chapter shall be determined by the planning manager or his or her designee, based on the requirements of comparable uses and upon the particular characteristics of the use and/or other provisions of this chapter.
- (d) The numbers and dimensions of parking and loading spaces required by this chapter shall be considered the minimum required, unless otherwise provided, and additional parking may be required based on the nature of the use and anticipated demand. On-street parking shall not be counted toward compliance with the minimum number of spaces required.

(Ord. 63-07 Exh. A (part), 2007).

17.14.030 General provisions.

- (a) All parking spaces and loading spaces parking lots shall be maintained and kept available for their intended use and size vehicle intended and shall not be discontinued, reduced, or altered in any way without approval of the planning department and in compliance with the requirements and standards of this chapter.
- (b) All required guest, handicap; loading; compact; or other restricted spaces shall be designated as such and restricted to such use.
- (c) No repair work or servicing of vehicles shall be conducted on designated parking areas.
- (d) Fractional spaces shall be counted as the next largest whole space.
- (e) Off-street parking and parking lots constructed, even when not required by this chapter, shall be constructed and maintained in compliance with the development and use standards of this chapter.
- (f) No property shall be used for parking and/or storage of vehicles except as in compliance with the provisions of this chapter. Except as otherwise noted all vehicles shall be provided with a parking surface in compliance with the design and development standards for parking spaces and parking lots in this chapter.
- (g) All parking lot construction, drainage, landscaping and stripping plans, including grading for improvements to and/or expansion of existing parking lots, shall be approved by the planning, building and public works departments for compliance with the requirements of this chapter and title and all other county development standards and regulations.

Grading and paving of parking lots shall be in compliance with the permits and standards required in Title 14, Chapters 14.44 (Excavation and Grading) and 14.48 (Stormwater Management). All associated construction within a public right-of-way, including driveway approach construction and landscaping, requires the approval of an access permit, with associated bonding or other surety for completion of the work, by the public works department and compliance with all adopted traffic control and safety regulations and procedures.

(Ord. 63-07 Exh. A (part), 2007).

17.14.040 Minimum parking space and lot dimensions.

(a) Parking Stall Size:

- (1) Residential: ten feet by twenty feet.
- (2) Commercial: nine feet by nineteen feet.
- (3) Compact: nine feet by fifteen feet.
- (4) Handicap van: eight feet by nineteen feet plus eight feet unloading area.*
- (5) Car: eight feet by nineteen feet plus five feet unloading area.
- (6) RV: ten feet by thirty feet.
- (7) Parallel: eight feet by twenty-three feet;
- (8) Drive through cueing space: eight feet by ten feet widened at curves as necessary.
- (9) Diagonal: thirty, forty-five and sixty-degree parking spaces are permitted in conformance with the following table.

* Dimensions may not be less than state adopted standards. Handicapped unloading area may be on either side of parking stall.

(b) Table for standard size parking angles (Does not include two-foot allowance for overhang or interlock reduction).

A = Parking angle	B = Stall width	C = Stall depth ¹	D = Width at curb	E = Aisle width ²
0	8'	8'	23'	12'
30	9'	17'	17'	15'
45	9'	19'	12.7'	16'
60	9'	20.5'	10.4'	23'
90	9'	19'	9'	22'

A = Parking angle.

B = Stall width.

¹C = Stall depth from curb to drive aisle.

D = Width at curb.

²E = Aisle width, one way.

- (c) Backup space shall be twenty-four feet except for diagonal accessed by a one-way drive aide.
- (d) Drive aisles from which no parking is directly accessed shall be a minimum of twenty feet in width for two way and twelve feet in width for one way.
- (e) There shall be a two-foot overhang allowance into landscaping or hardscape buffers or sidewalk areas provided the sidewalk maintains minimum access width requirements, which in no case shall be less than four feet.

(Ord. 63-07 Exh. A (part), 2007).

17.14.050 Minimum number of spaces required.

- (a) Off-street parking ratios expressed as the number of spaces per square feet means the useable or net square footage exclusive of non-public or employee work area footage of floor area such as maintenance areas, foyers, closets, restrooms or storage areas other than active file rooms. Fraction numbers of calculated spaces shall be rounded up to the next highest whole number. Public parking spaces, either on-street or in public parking lots, shall not be included in parking calculations. The applicability of parking on private streets shall be determined during project approval.
- (b) The required number of parking spaces for each type of land use shall be as stipulated below, except as the requirements may be modified or installation phased by other sections of this chapter:
 - (1) Residential.
 - (A) Single-family detached: two spaces per unit.
 - (B) Single-family attached, duplexes and triplexes: two spaces per unit.
 - (C) Four-plex multifamily and above: one space per unit up to two bedrooms and one-half space for each bedroom over two; plus one-half guest space per unit.
 - (D) Mobile home parks: two spaces per unit plus one-half guest space for each unit.
 - (E) Group facilities: one space per each three beds.
 - (F) Single-family, duplex or triplex developments which restrict parking on local or minor collector residential streets shall provide one-half guest space for each unit where parking is restricted to one side of the street and one guest space per unit where parking is prohibited on both sides of the street.
 - (2) Commercial.
 - (A) Retail: one space for each two hundred fifty square feet; or one space each four hundred square feet for shopping centers, or shared parking lots by independent businesses, with two or more uses.
 - (B) Barber shops and salons: three spaces for each chair.
 - (C) Restaurants up to twelve seats: one space for each two hundred fifty square feet.
 - (D) Restaurants over twelve seats: one space for each sixty square feet of customer. Seating area and one space for each four hundred square feet of kitchen and non-customer area.
 - (E) Bank and office (except medical): one space for each three hundred square feet.
 - (F) Medical office: one space for each two hundred square feet.
 - (G) Gyms and aerobic studios: one space for each fifty square feet.
 - (H) Technical school: one space for each one hundred square feet.
 - (I) Hotels and motels: one space per unit plus one employee space for each ten units, plus parking for accessory uses by type and one RV parking space for each ten units.
 - (J) Outdoor product display areas: one space for each one thousand square feet of display or sales area.
 - (3) Industrial.
 - (A) Manufacturing: one space for each seven hundred fifty square feet.

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- (B) Warehousing: one space for each one thousand five hundred square feet up to ten thousand square feet and one space for each two thousand square feet over ten thousand.
 - (C) Retail show rooms: one space for each five hundred square feet.
 - (D) Research and development: one space for each five hundred square feet.
 - (E) In addition to the above industrial uses, ~~uses that~~-employing drivers ~~to take~~ing vehicles off-site for delivery or construction shall provide one space for each driver. ~~In addition to the following~~Also, office space within industrial uses shall be provided one space for each two hundred fifty square feet of office use.
- (4) Public and semi-public uses including public schools, parks and athletic facilities. While the exact number of spaces shall be determined through the special use permit process the following minimums shall apply:
- (A) Hospitals and convalescent care facilities: one space per longer-term care bed and one space for each two hundred square feet of out patient area.
 - (B) Schools: one space for each classroom plus one space for each two hundred fifty square feet of office area; plus one space for each one hundred square feet of kitchen area; plus one guest space per each five required spaces; plus for high schools and colleges ten spaces per classroom.
 - (C) Churches: one space for each three seats in the largest assembly area.
 - (D) Theaters: one space for each three seats.
 - (E) Library: one space for three hundred square feet.
 - (F) Museum and art gallery: one space for five hundred square feet.
 - (G) Clubs and lodges: one space for each two seats.
 - (H) Sports facilities/auditoriums: one space for each three seats.
- (5) For unnamed uses the number of spaces required may be based on a similar use listed or on a study provided by a recognized professional in the area of parking and trip demand.
- (6) For projects that combine a mix of uses the requirement shall be calculated by the addition of the total required for each use area by square footage; the provisions for shared parking in this chapter may be applied.
- (7) Compact Spaces.
- (A) Up to twenty percent of the number of required spaces over twenty may be compact.
 - (B) Compact spaces shall be clearly designated and should be grouped separate from standard spaces.
- (8) Bicycle Parking. For commercial and public parking uses that require at least fifty parking stalls a bicycle rack with a capacity for four bicycles shall be provided for each fifty parking stalls not to exceed a total of twelve bicycle spaces.

(Ord. 63-07 Exh. A (part), 2007).

17.14.060 Minimum loading space requirements.

- (a) Size. Loading spaces ~~s~~ sizes shall be dimensioned to accommodate the type of vehicle intended for use however the following minimums shall apply where loading spaces are required.

Type A space =	10' by 30' with 14' vertical clearance.
Type B space =	12' by 40' with 14' vertical clearance.

2. Location. Loading spaces shall be adjacent to the doors they serve and be separated from parking stalls and be located so as to not interfere with circulation or parking or to cause an unsightly appearance or provide the potential for noise impacts on residential areas.
3. Numbers. In addition to the minimums listed below, each loading door shall have an associated loading space. All loading spaces shall be designated with striping.

Type Use	Floor Area	Number of Spaces Required
Commercial	0—10,000	
	10,001—20,000	1 Type A
	Over 20,000	1 Type B
Industrial	under 5,000	1 type A
	5,000—15,000	1 Type B
	15,001—50,000	2 Type B
	over 50,000	3 Type B
Public	As required by special use permit.	

(Ord. 63-07 Exh. A (part), 2007).

17.14.070 Village commercial parking space requirements.

The village commercial core area is a unique mixed-use area in the center of Allyn. It is the historic commercial center of the village and surrounding area. The village commercial and tourist commercial overlay districts were developed to recognize the unique historic, cadastral, physical and mixed-use aspects of the core area and to respond to the changing regional business climate. There are limited prime, business frontage locations and an existing inefficient mix of paved, unpaved and informal parking spaces. The sub-area plan calls for a pedestrian oriented village core preserving the historic, cultural and social characteristics while promoting new investment based on local demand and the growing tourist opportunities.

To this end, along with zoning regulations for use and physical development, parking regulations specific to the village commercial zoning districts are necessary to achieve the goals of the sub-area plan while recognizing the limitations for development of vehicle parking, circulation and truck delivery. Regulations in this section provide for planned public parking along with opportunities provided by on-street parking, not currently available, and cooperative shared and leased parking arrangements. ~~Planned public parking along with opportunities provided by on-street parking not currently available and for cooperative shared and leased parking arrangements between property/business owners are reflected in the regulation of this section.~~

(Ord. 63-07 Exh. A (part), 2007).

17.14.080 Application.

The provisions of Sections 17.14.070 through 17.14.120 shall apply to all properties within the village commercial and tourist commercial overlay districts. Provisions of this chapter not specifically modified by this section shall also apply. Existing legal nonconforming parking shall be maintained at its present level in a manner

safe to the users and general public and where it is not detrimental to public or private improvements. Any new parking voluntarily established, or improvement of existing parking shall comply with the development standards of this chapter and section.

(Ord. 63-07 Exh. A (part), 2007).

17.14.090 Off-street parking and loading space requirements.

- (a) Vehicle Parking.
 - (1) Commercial. The number of parking spaces required for commercial uses in the village commercial district, except as otherwise noted, shall be fifty percent of the number required by Section 17.14.050 if shared parking is provided.
 - (2) Residential. One parking stall shall be required for each residential unit.
 - (3) Hotels and Motels. One space per room plus additional parking required for ancillary uses per subsection (a)(1) above.
- (b) Loading. Loading spaces shall be provided as required by Section 17.14.060 except where a public alley is available and may be used in a safe manner as determined by the planning manager.

(Ord. 63-07 Exh. A (part), 2007).

17.14.100 Use of public parking.

- (a) On-street parking and spaces located in public parking lots shall not be reserved or restricted except those spaces reserved for use by handicapped individuals or on which time limits have been set.
- (b) Nothing in this section is intended to limit voluntary parking management programs established by business or property owners.

(Ord. 63-07 Exh. A (part), 2007).

17.14.110 Alternative means of meeting on-site parking requirements.

In addition to those alternative means listed in Section 17.14.130 uses in village commercial may meet the requirements of this code by use of the following:

- (1) In-Lieu Fee. The required number of on-site spaces for any use may be reduced on a one for one basis by payment of an in-lieu of fee as established by the board of commissioners for use in the development of public parking lots.
- (2) Dedication of Parking. The required number of on-site spaces for any use may be reduced on a one for one basis by development of and dedication to the county or Port of Allyn of a public parking lot, or expansion of an existing lot, within the village commercial district, constructed to county standards and in which a minimum of twenty spaces are provided.

(Ord. 63-07 Exh. A (part), 2007).

17.14.120 Access and design.

Access and design of parking lots in the village commercial district shall be as stipulated elsewhere in this title, see Chapter 17.12 the "village commercial" district and "tourist commercial" overlay district, and in compliance with any design guidelines adopted by the board of commissioners.

(Ord. 63-07 Exh. A (part), 2007).

17.14.130 Modified calculations for required on-site parking space number.

~~In addition to the following,~~ See Section 17.14.140(2), Parking Lot Location, regarding the use of off-site parking, ~~in addition to the following:-~~

- (1) Common Use of Facilities. Common parking areas may be shared for independent uses where the total number of spaces provided equal the sum of that required for the individual uses and where there is assurance, such as a document recorded to run with the land, the parking will always be accessible to all parties. Handicap accessible parking requirements shall be based on the total number of spaces provided.
- (2) Joint Use of Facilities. A special use permit may be issued for joint use of parking facilities, i.e., where the same parking spaces are used by different uses at different times, under the following conditions.
 - (A) Up to fifty percent of the parking required for a use that normally operates in the daytime may be credited to a use that normally operates at night or vice versa.
 - (B) Up to one hundred percent of the parking required for a church or school may be credited to another use during periods when the church or school is not active.
 - (C) The use for which the joint use is requested must be located within five hundred feet of the parking facility.
 - (D) The applicant shall provide evidence that such joint use will not create a conflict of overlapping use of the parking.
 - (E) A written agreement shall be recorded to run with the land that ensures the parking will be available for as long as the joint use is required.
- (3) Use of Adjusted Gross Floor Area Calculations. In the computation of floor area or building square footage relative to compliance with this chapter an adjusted gross floor area shall be used. Adjusted gross floor area shall exclude all common facilities shared by tenants who do not contribute to building occupancy or in single occupancy units those areas which are ancillary to and support the main use and shall be limited to mechanical rooms, elevators, foyers, indivisible corridors and hallways, janitor's closets. This does not include file rooms or other storage rooms that are an integral and typical part of the business or use.
- (4) Parking Studies. An applicant may request a modification, to be allowed by the approval body, to the minimum number of parking or loading spaces required by providing a study by a qualified professional that substantiates that parking demand can be met with reduced requirements due to such factors as drive-by trip capture, hours of operation or alternative transportation availability for the customer base.
- (5) Transit Oriented Development. Transit oriented developments approved as a planned unit development or commercial uses approved under the provisions of a binding site plan may propose reduced parking requirements in lieu of provisions for alternate modes of transportation.

(Ord. 63-07 Exh. A (part), 2007).

17.14.140 Parking lot location, construction and design.

- (a) General Criteria. ~~All parking lots and spaces constructed shall comply with the following unless~~ Unless specifically altered by some other provision of the Mason County Code or as modified where allowed in approval of a special use permit, all parking lots and spaces constructed shall comply with the following:-
- (1) Parking lots and spaces shall be constructed of either asphalt concrete (AC) or portland concrete cement (PCC) or some other approved all weather hard surface such a brick or paving stones. Pervious paving surfaces are encouraged for use to reduce impervious surfaces and lower stormwater runoff volumes.
 - (2) All public and private parking and loading areas shall be prepared in a manner to dispose of surface water runoff which shall be retained on site or drained into an area approved by the Mason County engineer or the State Department of Transportation when abutting State Highways, and areas which are to be surfaced with an asphalt, concrete or similar ~~All~~all-weather surface as described above, shall be subject to review and approval of the Mason county public works director or his designee.
 - (3) Separate parking spaces with landscape and/or hardscape buffers from public sidewalk, buildings, moving cars. Buffers should be a minimum of five feet in width. Buffers adjacent to the public right-of-way, except for alleys shall be landscaped and have ten feet minimum width for developments over ten acres in size.
 - (4) Provide adequate directional signs.
 - (5) Provide for safe pedestrian access to building and public sidewalks.
 - (6) Provide for through circulation limiting the need for backup maneuvers.
 - (7) Drive through queues shall be designed so that overflow will not interfere with public streets or main drive aisles in shopping centers.
 - (8) All parking lots shall comply with Washington state regulations relative to access by persons with disabilities.
 - (9) No parking space shall obstruct a doorway or exit from a structure.
 - (10) Parking stalls shall be clear of all obstructions that limit the use thereof.
 - (11) A parking stall shall not be located so as to cause a visual obstruction.
 - (12) Loading spaces when in use shall not obstruct the free circulation of vehicle traffic.
 - (13) Wheel stops six inches in height shall be provided in the form of continuous curbs or sidewalk edges. Freestanding wheel stops, i.e., placed on top of previously poured paving, shall not be permitted except with the approval of the planning manager where there is no danger of creating a tripping hazard.
 - (14) Water drainage to and from the parking lot shall not be across sidewalks.
 - (15) Parking lots shall be designed to permit on site turn around through limits on dead ends and to permit vehicles to enter and exit the site in a forward motion.
 - (16) All fire lanes, compact parking stall, handicapped stall, loading areas and turn around areas shall be appropriately marked.

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- (17) Drive Through Lanes. Drive through queuing lanes shall accommodate a minimum of eight passenger vehicles and shall not obstruct the free flow of vehicle circulation loading areas or pedestrian access. They shall be a minimum of ten feet in width.
 - (18) One-way drive aisles shall be a minimum of twelve feet in width. Two-way drive aisles shall be a minimum of twenty-four feet in width except that the width may be reduced to twenty feet where there is no direct access to parking spaces.
- (b) Location.
- (1) Parking spaces shall be located in proximity to the use they serve.
 - (2) Required parking spaces may be located off-site with concurrence of the body approving the parking lot if a document is recorded to insure the continued availability of the spaces for the life of the use or until such time as other spaces are made available; they comply with the development standards of this code; and do not reduce the required number of spaces available for the use located on the off-site property.
 - (3) The location requirements for this section may be altered through approval of a special use permit, PUD or binding site plan where the intention of the code for user convenience is met and safe and direct pathways are provided from the parking to the use.
- (c) Landscaping.
- (1) Parking space shall be separated from public sidewalks with landscaped planter that shall be a minimum of five feet and ten feet along a state highway.
 - (2) A minimum five-foot wide planter buffer shall separate parking stalls from on site sidewalks.
 - (3) Long rows of parking spaces, i.e., over twenty spaces, shall be broken up by the use of planters not less than three feet wide.
- (d) Lighting.
- (1) Adequate, energy efficient lighting for both vehicle and pedestrian circulation and to provide for public safety shall be provided.
 - (2) Freestanding parking lot luminaires shall be located in landscaped islands or otherwise separated from parked or moving vehicles and kept as low as possible and shall not allow direct light or glare onto adjacent residential properties. Concrete bases for the luminaires shall be a maximum of six inches in height unless decorative in construction.
 - (3) Wall and canopy lighting shall be screened to keep direct light and glare from spilling off the site.
 - (4) An exterior lighting site plan showing location and type of fixtures and poles and section of poles with height and footing details and lighting contours shall be submitted with all new building or parking lot construction plans.
- (e) Striping. Nonsingle-family, duplex and triplex parking stalls shall be designated with a four-inch wide white painted stripe.
- (1) Directional arrows shall be provided on commercial and industrial drive aisles.
 - (2) Fire lanes and no parking areas shall be clearly designated.
- (f) Deviations to Standards for Design of Parking Facilities. Administrative approval may be given for deviations to application of the standards of this section for the expansion or improvement of existing parking lots where there is no threat to public safety.

(Ord. 63-07 Exh. A (part), 2007).

17.14.150 Access and driveway approach regulations from streets and alleys.

The number, size and location of driveway access to public streets and alleys shall be limited as follows.
(Check with Mason County public works for more specific driveway permit information.)

- (1) General.
 - (A) Minimum thirty-foot separation from back of curb return at intersections.
 - (B) Minimum two feet of full height curb from property line except for shared driveways.
 - (C) In lieu of standards below, major development may use divided driveways or curb returns in lieu of driveway approaches as necessary to accommodate traffic and turning movements.
 - (D) Driveway approach shall be clearly defined through use of landscaping.
 - (E) Driveways into commercial, industrial or multifamily residential.
 - (F) Projects shall be aligned with existing or future driveways on the opposite side of the street where left turns are allowed. They may be minimally offset where no left turn conflict is created otherwise there shall be a minimum of two hundred feet of separation to allow for opposing left turn lanes.
 - (G) Service, one way restricted or other special situation drive approaches shall be clearly designated as such.
- (2) Commercial and Industrial Developments:
 - (A) Minimum width to forty feet or one-half width of frontage whichever is less, with approval from Mason County public works;
 - (B) Use a four-foot wide flare in approach;
 - (C) Design approach for weight of trucks;
 - (D) Provide separate service driveways for major developments;
 - (E) Avoid cross traffic near entrance;
 - (F) Allow vehicles to fully enter site before potential obstruction from cross traffic or backups;
 - (G) Define location with landscaping;
 - (H) Do not access parking spaces directly from street; direct access from an alley is permitted. The number of approaches shall be no more than necessary to accommodate demand and circulation;
 - (I) Provide for safe pedestrian crossing of driveways.
- (3) Residential Developments.
 - (A) Single-family/duplex/triplex:
 - (i) Limit to one access frontage;
 - (ii) No driveway access to arterials or major collectors;
 - (iii) Minimum thirty feet width or one-half of lot width, whichever is less, with approval from Mason County public works;
 - (iv) Use two-foot flares at approach; and
 - (v) Use alleys were available for access.

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- (B) Multifamily:
 - (i) No access to spaces directly from street;
 - (ii) Access shall be to lowest category street for corner lots;
 - (iii) Use four-foot flares on arterial and major collector driveways; and
 - (iv) Provide entry treatments to define driveway location.

(Ord. 63-07 Exh. A (part), 2007).

17.14.160 Parking and storage of recreational vehicles, boats and trailers on residential property.

Recreational vehicles, trailers and boats and trailers may be parked and stored on residential property under the following conditions.

- (1) In mobile home parks, planned developments and apartment complexes:
 - (A) Recreational vehicles may not be parked in spaces provided for passenger vehicle parking.
 - (B) Recreational vehicles shall be parked and/or stored as provided for in the development approval of the project.
- (2) For single-family detached houses, duplexes and triplexes:
 - (A) Recreational vehicles shall be parked beyond the front or street side yard edge of the residential unit except where they are beyond the front or street side yard setback and screened with a minimum six-foot high fence or vegetation wall;
 - (B) Temporary parking of recreational vehicles on driveways and on the street, where parking is permitted, for the purpose of cleaning, loading or unloading ~~is~~;
 - (C) No habitation of recreational vehicles is permitted when parked or stored on a residential lot or street except habitation may be permitted for vehicles parked on a private residential lot for self-contained vehicles or for any vehicle designed for habitation on a lot with an existing residence where a permit has been issued by the building official and copied to the sheriff department.

(Ord. 63-07 Exh. A (part), 2007).

17.14.170 Parking of commercial vehicles in residential zones.

Commercial vehicles, other than those allowed through a home-based occupation or cottage industry special use permit issued per Section 17.03.021 (Mason County Development Regulations), may not be parked or stored in residential zones except that for the period of time required to make legitimate service deliveries or pick-ups.

(Ord. 63-07 Exh. A (part), 2007).

17.14.180 Commercial storage of vehicles.

- (a) Commercial vehicles shall be stored in approved designated locations and shall not obstruct the use or access to parking stalls.
- (b) Striping is not required in vehicle storage areas however required drive aisles and fire lanes must be designated and be kept clear of obstructions.

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- (c) Alternative all weather surfaces may be permitted for storage of nonmotorized vehicles and trailers where there is no significant danger from leakage of fuel or lubricants.

(Ord. 63-07 Exh. A (part), 2007).

17.14.190 Variances.

Except as otherwise allowed by this chapter, applications for variances shall be made in accordance with Chapter 17.05, Article IV "Variances" of the Mason County Code.

(Ord. 63-07 Exh. A (part), 2007).

Chapter 17.15 ALLYN SIGN CODE*

17.15.010 Intent of sign regulations.

The intent of the sign regulations is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the number, size, design, quality of materials, construction, location, electrification, energy efficiency, and maintenance of all signs and sign structures; to preserve and improve the appearance of the Allyn urban growth area as a place in which to live and as an attraction to nonresidents who come to visit or trade; to encourage sound signing practices as an aid to business and for public information but to prevent excessive and confusing sign displays or signs that pose a hazard to the public.

(Ord. 63-07 Exh. A (part), 2007).

17.15.020 Application.

This chapter applies only to signs within the Allyn urban growth area.

(Ord. 63-07 Exh. A (part), 2007).

17.15.030 Exemptions to the sign regulations.

The following may be construed as signs, but are not intended to be regulated as signs in this chapter:

- (1) The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent.
- (2) Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices and signs erected by government agencies to implement public policy;
- (3) Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones;
- (4) Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses;
- (5) ~~Temporary signs or~~ Decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday, or traditional community event such as annual festivals or parades;

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- (6) Sculptures, fountains, murals, mosaics and design features which do not incorporate advertising or identification.

(Ord. 63-07 Exh. A (part), 2007).

17.15.040 Definitions.

The following definitions apply within this chapter:

"Accessory building or use" means any building or use which:

- (1) Is subordinated to, and serves a principal building or principal use; and
- (2) Is subordinate in area, extent or purpose to the principal building or principal use served; and
- (3) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- (4) Is located on the same lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served; and
- (5) Accessory uses include signs that are related to and support an on-site business or activity.

"Agricultural sales sign" means a ~~usually seasonal~~ temporary sign used to announce and/or direct the public to a sale of locally grown agricultural products.

"Animated sign" means any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere.

~~"Billboard" means the same as an off-premises sign.~~

"Changing message center sign" means an electrically or electronically controlled sign where different automatic changing messages are shown on the same lamp blank.

"Commercial sign" means for the purposes sign regulations, a sign intended to attract attention, identify, advertise, and/or promote: a business; goods sold, offered, traded, or manufactured; a service sold or offered; or professional, commercial or industrial gainful activity.

"Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.

"County" means Mason County, Washington.

"Flashing sign" means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source.

"Freestanding sign" means a sign supported permanently upon the ground by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as pedestal signs, pole signs, pylon signs, and monument signs.

"Garage sale signs (yard sales, moving sales, patio sales)" means temporary signs used to announce and/or direct the public to a sale of used items.

"Monument sign" means a freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete materials compatible with the materials of the primary structure on the subject property.

"Noncommercial sign" means for the purposes of sign regulations, a sign intended for a purpose other than to attract attention, identify, advertise, and/or promote: a business; goods sold, offered, traded, or manufactured; a service sold or offered; or professional, commercial, or industrial gainful activity.

"Off-premises sign" means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

"On-premise sign" means any communication device, structure or fixture that is intended to aid in identification and to advertise and/or promote a business, service, activity, interest or view at the location on which the sign is located.

"Pole (or pylon) sign" means freestanding sign supported permanently upon the ground by poles or braces and not attached to any building.

"Political sign" means a temporary sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.

"Real estate signs" means any temporary sign pertaining to the sale, lease or rental of land or buildings.

"Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

"Sign" means any communication device, structure or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way. Signs as regulated in this chapter have been organized into a variety of types, such as commercial and noncommercial, which are regulated differently.

"Temporary sign" means those signs intended and designed to be displayed for a limited period of time and associated with a particular event or short term activity. associated with a particular event or short-term activity (such as construction of a building) which are intended to be removed when the event or activity ends. Temporary signs may be of either a commercial or noncommercial nature.

(Ord. 63-07 Exh. A (part), 2007).

17.15.050 Sight distance for signs.

In addition to the setback requirements otherwise established, signs shall be located such that there is at every street intersection a clear view between heights of three feet and ten feet in a triangle formed by the corner and points on the curb thirty feet from the intersection or entryway.

(Ord. 63-07 Exh. A (part), 2007).

17.15.060 Prohibited commercial signs.

The following ~~commercial~~ signs or displays are prohibited in all areas of the Allyn urban growth area:

- (1) Roof signs;
- (2) Animated or flashing signs, provided that changing message center signs may be allowed when the image and/or message remains fixed for at least five seconds and that the only animation or appearance of movement allowed is the transition from one message and/or image to another by the scrolling on and/or off of the message and/or image;

-
- (3) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device from the traffic intended to be served by the sign, signal or device;
 - (4) Signs attached to utility poles;
 - (5) Off-premises signs ~~and billboards~~, except for the temporary signs allowed in Sections 17.15.080 ~~through 17.15.110, inclusive~~;
 - (6) Pole-mounted signs;
 - (7) Ground-mounted signs taller than ten feet in height;
 - (8) Signs employing exposed electrical conduits;
 - (9) Signs with visible ballast boxes or other equipment;
 - (10) Signs with luminous plastic letters;
 - (11) Audible or odor-producing signs;
 - (12) Cardboard signs, except for the temporary signs allowed in ;
 - (13) Banners, except those related to a specific community event and displayed prior to the event for no more than twenty-one days and those used when a new business opens may be displayed no more than thirty days.

(Ord. 63-07 Exh. A (part), 2007).

17.15.070 ~~Prohibited noncommercial~~ Non-commercial signs.

Non-commercial signs may be placed upon private property with owner's consent. The following noncommercial signs or displays are prohibited in all areas of the county:

- ~~(1) Animated or flashing signs, provided that changing message center signs may be allowed when the image and/or message remains fixed for at least five seconds and that the only animation or appearance of movement allowed is the transition from one message and/or image to another by the scrolling on and/or off of the message and/or image;~~
- ~~(2) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device from the traffic intended to be served by the sign, signal or device.~~

(Ord. 63-07 Exh. A (part), 2007).

17.15.080 Temporary Signs ~~Real estate signs.~~

Temporary signs are those intended and designed to be displayed for a limited period of time and shall not be permanently attached or anchored to the ground, to a building, or any other structure. Temporary signs specified in 17.15.080(3), which are allowed in the right-of-way, are regulated pursuant to 17.03.202.C, 17.03.202.D., and state law. Real estate signs may be placed only upon private property with owner's consent.

- (1) Signs displayed on a property actively marketed for sale, lease, or rent.
 - a. Permitted Location: On property for sale, lease, or rent.

b. Duration: No longer than ten (10) days after the sale, lease, or rent of property has been finalized.

c. Off-Premise Signs: May be placed on private property with owner's consent.

(2) Signs displayed on a property holding a temporary event.

a. Permitted Location: On the property with which the temporary event is associated.

b. Duration: No longer than ten (10) days after the event.

c. Off-Premise Signs: May be placed on private property with owner's consent.

(3) Signs displayed during elections and campaigns.

a. Permitted Location: May be placed on private property with owner's consent and in the public right-of-way as regulated pursuant to 17.03.202.C, 17.03.202.D, and state law.

b. Duration: No longer than ten (10) days after the final campaign or election.

(Ord. 63-07 Exh. A (part), 2007).

~~17.15.090 Noncommercial signs.~~

~~Noncommercial signs may be placed upon private property with owner's consent. Political signs are permitted on public right-of-ways as regulated by state law and local ordinance.~~

(Ord. 63-07 Exh. A (part), 2007).

~~17.15.100 Garage sale signs (also yard sales, moving sales, patio sales).~~

~~Garage sale signs (also yard sales, moving sales, patio sales) may be placed only upon private property and with the owner's consent.~~

(Ord. 63-07 Exh. A (part), 2007).

~~17.15.110 Agricultural sales signs.~~

~~Agricultural sales signs may be placed only upon private property and with the owner's consent.~~

(Ord. 63-07 Exh. A (part), 2007).

17.15.120 Permitted commercial monument sign standards.

- (a) Monument site entry signs may be located at major vehicular or pedestrian entries along the street front.
- (b) Vision Clearance. A triangular area at the intersection of two streets measured from the corner thirty feet in each direction and connected to form a triangle. No sign shall be located within a vision clearance area.
- (c) Only one monument sign is allowed per site. For large sites, more than one monument sign shall be permitted as long as such signs are placed no closer than one hundred fifty feet apart along the street front.
- (d) Monument signs size limits:
 - (1) Single tenant signs shall be no more than eight feet in height and thirty-two square feet in area per face (two sign faces are allowed).

-
- (2) Single tenant signs for retail uses larger than fifty thousand square feet in gross floor area shall be no more than ten feet in height and fifty square feet in area per face.
 - (3) Multi-tenant (more than three tenants) signs shall be no more than ten feet in height and forty square feet in area per face.
 - (4) Multi-tenant signs for commercial uses with more than fifty thousand square feet in gross floor area shall be no more than ten feet in height and fifty square feet in area per face.
 - (5) Monument signs for multifamily developments shall be no more than five feet in height and twenty-eight square feet in total sign face area.



Figure 1. An example of a monument sign.

- (6) Signs shall be designed to integrate with adjacent site landscaping.
- (7) Monument signs shall be setback at least five feet from any public right-of-way.
- (8) The lettering and logos of monument signs may be internally-lit or illuminated from the front.
- (9) A thirty-foot lineal break in required tree coverage in landscaped front yard areas parallel to the street, where applicable, is permitted adjacent to monument signs to enhance visibility. Other landscape elements such as shrubs and ground cover will still apply.

(Ord. 63-07 Exh. A (part), 2007).

17.15.130 Permitted commercial building sign standards.

- (a) Building signs are those signs mounted directly on the face of a building and include signs to identify the building or facility or individual tenants or businesses. Building signs should be designed and located to fit with the building's architecture. For example, building signs might fit within a recessed panel or on a building element such as a fascia or canopy. Building signs should not cover over an architectural element such as a window or portion of a building's ornamentation or trim.
- (b) Building signs should fit parallel or perpendicular with the building facade. The supporting mechanisms or arms of new building signs should not be visible. Perpendicular signs should not extend more than four feet from the building facade.
- (c) The maximum surface area of building mounted signs for a given facade is twenty-five square feet plus ten percent of the area of the building's main facade. The sign(s) may be located on any facade, but the signs on all facades count toward maximum surface area.

- (d) The lettering and logos of building signs may be internally-lit but the background of the sign face shall not be internally illuminated. Building signs may be illuminated from the front.

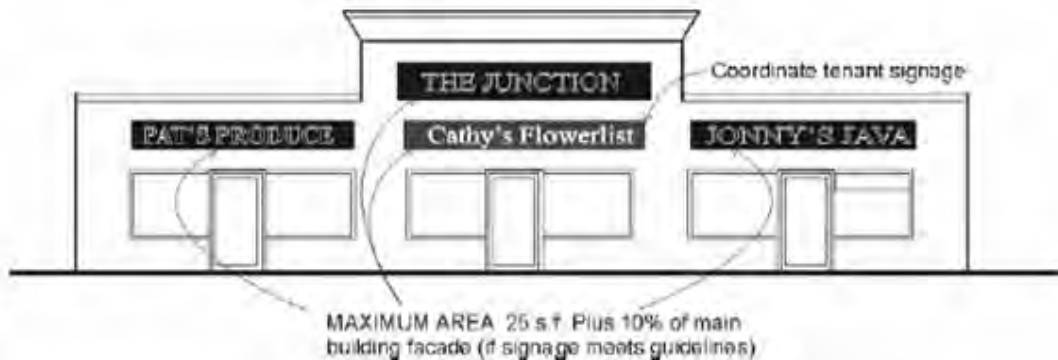


Figure 2. Maximum size of building signs.

(Ord. 63-07 Exh. A (part), 2007).

17.15.140 Permitted commercial tenant sign standards.

Miscellaneous tenant signs including those hung from building canopies (blade signs), temporary ground placed A-board signs, and window signs are allowed provided they do not exceed twelve square feet and provided they are within ten feet of the individual or multiple tenant building entrance.

(Ord. 63-07 Exh. A (part), 2007).

17.15.150 Permitted commercial neon sign standards.

Neon signs in windows are permitted.

(Ord. 63-07 Exh. A (part), 2007).

17.15.160 Severability

This title shall be governed by the laws of the State of Washington. In the event that any portion or section of this title be declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the title shall not be affected and shall remain in full force and effect.

17.15.170 Enforcement

County officials shall have the authority to remove signs when not placed in accordance with this section.

Chapter 17.16 LANDSCAPING AND LIGHTING

Chapter 17.20 – GENERAL PROVISIONS FOR THE BELFAIR UGA

17.20.010 Title.

The ordinance codified under this title, Chapters 17.20 to 17.35, shall be known as the Belfair Zoning Code, which code adopts a zoning districting plan for the Belfair urban growth area (BUGA or Belfair UGA).

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.020 Authority.

This code is enacted under the authority and police powers of Mason County and the Revised Code of Washington including, but not limited to, the requirements and authority of Chapter 36.70, Planning Enabling Act and Chapter 36.70A RCW, the Washington State Growth Management Act.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.030 Purpose and Applicability.

- (a) Purpose. These development regulations and design standards are intended to implement the vision and recommendations of the Belfair urban growth area plan.
- (b) Applicability. The development regulations and design standards apply to all properties within the Belfair urban growth area unless otherwise noted. They shall supplement other provisions of Mason County Code. Where a conflict exists, these development regulations and design standards shall apply as they are more specific. The development regulations and design standards are not intended to add unnecessarily to the cost of development. The design standards do not dictate any particular architectural style, and are intended to encourage quality development, and allow creativity by developers/designers.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.040 Interpretation.

- (a) In the case where the wording of the code is not explicit or where its application is in dispute, the director of the department of community development or his/her designee shall have the authority to interpret the meaning of the code upon receipt of a written request stipulating the exact nature of the dispute. Such decisions may be appealed to the ~~planning commission~~[hearing examiner](#).
- (b) Private Agreements. The county has no authority to enforce private codes, covenants or restrictions either recorded by deed or other agreements except as their compliance may have been made a part of a project approval.
- (c) To clarify the interpretation of the regulations, the words "shall", "must", "is/are required", or "is/are prohibited" signify required actions. The words "should", "is/are recommended", or "is/are encouraged" signify recommended actions. Mason County, however, can make recommended actions requirements for a particular development, depending on site visibility, site environmental conditions, or other important characteristics. Also, the terms "where possible" or "when possible" are used numerous times within the design standards. The phrase means that an applicable standard or guideline must be followed unless there are physical features associated with a site that make conformance difficult or impossible while using normal development practices and construction techniques. Cost is not considered a "physical" feature.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.050 Relationship to the Mason County comprehensive plan and other sections of the MCC.

- (a) Comprehensive Plan. The Growth Management Act requires consistency between the comprehensive plan and development regulations such as zoning. As such, it is hereby stipulated that where a conflict exists between this section and the letter, intent or spirit of the comprehensive plan the latter shall apply. These zoning regulations are intended to implement the Growth Management Act goals, the county wide planning policies and the goals, policies and objectives adopted in the comprehensive plan for urban areas. This includes land use, building density and intensity, roadway functionality, utilities and infrastructure, open space, housing, protection of sensitive environmental areas and concurrency.
- (b) MCC. Where this section adopts by reference another section of the Mason County Code that section shall be applicable within the Belfair urban growth area. Where this section is silent on a subject or standard the applicable section of the MCC shall apply.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.060 Administrator.

The director of the department of community development or his/her designee shall be the individual responsible for providing coordination of review and decision-making, enforcement and the provision of information regarding the status of applications and issuance of development permits subject to this chapter.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.070 Definitions.

The definitions used in the Belfair urban growth area are the same as established in the Mason County development regulations, except that the following definitions apply only within the Belfair UGA.

"Adult entertainment" means an establishment consisting of, including, or having the characteristics of any or all of the following:

- (1) Adult bookstore or exotic retail establishment is an establishment having more than twenty-five percent of its stock-in-trade merchandise that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities, anatomical genital areas, or erotic entertainment. The term "merchandise" as used above includes, but is not limited to the following: books, magazines, posters, cards, pictures, publications, tapes, discs, films, or other such medium; instruments, devices, equipment, paraphernalia, or other products.
- (2) Adult cabaret, arcade, or theater is: (A) An establishment devoted to erotic entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas; (B) An erotic dance studio as regulated in MCC Chapter 5.19.

"Articulation" means the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern of rhythm, dividing large buildings into smaller identifiable pieces.

"Balcony" means an outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

"Bay window" means a window that protrudes from the main exterior wall at least one foot measured horizontally from the facade of the building.

"Blank wall" means any wall or portion of a wall that has a surface area of four hundred square feet without a window, door, building modulation as defined below or other architectural feature, or any ground level wall surface or section of a wall over four feet in height at ground level that is longer than fifteen feet as measured horizontally without having a ground level window or door lying wholly or in part within that fifteen foot section.

"Blank wall treatment" means the use of various techniques to mitigate the visual effect of a blank wall. Blank wall treatment requirements can be found in Chapter 17.30.

"Building height" means the maximum building height, as measured from the average grade of the base of a building to the bottom of the roof eaves or the top of the cornice line. Church spires, bell towers, chimneys and other architectural features may exceed the applicable maximum building height by fifty percent and communications facilities by as much as permitted through approval of a special use permit.

"Business Services" means establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; protective services; equipment rental and leasing; commercial research, development, and testing; photo finishing; and personal supply services.

"Cornice" means a horizontal molding projecting along the top of a wall or building.

"Courtyard" means a landscaped space enclosed on at least three sides by a single structure.

"Deck" means a roofless outdoor space built as an above ground platform projecting from a wall of a building and connected to the ground by structural supports.

"Duplex" means a single building that contains two dwelling units.

"Erotic entertainment" means any exhibition, performance, dance of any type, or other performance where such entertainment involves a person appearing or performing (either live or recorded) who: (1) is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, or (without regard to gender) any portion of the pubic region, anus, buttocks, or genitals; or (2) touches, caresses, or fondles the breasts, buttocks, anus, genitals or pubic region of themselves or a patron, or permits the touching, caressing, or fondling of their own breasts, buttocks, anus, genitals or pubic region by a patron, another employee or anyone else with the intent to sexually arouse or excite.

"Facade" means the front of a building facing a street. It may also be referred to as the apparent width of the structure facing the street.

"Fenestration" means the design, proportioning, and disposition of windows and other exterior openings of a building.

"Foot-candle" means a unit equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

"Foot-lambert" means a unit of luminance equal to the luminance of a surface emitting a luminous flux of one lumen per square foot.

"Gabled roof" means a triangular wall enclosed by the sloping ends of a ridged roof.

"Hipped roof" means a roof with sloping ends and sides.

"Light manufacturing" means manufacturing where there is no outdoor storage of raw materials or products, the manufacturing and assembly processes are entirely contained within closed structures, and there is no discernable noise, odor, vibration, glare, dust, or other sensory effect from the manufacturing processes.

"Lot coverage" means the percent of a lot or parcel which is or will be covered by all structures located thereon. Coverage is determined by measuring areas covered by a weather tight roof.

"Lumen" means the unit of luminous flux equal to the luminous flux emitted in a unit solid angle by a point source of one candle intensity.

"Lux" means a unit of illumination equivalent to nine hundred twenty-nine thousandths foot-candle and equal to the illumination produced by luminous flux of one lumen falling perpendicularly on a surface one meter square.

"Modulation" means stepping back or projecting forward portions of the building face with specified intervals of building width and depth, as a means of breaking up the apparent bulk of the structure's continuous exterior walls and to some extent, helping to identify individual residential units.

"Multi-family dwelling units" includes any structure that contains more than three dwelling units.

"Net developable acre" means the gross land area of property less critical lands, above-ground stormwater facilities, and public or private road rights of way.

"Pedestrian-oriented facade" means ground floor facades facing a public street or pedestrian-oriented space containing transparent window area or window displays along a minimum of fifty percent of their length and featuring no blank walls.

"Pedestrian-oriented space" means an area that provides pedestrian-oriented amenities and landscaping to enhance the pedestrian use of the space for passive recreational activities such as: resting, reading, picnicking, and socializing. Requirements for pedestrian-oriented space are contained in Chapter 17.25.

"Recycling center" means a drop off station for recycling of household goods such as paper, plastic, cardboard, glass, and cans, but not intended to include permanent storage of recycled materials, processing of materials, or larger scale items such as appliances or construction debris.

"Stepped roofs" means different levels of roofs that are created by stepping back all or a portion of the facade.

"Townhouse" means a dwelling unit, typically two or more stories tall, that exists as part of a set of attached units, each having a unique publicly-accessible entrance.

"Triplex" means a single building that contains three dwelling units.

"Weather protection" means architectural features such as an awning, marquee, or canopy that protects pedestrians from rain and sunlight. To qualify as weather protection, the feature must be at least eight feet above the walking surface and project at least six feet horizontally from the structure.

"Yard setback" means the space extending the full width of the lot between a structure or building and the lot line or road easement boundary, whichever is closer. The setback is measured from the building to the closest point of the front lot line or road easement boundary, whichever is closer. A roof overhang, chimneys, copulas, bay windows, porch covers, and door landings are allowed to project a maximum of two feet into a minimum setback.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

17.20.080 Districts established.

Zoning districts are established as follows:

LTA	Long Term Agricultural
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R-4	Low Density Residential District
R-5	Medium Density Residential District
R-10	High Density Residential District
MU	Mixed Use District
MPMU	Mixed Use Master Plan
GC	General Commercial District
BI	Business Industrial District
PI	Public Institutional (See Chapter 17.07)

(Ord. 58-08 (part), 2008; Ord. 46-08 (part), 2008; Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.20.090 District boundaries—Map.

- (a) A parcel specific official zoning map, designating the boundaries of zoning districts and approved overlay districts and planned unit developments, shall be adopted by the county board of commissioners. Said map shall be kept on file with the department of community development. The zoning districts established by this title are also available as a series of GIS layers (“layers”) on the Mason County GIS (gis.masoncountywa.gov/mason). The public web-based GIS is adopted as a part of this title insofar as it indicates such designations, locations and boundaries of zoning districts, and shall be deemed to be part of this title.
- (b) The official zoning map shall be amended as provided for in this code and in a manner consistent with the comprehensive plan and Title 15 of the MCC.
- (c) The map shall be at a scale that allows easy determination of the zoning district in which a subject property may lay.
- (d) Where a street, alley, pathway, railroad, or stream is located on the interface between districts; the boundary between districts shall be the centerline of said feature.
- (e) Boundary lines shall be interpreted as provided in the Mason County development regulations.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.20.100 Amendments.

Amendments to this title or changes to the official zoning map shall be made as provided for in Title 15 of the MCC.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.21 "LTA"—LONG TERM AGRICULTURAL DISTRICT

17.21.010 Purpose.

The purpose of the LTA district is to support commercial agriculture and provide open space within the Belfair UGA. Locations are restricted to sites viable for commercial agricultural uses. This district allows for a base density of one dwelling unit per ten acres. However, density credits of up to three dwelling units per acre are

permitted provided that this density shall only be used if transferred to lands outside the LTA district and within the Belfair UGA.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.21.020 Allowed uses.

Uses allowed in the LTA district shall be as follows:

- (1) Agricultural buildings;
- (2) Agricultural crops; orchards;
- (3) Aquaculture;
- (4) Bicycle paths, walking trails;
- (5) Dwellings, single-family;
- (6) Forestry;
- (7) Greenhouses, private and non-commercial;
- (8) Horticultural nurseries, wholesale and retail;
- (9) Kennels;
- (10) Livestock;
- (11) Public parks;
- (12) Stables.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.21.030 Accessory uses.

The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- (1) Home occupations;
- (2) Accessory structures;
- (3) Accessory dwelling units;
- (4) Family child care centers;
- (5) Group homes;
- (6) Outdoor vehicle parking;
- (7) Well heads and water treatment facilities;
- (8) Community drain fields;
- (9) Small-scale retail associated with an allowed use.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.21.040 Special uses.

- (a) Bed and breakfast inns.
 - (b) Other essential public facilities.
- (Ord. 133-04 Att. B § 2 (part), 2004).

~~**17.21.050 Prohibited uses.**~~

~~The following uses are prohibited:~~

- ~~(1) Adult entertainment.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

17.21.060 Bulk and dimensional standards.

Density:	Maximum average of one dwelling unit per 10 acres excluding the area of designated wetlands, designated landslide hazard areas (note: building may be allowed in LHA), lakes, ponds, or marine waters. Exceptions: One dwelling unit per lot legally created prior to the adoption of this chapter. Density credits of up to three dwelling units per acre are permitted provided that this density shall only be used if transferred to lands outside the LTA designation and within the UGA. In the UGA, density transfer under the provisions of this Section may be used on the receiving property in order to allow additional dwelling units in residential zoning districts above that permitted by the residential density limit, provided that other code requirements are met.
Height:	The maximum height of structures in the district shall be as follows: Buildings containing the permitted use: 30 feet. Accessory structure: 20 feet.
Setbacks:	Front yard: 15 feet. Side yard: 5 feet for accessory structures and 10 feet for the dwelling unit. Street side yard: 15 feet. Rear yard: 5 feet for accessory structures and 10 feet for the dwelling unit. Street rear yard: 15 feet.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.22 RESIDENTIAL DISTRICTS IN THE BELFAIR UGA

17.22.010 "R-4" Low density residential district—Purpose.

The purpose of the R-4 district is to provide a lower density housing option in the UGA. Locations are restricted to sites containing critical areas and slopes as development is expected to be clustered into the more

suitable building areas. Locations should also be away from development nodes and commercially zoned areas but with the intensity of development still relatively low, beyond a normal walking distance of one-half to three-quarters of a mile. The district allows for a maximum density of four dwelling units per gross acre. Clustering of the dwelling units and properties is encouraged to protect open space and water quality, reduce infrastructure needs, and enhance energy efficiency. Multi-family dwelling units are conditionally permitted as long as they do not exceed the density requirement and minimize impacts to adjacent single-family dwelling units.

(Ord. 58-08 (part), 2008; Ord. 46-08 (part), 2008; Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

17.22.020 Allowed uses.

Uses allowed in the R-4 district shall be as follows:

- (1) One detached dwelling per lot;
- (2) Duplexes;
- (3) Public parks;
- (4) Public utility service lines.

(Ord. 58-08 (part), 2008; Ord. 46-08 (part), 2008; Ord. 133-04 Att. B § 2 (part), 2004).

17.22.030 Accessory uses.

The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- (1) Home occupations;
- (2) Accessory structures;
- (3) Accessory dwelling units;
- (4) Family child care centers;
- (5) Group homes;
- (6) Outdoor vehicle parking;
- (7) Well heads and water treatment facilities;
- (8) Community drain fields.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.22.040 Special uses.

- (a) Churches.
- (b) Schools.
- (c) Commercial child care centers.
- (d) Bed and breakfast inns.

- (e) Multi-family dwelling units.
 - (f) Other essential public facilities.
 - (g) Townhouses.
 - (h) Triplexes.
 - (i) Recreational vehicle/trailer parks.
 - (j) Manufactured home parks.
- (Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

~~17.22.045 Prohibited uses.~~

~~The following uses are prohibited:~~

- ~~(1) Adult entertainment.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

17.22.050 Bulk and dimensional standards.

Density:	Maximum average of four dwelling units per gross acre and a minimum density of three units per net developable acre.
Intensity:	35% lot coverage on individual lots.
Minimum Lot Area:	None. Development must not exceed density and lot coverage requirements above.
Lot Dimensions:	All lots shall have a minimum width of 25 feet.
Height:	The maximum height of structures in the district shall be as follows: Buildings containing the permitted use: 30 feet. Accessory structure: 20 feet.
Setbacks:	Front yard: 15 feet. Side yard: 5 feet for accessory structures and 5 feet for the dwelling unit. Side yard setback reduction may be granted with review and approval of a building administrative variance, but in no case shall the setback be less than the minimum required by building or fire codes. Street side yard: 10 feet. Rear yard: 5 feet for accessory structures and 10 feet for the dwelling unit. Street rear yard: 15 feet.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. 46-08 (part), 2008; Ord. 58-08 (part), 2008; Ord. No. 23-19, Att. A, 3-19-2019; Ord. No. 2020-35, Att. A, 5-5-2020; Ord. No. 2022-006, Att. C, 1-18-2022)

17.22.060 "R-5" Medium density residential district—Purpose.

The purpose of the R-5 district is to provide a medium density housing option within the Belfair urban growth area. Locations are restricted to sites not significantly impacted by critical areas and slopes. Locations should

generally be away from development nodes and commercially zoned areas, beyond a normal walking distance of one-half to three-quarters of a mile. The district allows for a maximum density of five dwelling units per gross acre. Clustering of the dwelling units and properties is encouraged to protect open space and water quality, reduce infrastructure needs, and enhance energy efficiency. Multi family dwelling units are permitted as long as they do not exceed the density requirement and minimize impacts to adjacent single family dwelling units.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

17.22.070 Allowed uses.

Uses allowed in the R-5 district shall be as follows:

- (1) One detached dwelling per lot;
- (2) Duplexes;
- (3) Multi-family dwelling units;
- (4) Public parks;
- (5) Public utility service lines;
- (6) Townhouses;
- (7) Triplexes.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.22.080 Accessory uses.

The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- (1) Home occupations;
- (2) Accessory dwelling units;
- (3) Club houses;
- (4) Recreation areas;
- (5) Family child care centers;
- (6) Group homes;
- (7) Outdoor vehicle parking;
- (8) Well heads and water treatment facilities;
- (9) Community drain fields.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.22.090 Special uses.

- (a) Churches.

- (b) Schools.
 - (c) Commercial child care centers.
 - (d) Bed and breakfast inns.
 - (e) Other essential public facilities.
 - (f) Hotels, ~~provided the following siting and design conditions are met:~~
~~(1) Site is identified as a "hotel overlay" on the official zoning map for the Belfair UGA.~~
 - (g) Recreational vehicle/trailer parks.
 - (h) Manufactured home parks.
- (Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

~~17.22.095 Prohibited uses.~~

~~The following uses are prohibited:~~

- ~~(1) Adult entertainment.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

17.22.100 Bulk and dimensional standards.

Density:	Maximum average of 5 dwelling units per gross acre, and a minimum density of four units per net developable acre.
Intensity:	40% lot coverage.
Minimum Lot Area:	None. Development must not exceed density and lot coverage requirements above.
Lot Dimensions:	All lots shall have a minimum width of 25 feet.
Height:	The maximum height of structures in the district shall be as follows: Buildings containing the permitted use: 35 feet, or as reviewed by special use permit. Accessory structure: 20 feet.
Setbacks:	Front yard: 10 feet. Side yard: 5 feet for accessory structures and 5 feet for the dwelling unit. Side yard setback reduction may be granted with review and approval of a building administrative variance, but in no case shall the setback be less than the minimum required by building or fire codes. Street side yard: 10 feet. Rear yard: 5 feet for accessory structures and 10 feet for the dwelling unit. Street rear yard: 10 feet.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 23-19, Att. A, 3-19-2019; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2020-35, Att. A, 5-5-2020; Ord. No. 2022-006, Atts. A, C, 1-18-2022)

17.22.110 "R-10" Multi-family residential district—Purpose.

The purpose of the R-10 district is to provide a high-density residential-area housing option within the Belfair urban growth area. Locations should be within or adjacent to development nodes and commercially zoned areas within a normal walking distance of one-half to three-quarters of a mile. Locations generally are areas not significantly impacted by critical areas and slopes. The district allows for a density of ten dwelling units per gross acre, and a minimum density of ten dwelling units per net developable acre. Clustering of the dwelling units and properties is encouraged to protect open space and water quality, reduce infrastructure needs, and enhance energy efficiency. Design standards are important to minimize environmental and visual impacts of developments and provide amenities for residents. Protection of creeks and wetlands is critical—these features should be preserved and integrated into the development as an asset and amenity for residents. Open space and play areas will be important, particularly for young families. Pedestrian access—between developments and to provide access to parks, open space, commercial, and civic uses—is also very important.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

17.22.120 Allowed uses.

Uses allowed in the R-10 district shall be as follows:

- (1) Detached dwellings;
- (2) Duplexes;
- (3) Multi-family dwelling units;
- (4) Public parks;
- (5) Public utility service lines;
- (6) Townhouses;
- (7) Triplexes.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.22.130 Accessory uses.

The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- (1) Home occupations;
- (2) Accessory dwelling units;
- (3) Club houses;
- (4) Recreation areas;
- (5) Family child care centers;
- (6) Group homes;
- (7) Outdoor vehicle parking;

- (8) Well heads and water treatment facilities;
- (9) Community drain fields.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.22.140 Special uses.

- (a) Churches.
- (b) Schools.
- (c) Bed and breakfast inns.
- (d) Commercial child care center.
- (e) Other essential public facilities.
- (f) All uses permitted in the ~~festival-retail~~ mixed use district (MUFR) provided the following conditions are met:
 - ~~(1) Site is identified as a "retail overlay" on the official zoning map for the Belfair UGA;~~
 - (1) Applicant successfully demonstrates to the county that the general commercial (GC) zoned lands east of the Burlington Northern Railroad line are built-out. Development must comply with all bulk, dimensional, and design standards and guidelines of the festival-retail district.
 - (2) Development must comply with all bulk, dimensional, and design standards and guidelines of the mixed use district.
- (g) Recreational vehicle/trailer parks.
- (h) Manufactured home parks.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

~~**17.22.145 Prohibited uses.**~~

~~The following uses are prohibited:~~

- ~~(1) Adult entertainment.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

17.22.150 Bulk and dimensional standards.

Density:	Maximum average of 10 dwelling units per gross acre, and a minimum density of ten units per net developable acre.
Intensity:	50% lot coverage.
Minimum Lot Area:	None. Development must not exceed density and lot coverage requirements above.
Lot Dimensions:	All lots shall have a minimum width of 25 feet.
Height:	The maximum height of structures in the district shall be as follows: Buildings containing the permitted use: 45 feet, or as reviewed by special use permit. Accessory structure: 20 feet.

Setbacks:	Setbacks: Front yard: 10 feet. Side yard: 5 feet for accessory structures and 5 feet for the dwelling unit. Side yard reduction may be granted with review and approval of a building administrative variance, but in no case shall the setback be less than the minimum required by building or fire codes. Street side yard: 10 feet. Rear yard: 5 feet for accessory structures and 10 feet for the dwelling unit. Street rear yard: 10 feet.
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(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 23-19, Att. A, 3-19-2019; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2020-35, Att. A, 5-5-2020; Ord. No. 2022-006, Atts. A, C, 1-18-2022)

~~17.22.160 Retail overlay area.~~

~~Within the R-10 district, areas may be identified as a "retail overlay area" on the official zoning map for the Belfair UGA. Mapping of such an area allows for commercial development similar to that allowed in the festival retail district. Development allowed in the retail overlay areas must meet the bulk and dimensional requirements, and design standards and guidelines of the festival retail district. Establishment of a retail overlay area requires that the Belfair UGA plan be amended after a public participation process to allow such retail uses or that the zoning map be amended after the applicant successfully demonstrates to the county that the general commercial (GC) zoned lands east of the Burlington Northern Railroad line are built-out.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

Chapter 17.23 MIXED USE DISTRICTS IN THE BELFAIR UGA

17.23.010 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.010 which pertained to the purpose of the "FR" festival retail district and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004; Ord. No. 62-09, Att. A, adopted July 7, 2009; and Ord. No. 124-19, Att. A, adopted Dec. 17, 2019.

17.23.020 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.020 which pertained to allowed uses and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004; and Ord. No. 124-19, Att. A, adopted Dec. 17, 2019.

17.23.030 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.030 which pertained to accessory uses and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004; and Ord. No. 62-09, Att. A, adopted July 7, 2009

17.23.040 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.040 which pertained to special uses and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004; and Ord. No. 23-19, Att. A, adopted March 19, 2019.

17.23.045 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.045 which pertained to prohibited uses and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.050 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.050 which pertained to bulk and dimensional standards and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.060 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.060 which pertained to site design standards and guidelines and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.070 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.070 which pertained to pedestrian and vehicular access standards and guidelines and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.080 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.080 which pertained to building design standards and guidelines and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.090 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.090 which pertained to landscaping design standards and guidelines and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.100 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.100 which pertained to non-conforming uses and structures and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.110 Reserved.

Editor's note(s)—Ord. No. 2022-014, Exh. B-2, adopted February 28, 2022, repealed § 17.23.110 which pertained to applicability and derived from Ord. 133-04, Att. B § 2 (part), adopted 2004.

17.23.120 "MU" Mixed use district—Purpose.

The primary purpose of this district is to provide for a mix of uses along the SR-3 corridor and at the future crossroads of Romance Hill Road and the planned alternative north/south access road. Permitted uses include commercial, office, and residential uses. By allowing a broad array of uses, property owners have more choice in how the land can be developed. Design standards allow developments to front on the street as long as they provide pedestrian-oriented facades—otherwise, developments must provide a landscaping buffer along the street front to enhance the character of the area. Design standards also encourage pedestrian and vehicular connectivity between properties. Building heights up three to five stories are permitted, with lower building heights west of SR-3. Otherwise, no specific density limits are provided (as they will be limited by parking requirements, natural site constraints, and market constraints).

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.130 Allowed uses.

Uses allowed in the MU district shall be as follows:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Appliance and communication equipment repair shop and/or sales;
- (4) Art galleries and artist studios;
- (5) Art and craft supplies, retail;
- (6) Bakeries, with on-site sales;
- (7) ~~Banks and financial institutions; Bars and taverns, other than those associated with full menu food service;~~
- (8) ~~Barber and beauty shops; Bicycle shops;~~
- (9) ~~Bars and taverns, other than those associated with full menu food service; Book stores;~~
- (10) ~~Bicycle shops; Banks and financial institutions;~~
- (11) ~~Book stores; Barber and beauty shops;~~
- (12) Building material sales;
- (13) Churches;
- (14) Commercial child care centers;
- (15) Community centers;
- (16) Clinics, including veterinary;
- (17) Clothing sales and rentals and shoe stores;
- (18) Delicatessens;
- (19) Detached dwelling per lot (one);
- ~~(20) Dry cleaners and laundries, not including laundromats;~~
- (20) Duplexes;

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- (~~212~~) Fabric and yard goods stores;
 - (~~223~~) Florists;
 - (~~234~~) Food specialty shops, including: baked goods, meats, health foods, candies;
 - (~~245~~) Funeral parlors, cremation and mortuary services;
 - (~~256~~) Furniture stores;
 - (~~267~~) Grocery stores;
 - (~~278~~) Gyms, fitness and aerobic studios;
 - (~~289~~) Hotels/motels;
 - (~~2930~~) Household specialty shops, including: plumbing, lighting, heating/cooling;
 - (~~301~~) Hardware stores;
 - (~~312~~) Hobby shops;
 - (~~323~~) Jewelry stores;
 - (~~334~~) Laundromats;
 - (~~345~~) Light manufacturing of stone, clay, and glass products including: glass, pottery and china ceramic, stone cutting and engraving;
 - (~~356~~) Light manufacturing of handcrafted products;
 - (~~367~~) Light manufacturing of computers, office machines and equipment manufacturing;
 - (~~378~~) Local utility system transmission lines and structures;
 - (~~389~~) Locksmiths;
 - (~~3940~~) Lumber and other building materials including pre-assembled products;
 - (~~4041~~) Medical offices;
 - (~~412~~) Multi-family dwelling units;
 - (~~423~~) Museums, libraries, and educational facilities (other than public schools);
 - (~~434~~) Music stores, recordings and instruments;
 - (~~445~~) Outside storage and display;
 - (~~456~~) Paint and glass shops;
 - (~~467~~) Parks;
 - (~~478~~) Pharmacies, dispensing;
 - (~~489~~) Photographic studios;
 - (~~4950~~) Printing, publishing and reproduction services;
 - (~~501~~) Professional offices;
 - (~~512~~) Public transportation: bus terminals, park and ride lots;
 - (~~523~~) Radio and television broadcasting stations;
 - (~~534~~) Recycling centers;

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- (~~545~~) Rental and leasing services: vehicles, furniture and tools;
 - (~~556~~) Research, development and testing services;
 - (~~567~~) Restaurants, cafes and food stands;
 - (~~578~~) Retail shops not otherwise named which are under ten thousand square feet;
 - (~~589~~) Second hand stores and pawn shops;
 - (~~5960~~) Service and repair shops for appliances, small equipment, and automobiles;
 - (~~601~~) Sporting goods stores;
 - (~~612~~) Stationary and office supply stores;
 - (~~623~~) Theaters, live stage;
 - (~~634~~) Theaters, motion picture;
 - (~~645~~) Townhouses;
 - (~~656~~) Triplexes;
 - (~~667~~) Vehicle parts stores; and
 - (~~678~~) Wholesale trade uses.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.23.140 Special uses.

The following uses, subject to applicable licensing and development regulations, shall be allowed only with approval of a conditional use permit. Consideration shall be given to the purpose and development standards of the district including any adopted design standards or guidelines.

- (1) Utility buildings and structures except transmission lines and structures.
- (2) Commercial parking lots not associated with an on-site use.
- (3) Live entertainment except between the hours of 12:00 AM and 7:00 AM.
- (4) Private transportation depot.
- (5) Schools.
- (6) Public sidewalk food and merchandise vendors including espresso and newsstands.
- (7) Private recreation facilities including game arcades, batting cages, shooting galleries and skating rinks.
- (8) Self-storage facilities.
- (9) (~~20~~) Dry cleaners and laundries, not including laundromats (must not be located in a CARA).

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

~~17.23.145 Prohibited uses.~~

~~The following uses are prohibited:~~

~~(a) Adult entertainment.~~

~~(Ord. 133-04 Att. B § 2 (part), 2004).~~

17.23.150 Bulk and dimensional standards.

Density:	The maximum density shall be dictated by the applicable height limit, parking requirements, design guidelines, site constraints, and market conditions.
Intensity:	No requirements.
Minimum Lot Area:	None.
Lot Dimensions:	None.
Height:	The maximum height of structures in the district shall be 55 feet, or as reviewed by special use permit, with the following exception: The top of buildings or structures (including rooflines but excluding church spires, bell towers, and chimneys) on the west side of SR-3 shall not reach an elevation of more than 35 feet above the grade level of the roadway, within 150 feet of the SR-3 right-of-way.
Setbacks:	See subsections 17.23.155(c), 17.23.165(b) and (c), and 17.31.020(7E) for required setbacks, otherwise no setbacks are required.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.23.155 Site design standards and guidelines.

(a) Intent.

- (1) To upgrade the identity of downtown Belfair.
- (2) To enhance the streetscape by minimizing the amount of driveway and parking areas visible from the street in downtown.

(b) For properties fronting Old Belfair Highway, NE Roy Boad Road and The Old Beard^u's Place, and properties fronting streets along or within the central triangle area between Clifton Way, SR-3, and Old Belfair Highway, provide pedestrian-oriented street frontage. Specifically, no more than fifty percent of the linear street frontage for commercially developed properties shall be occupied by driveways and parking areas. In other words, at least fifty percent of the linear street frontage must either be:

- (1) Landscaping: at least twenty feet of width of Landscape Type B, [see MCC 17.31.020\(6\)](#);
- (2) Pedestrian oriented spaces (see definition): at least twenty feet in width;
- (3) Pedestrian-oriented facades (see definition);
- (4) Any combination of the above.

Exception: alternative proposals will be considered where the applicant can demonstrate to the county that such proposal can better meet the intent of the guidelines.

(c) Set back buildings adjacent to SR-3 sufficient to accommodate the planned roadway configuration, planting strip and sidewalk improvements per the Belfair urban growth area plan.

(d) Through compliance with frontage standards and mid-block crossings, new development shall create a network of primary and secondary pedestrian walkways in the central triangle area between Clifton Way, SR-3, and Old Belfair Highway.

- (1) Intent. To improve the pedestrian environment downtown by making it easier, safer, and more comfortable to walk between businesses, to the street sidewalk, to transit stops, and through parking lots.
- (2) Create a network of primary and secondary pedestrian walkways in the central triangle area between Clifton Way, SR-3, and Old Belfair Highway. These may be one direct route, a curvilinear route, or several indirect routes depending on development opportunities, developer creativity, and constraints on individual properties. Due to the size of the parcels in this area, it is recognized that such a pedestrian network will likely be developed incrementally over time as properties redevelop. However, these properties represent the focal point for downtown Belfair and the area is intended to become the focal point for social, cultural, and festival retail activities in the community as well. The pedestrian network should include at least one primary east-west pedestrian route through the downtown area and contain at least one primary north-south walkway connecting to SR-3. Applicants must demonstrate how their proposal meets the guidelines below and provides for future extensions of the pedestrian network. Specific guidelines:

- (A) Primary walkways in the network must be at least twelve feet in width. Other (secondary) walkways should be sized and designed per subsection 17.25.020(e).

Exceptions:

- (i) The county may approve a six-foot wide pathway width where it can be demonstrated that the primary walkway should follow an interior property line;
 - (ii) Where the primary walkway follows an interior roadway, the county may allow reduced walkway widths to no less than eight feet.
- (3) At least thirty-three percent of the combined frontage on both sides of the primary walkway should feature buildings with pedestrian-oriented facades.

Definition: Pedestrian-oriented facades contain transparent window area or window displays along at least thirty-three percent of the building's linear frontage. The primary building entries must be located along this facade. Weather protection, including awnings, canopies, marquees, or overhangs, at least six feet in width and ten foot in height clearance, must be provided along at least eighty percent of the building frontage,

- (A) Where the primary walkway is adjacent to driveways or parking lots, provide street trees on the applicable side at least thirty feet on-center in planting strips (at least twenty square feet per tree) or within tree grates.
- (B) Provide pedestrian lighting (attached to buildings or placed on individual poles between twelve and fourteen feet in height) to achieve two foot-candles on the primary walkway's surface.
- (C) Incorporate pedestrian amenities, including seating, landscaping, and public art, along primary walkways. Specifically, one linear foot of seating (at least sixteen inches deep) should be provided for every thirty square feet of corridor area. Seating may include benches, low seating walls, steps, or, if properly designed, a planter edge or edge of a fountain.
- (D) Untreated blank walls along primary walkways are prohibited.

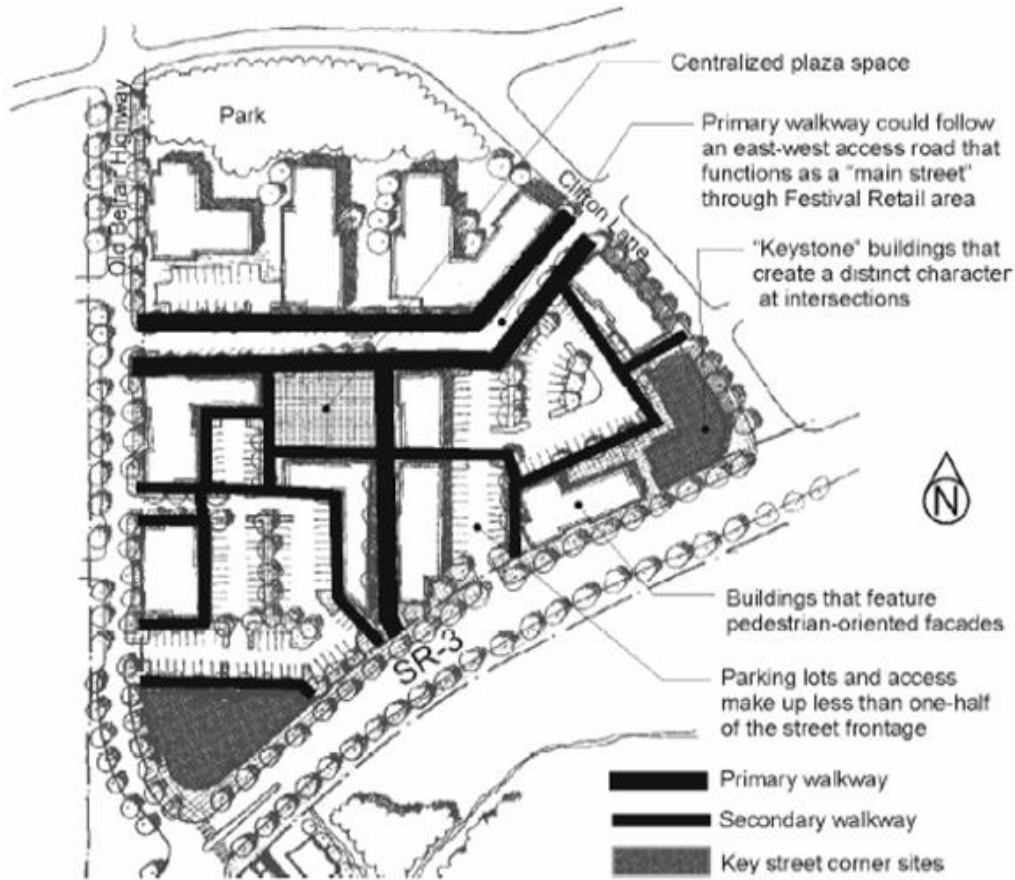


Figure 2. Illustrating one way new development could meet the site design and pedestrian and vehicular access standards.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.160 Building design standards and guidelines.

- (a) Intent.
 - (1) To encourage pedestrian activity downtown.
 - (2) To make businesses inviting.
 - (3) To add comfort and interest to the pedestrian experience along the street front.
- (b) Buildings fronting on Old Belfair Highway and NE Roy Boad Road must feature pedestrian-oriented facades (see Figure 3). This includes:
 - (1) Transparent window area or window displays along at least fifty percent of the building's linear frontage;
 - (2) Primary building entries located along this façade;
 - (3) Weather protection, including awnings, canopies, marquees, or overhangs, at least three feet in width, provided along at least seventy-five percent of the building frontage. Awnings may extend to within four feet of the roadway curb, subject to Mason County building permit review.

- (c) Streets along and within the central triangle area between Clifton Way, SR-3, and Old Belfair Highway shall meet the provisions of (b)(2) and (b)(3).

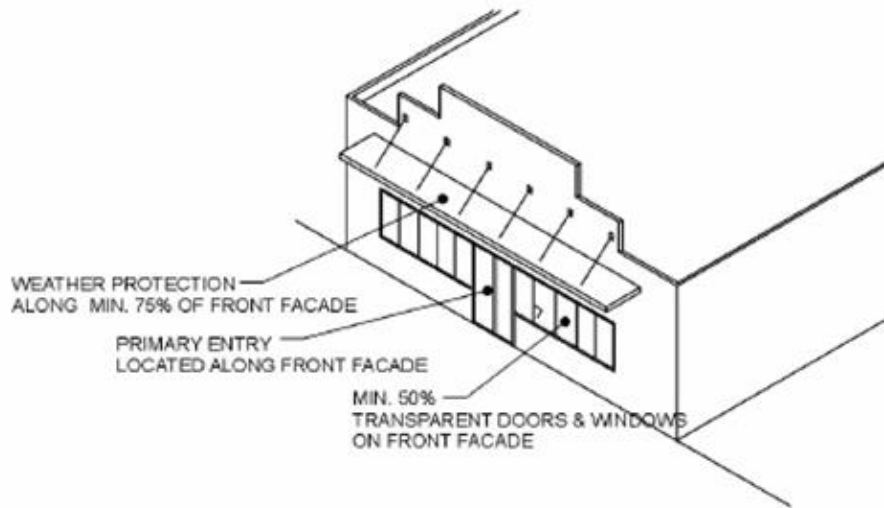


Figure 3. Illustrating standards for pedestrian-oriented facades.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.165 Landscaping design standards and guidelines.

- (a) Intent. To mitigate the appearance of parking lots on the streetscape.
- (b) The minimum landscaped area between SR-3 and a parking, service, or outdoor storage area shall be at least fifteen feet and include the following plantings (see Figure 5):
- (1) An average of one tree per twenty linear feet of required landscaped area;
 - (2) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (3) Ground cover per 17.31.020(4e)(5) standards.
- (c) The minimum landscaped area between all other public streets and a parking, service, or outdoor storage area shall be at least ten feet and include the following plantings:
- (1) An average of one tree per thirty linear feet of required landscaped area;
 - (2) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (3) Ground cover per 17.31.020(4e)(5) standards.

(Ord. 133-04 Att. B § 2 (part), 2004).

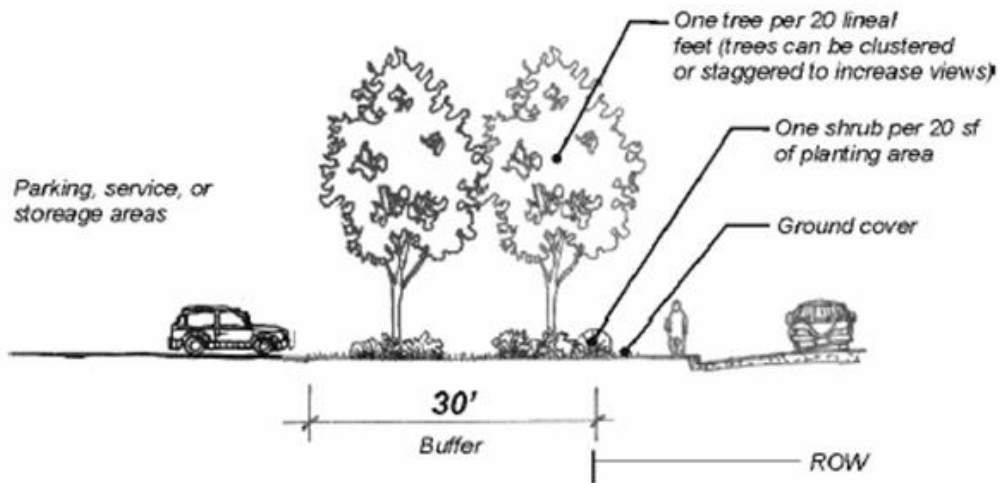


Figure 5. Illustrating standards for landscaping buffers between a street and parking lot.

17.23.170 Non-conforming uses and structures.

Legally established and continued non-conforming uses and structures shall be allowed to remain subject to the provisions of the Mason County development regulations except that in the mixed-use district the following allowances shall also apply to legally established structures and uses.

- (1) Non-Conforming Structures.
 - (A) A non-conforming structure that is damaged or accidentally destroyed up to one hundred percent may be replaced subject to the obtaining of a special use permit wherein compliance where possible with the current design standards and guidelines shall be determined and required.
 - (B) A non-conforming structure may be enlarged, extended or structurally altered so long as any new construction does not increase the non-conforming aspects of the structure.
- (2) Non-Conforming Uses.
 - (A) A nonconforming use may continue so long as the associated structure is not enlarged by more than twenty percent or the intensity of use of the property for commercial uses is not otherwise increased.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.180 Applicability.

The provisions of this section and chapter shall apply to all new construction, applications for change of use and/or alterations to existing structures.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.23.200 Master planned "MP-MU" mixed use district—Purpose.

The purpose of this district is to provide for large-scale master planned developments. This district allows a mix of commercial and residential uses with a focus on business/industrial park development and multifamily housing.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.210 Allowed uses.

The uses permitted in the following zones are permitted in the master planned mixed use district:

- (1) General commercial
- (2) Mixed use

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.220 Special uses.

The special uses in the following zones are considered special uses in the master planned mixed use district, unless otherwise permitted per 17.23.210:

- (1) General commercial
- (2) Mixed use

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.230 Bulk and dimensional standards.

Bulk and dimensional standards of the mixed use zone shall apply.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.240 Site design standards and guidelines.

Proposals shall meet the UGA design standards found in Chapters 17.25 through 17.35.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.250 Building design standards and guidelines.

Building design standards and guidelines of MCC Chapter 17.30 shall apply.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.260 Landscaping design standards and guidelines.

- (a) Landscaping standards and guidelines of Chapter 17.31 shall apply except where amended below.
- (b) Landscaping design standards and guidelines in MU-MP shall include the following:

(Supp. No. 59, 5-22)

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- (1) Intent.
 - (A) To mitigate the appearance of parking lots on the streetscape.
 - (B) To enhance the appearance of the SR-3 corridor.
 - (2) The minimum landscaped area between SR-3, north of the railroad, and a parking, service, or outdoor storage area shall be at least thirty feet and include the following plantings (see Figure 5);
 - (A) An average of one tree per twenty linear feet of required landscaped area;
 - (B) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (C) Ground cover per 17.31.020(~~4d~~)(~~5~~) standards.
 - (3) The minimum landscaped area between SR-3, south of the railroad, and a parking, service, or outdoor storage area shall be at least fifteen feet and include the following plantings:
 - (A) An average of one tree per thirty linear feet of required landscaped area;
 - (B) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (C) Ground cover per 17.31.020(~~4d~~)(~~5~~) standards.
 - (4) The minimum landscaped area between all other streets and a parking, service, or outdoor storage area shall be at least ten feet and include the following plantings:
 - (A) An average of one tree per thirty linear feet of required landscaped area;
 - (B) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (C) Ground cover per 17.31.020(~~4d~~)(~~5~~) standards.
 - (c) The following substitute landscape buffers shall apply to create transitional landscape standards between higher intensity uses and lower intensity uses. Chapter 17.31 Table 3 applicable landscape types shall be applied except as follows:
 - (1) Category 3, 4, ~~a~~ and 5 uses abutting Categories 1,2, and 3 uses
 - (A) Twenty-foot Type A
 - (B) Thirty-foot Type B
 - (C) Forty-foot Type C
 - (2) Category 6 uses abutting Categories 1, 2, and 3 uses
 - (A) Thirty-foot Type A
 - (B) Forty-foot Type B
 - (C) Fifty-foot Type C

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.280 Master plan.

See MCC 17.70 Master development plans.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.290 Non-conforming uses and structures.

Legally established and non-conforming uses and structures shall be allowed to remain subject to the provisions of the Mason County development regulations.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.23.300 Applicability.

The provisions of this section and chapter shall apply to all new construction, applications for change of use and/or alterations to existing structures.

(Ord. No. 2022-014, Exh. B-2, 2-28-2022)

Chapter 17.24 COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE BELFAIR UGA

17.24.010 "GC" General commercial district—Purpose.

The primary purpose of this district is to provide areas that offer a wide range of consumer goods and services for Belfair UGA residents, regional residents, and the traveling public. It is further intended to group buildings and business establishments in a manner that creates convenient, attractive and safe development. Design standards promote safe vehicular and pedestrian access between properties. The district also provides standards intended to add visual interest in the developments. Landscaping standards are provided to add visual interest and mitigate the impacts of parking lots on the SR-3 corridor, other streets, and the visual environment within the development. Building heights are limited to three stories. All business shall be conducted within enclosed buildings, except for approved outdoor storage, display, food vendors, and dining areas.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.020 Allowed uses.

Uses with a total building size under fifty thousand square feet shall be allowed in the GC [general commercial] district as follows:

- (1) Alcoholic beverage sales: package stores and wine shops;
- (2) Antique shops;
- (3) Appliance and communication equipment repair shops and/or sales;
- (4) Art galleries and artist studios;
- (5) Art and craft supplies, retail;
- (6) Bakeries, with on site sales;
- (7) ~~Banks and financial institutions; Bars and taverns other than those associated with full menu food service;~~
- (8) ~~Barber and beauty shops; Bicycle shops;~~
- (9) ~~Bars and taverns other than those associated with full menu food service; Book stores;~~
- (10) ~~Banks and financial institutions; Bicycle shops;~~

-
- (11) ~~Book stores; Barber and beauty shops;~~
 - (12) Building material sales;
 - (13) Churches;
 - (14) ~~Clinics including veterinary; Commercial child care centers;~~
 - (15) ~~Clinics including veterinary; Clothing sales and rentals and shoe stores;~~
 - (16) ~~Clothing sales and rentals and shoe stores; Commercial child care centers;~~
 - (17) Delicatessens;
 - ~~(18) Dry cleaners and laundries not including laundromats;~~
 - (189) Fabric and yard goods stores;
 - (1920) Florists;
 - (201) Food specialty shops, including: baked goods, meats, health foods, candies;
 - (212) Funeral parlors, cremation and mortuary services;
 - (223) Furniture stores;
 - (234) Grocery stores;
 - (245) Gyms, fitness and aerobic studios;
 - (256) ~~Hardware stores; Hotels/motels;~~
 - (267) ~~Hobby shops; Household specialty shops, including: plumbing, lighting, heating/cooling;~~
 - (278) ~~Hardware stores; Hotels/motels;~~
 - (289) ~~Hobby shops; Household specialty shops, including: plumbing, lighting, heating/cooling;~~
 - (2930) Jewelry stores;
 - (301) Laundromats;
 - (312) Light manufacturing of stone, clay, and glass products including: glass, pottery and china ceramic, stone cutting and engraving;
 - (323) Light manufacturing of handcrafted products;
 - (334) Light manufacturing of computers, office machines and equipment manufacturing;
 - (345) Local utility system transmission lines and structures;
 - (356) Locksmiths;
 - (367) Lumber and other building materials including pre-assembled products;
 - (378) Medical offices;
 - (389) Music stores, recordings and instruments;
 - (3940) Outside storage and display;
 - (401) Paint and glass shops;
 - (412) Pharmacies, dispensing;
 - (423) Photographic studios;

- (434) Printing, publishing and reproduction services;
- (445) Professional offices;
- (456) Public transportation: bus terminals, park and ride lots;
- (467) Radio and television broadcasting stations;
- (478) Recycling centers;
- (489) Rental and leasing services: vehicles, furniture and tools;
- (4950) Research, development and testing services;
- (501) Restaurants, cafes and food stands;
- (512) Retail uses not otherwise named;
- (523) ~~Second hand stores and pawn shops; Service and repair shops for appliances, small equipment and automobiles;~~
- (534) ~~Second hand stores and pawn shops; Service and repair shops for appliances, small equipment and automobiles;~~
- (545) Sporting goods stores;
- (556) Stationary and office supply stores;
- (567) Theaters, live stage;
- (578) Theaters, motion picture;
- (589) Vehicle parts stores; and
- (5960) Wholesale trade uses.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.24.030 Special uses.

The following uses, subject to applicable licensing and development regulations, shall be allowed only with approval of a ~~conditional special~~ use permit. Consideration shall be given to the purpose and development standards of the district including any adopted design standards or guidelines.

- (1) Light manufacturing.
- (2) Utility buildings and structures except transmission lines and structures.
- (3) Commercial parking lots not associated with an on-site use.
- (4) Private transportation depot.
- (5) Schools.
- (6) Public sidewalk food and merchandise vendors including espresso and newsstands.
- (7) Private recreation facilities including game arcades, batting cages, shooting galleries and skating rinks.
- (8) All uses permitted in the business-industrial district provided the following conditions ~~is~~ are met:
 - (A) ~~Site is identified as a "general commercial—business industrial overlay" on the official zoning map for the Belfair UGA;~~

~~(8)~~ Development must comply with all bulk and dimensional and design standards and guidelines of Chapter 17.24, Business Industrial District.

(9) All uses listed as allowed, in Section 17.24.020, where the building exceed fifty thousand square feet.

~~(10)~~ Adult entertainment provided that the proposed property is at least three hundred feet from existing residences, schools and churches and at least three hundred feet from the nearest district allowing residential uses.

(11) Dry cleaners and laundries not including laundromats (must not be located in a CARA).

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.040 Bulk and dimensional standards.

Density:	The maximum density shall be dictated by the applicable height limit, parking requirements, design guidelines, site constraints, and market conditions.
Intensity:	No requirements.
Minimum Lot Area:	None.
Lot Dimensions:	None.
Height:	The maximum height of structures in the district shall be 35 feet, or as reviewed by special use permit.
Setbacks:	Front Yard: 30 feet along SR-3 east of the railroad. See subsections 17.24.045(c), 17.24.050(b), (c), and (d) and 17.31.020(g) for required setbacks, otherwise no setbacks are required.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.24.045 Site design standards and guidelines.

- (a) Intent.
 - (1) To enhance the appearance of highly visible sites.
- (b) Enhance the appearance of street corners on SR-3. Development of street corner properties should contribute to a sense of community and/or the demarcation of the area. Specifically, all development proposals for sites adjacent to public street intersections along the SR-3 corridor should include at least one of the design treatments described below (See Figure 1).
 - (1) Locate a building towards the street corner (within fifteen feet of corner property line). Building facades located here are encouraged to include a special architectural element, such as a raised roofline, towers, or an extended parapet, along the most visible views of the structure.
 - (2) Provide a pedestrian walkway and/or plaza space at the corner leading directly to a building entry or shopping plaza space. May be appropriate in conjunction with an approved monument sign.
 - (3) Install substantial landscaping (at least two hundred square feet of ground surface area with trees, shrubs, and or ground cover. May be appropriate in conjunction with an approved monument sign.
- (c) Setback buildings adjacent to SR-3 sufficient to accommodate the planned roadway configuration, planting strip and sidewalk improvements per the Belfair urban growth area plan.

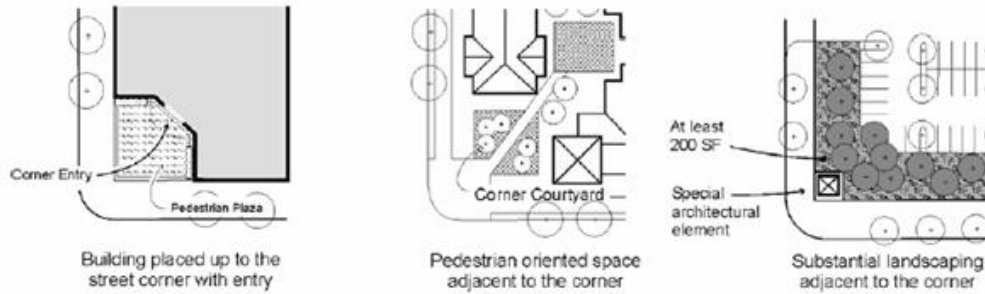


Figure 1. Street corner design options.¹

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 2022-014, Exh. B-2, 2-28-2022)

17.24.050 Landscaping design standards and guidelines.

- (a) Intent.
 - (1) To mitigate the appearance of parking lots on the streetscape.
 - (2) To enhance the appearance of the SR-3 corridor.
- (b) The minimum landscaped area between SR-3, north of the railroad, and a parking, service, or outdoor storage area shall be at least thirty feet and include the following plantings (see Figure 5):
 - (1) An average of one tree per twenty linear feet of required landscaped area;
 - (2) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (3) Ground cover per 17.31.020(4e)(5) standards.
- (c) The minimum landscaped area between SR-3, south of the railroad, and a parking, service, or outdoor storage area shall be at least fifteen feet and include the following plantings:
 - (1) An average of one tree per thirty linear feet of required landscaped area;
 - (2) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (3) Ground cover per 17.31.020(4e)(5) standards.
- (d) The minimum landscaped area between all other streets and a parking, service, or outdoor storage area shall be at least ten feet and include the following plantings:
 - (1) An average of one tree per thirty linear feet of required landscaped area;
 - (2) An average of one shrub per twenty square feet of planting area. Shrubs shall be at least sixteen inches tall at planting and have a mature height between three and four feet;
 - (3) Ground cover per 17.31.020(4e)(5) standards.

(Ord. 133-04 Att. B § 2 (part), 2004).

¹Moved from 17.23.060

17.24.055 Non-conforming uses and structures.

Legally established and continued non-conforming uses and structures shall be allowed to remain subject to the provisions of this chapter except that in the general commercial district the following allowances shall also apply to a legally established structures and uses.

- (1) Non-Conforming Structures.
 - (A) A non-conforming structure that is damaged or accidentally destroyed up to one hundred percent may be replaced subject to the obtaining of a special use permit wherein compliance where possible with the current design standards and guidelines shall be determined and required.
 - (B) A non-conforming structure may be enlarged, extended or structurally altered so long as any new construction does not increase the non-conforming aspects of the structure.
- (2) Non-Conforming Uses.
 - (A) A nonconforming use may continue so long as the associated structure is not enlarged by more than twenty percent or the intensity of use of the property for commercial uses is not otherwise increased.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.060 Applicability.

The provision of this section and chapter shall apply to all new construction, applications for change of use and /or alterations to existing structures.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.070 "BI" Business industrial district—Purpose.

The primary purpose of this district is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and heavy trucking. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:

- (1) Allowing for a wide range of industrial and manufacturing uses;
- (2) Limiting retail uses to those necessary to directly support industrial activities;
- (3) Prohibiting residential uses.

Maximum building heights in the district are three stories. Substantial landscaping buffers are required for those properties adjacent to SR-3. Business-industrial properties are exempted from most other site planning and building design guidelines to maximize flexibility for the uses.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.080 Allowed uses.

Uses allowed in the BI district shall be as follows:

- (1) Automobile, appliance and equipment repair services;

~~(2) Dry cleaning plants;~~

~~(23) Auto parts yards; Veterinary clinics;~~

~~(34) Business service uses; Vocational schools;~~

~~(45) Fuel depot; Institutional uses;~~

~~(56) Business service uses; Impound yard;~~

~~(67) Institutional uses; Truck dealers;~~

~~(78) Auto parts yards; Manufacturing uses;~~

~~(89) Manufacturing uses; Professional office uses;~~

~~(910) Resource land uses;~~

~~(101) Professional office uses; Towing services;~~

~~(112) Truck dealers; Impound yard;~~

~~(123) Towing services; and Veterinary clinics;~~

~~(134) Vocational schools; Fuel depot and;~~

~~(14) Warehouse, distribution.~~

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 21-13, Attach. A, 4-16-2013; Ord. No. 30-13, Attach. A, 6-4-2013; Ord. No. 53-16, Att. A, 8-16-2016)

17.24.090 Accessory uses.

The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- (1) Retail sales, not to exceed ten percent of the building's area.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.100 Special uses.

The following uses, subject to applicable licensing and development regulations, shall be allowed only with approval of a conditional use permit. Consideration shall be given to the purpose and development standards of the district including any adopted design standards or guidelines.

- ~~(1) (1)~~—Adult entertainment provided that the proposed property is at least three hundred feet from existing residences, schools and churches and at least three hundred feet from the nearest district allowing residential uses.

~~(2) Dry cleaning plants (must not be located in a CARA).~~

~~(2)~~

- ~~(32)~~ Self-storage facilities.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

17.24.110 Bulk and dimensional standards.

Density:	The maximum density shall be dictated by the applicable height limit, parking requirements, design guidelines, site constraints, and market conditions.
Intensity:	No requirements.
Minimum Lot Area:	None.
Lot Dimensions:	None.
Height:	The maximum height of structures in the district shall be 35 feet, or as reviewed by special use permit.
Setbacks:	Front Yard: 30 feet along SR-3; 15 feet all other streets. See subsections 17.234.1255(cB) for applicable requirements along SR-3.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 52-19, att. A, 6-4-2019; Ord. No. 2022-006, Att. A, 1-18-2022)

17.24.115 Landscaping design standards and guidelines.

- (a) Intent. To mitigate the appearance of business-industrial uses along the SR-3 corridor.
- (b) The minimum landscaped area between SR-3 and a parking, service, or outdoor storage area or building shall be at least thirty feet where Type A Landscaping is used and sixty feet if Type B or C Landscaping is used [see subsection 17.31.020(7g) for standards].

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.120 Non-conforming uses and structures.

Legally established and continued non-conforming uses and structures shall be allowed to remain subject to the provisions of this chapter except that in the business-industrial district the following allowances shall also apply to a legally established structures and uses.

- (1) Non-Conforming Structures.
 - (A) A non-conforming structure that is damaged or accidentally destroyed up to one hundred percent may be replaced subject to the obtaining of a special use permit wherein compliance where possible with the current design standards and guidelines shall be determined and required.
 - (B) A non-conforming structure may be enlarged, extended or structurally altered so long as any new construction does not increase the non-conforming aspects of the structure.
- (2) Non-Conforming Uses.
 - (A) A nonconforming use may continue so long as the associated structure is not enlarged by more than twenty percent or the intensity of use of the property for commercial uses is not otherwise increased.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.24.125 Applicability.

The provisions of this section and chapter shall apply to all new construction, applications for change of use and /or alterations to existing structures.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.25 PEDESTRIAN ACCESS AND AMENITIES

17.25.010 Purpose.

The purpose of this section is to:

- (1) Improve the pedestrian environment by making it easier, safer and more comfortable to walk between businesses and properties, to the street sidewalk, to transit stops, and through parking lots;
- (2) Promote walking both as a social activity and an alternative to driving;
- (3) Develop an expansive trail system linking all land uses with parks, open space, and other trails.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.25.020 Standards.

The following standards apply to all non-single family residential development unless the standard notes otherwise. The Mason County director of community development may waive one or more of these standards where the applicant can demonstrate that such pedestrian access and/or amenities are not applicable or desirable due to the nature of the use (i.e., industrial or mini-storage) and/or incompatibilities with adjacent properties.

- (1) Commercial and multi-family developments where possible shall provide pedestrian access onto the site from the main street off of which the use is located. Where a use fronts two streets, access shall be provided from the road closest to the main entrance or, preferably, from both streets.
- (2) New developments shall provide sidewalk and planting strip improvements in conjunction with new development activity per the Belfair urban growth area plan standards.
- (3) New developments should be integrated with and expand upon the existing and planned Belfair UGA trail network. To implement this guideline, the county may require that the pedestrian walkway(s) of a development provide connections to an adjacent trail system, if there is one.

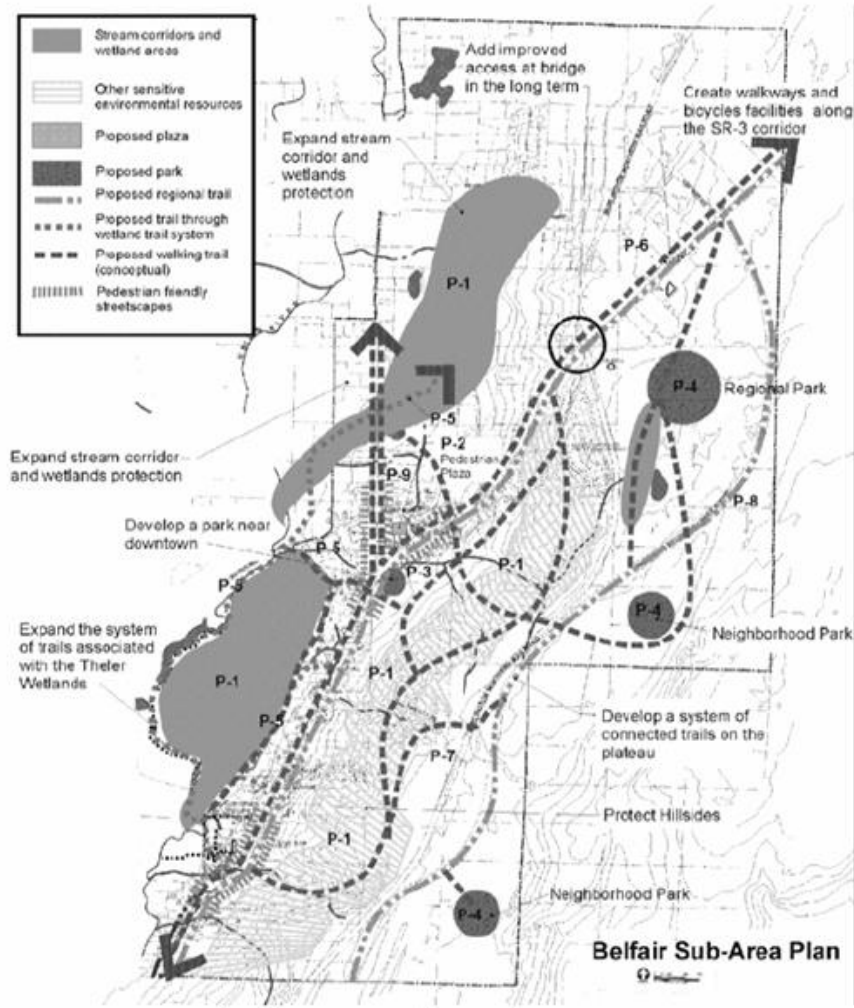


Figure 6. Proposed Belfair UGA trail network improvements.

- (4) New developments should include a circulation system that connects buildings, open spaces, parking areas, and the adjacent street sidewalk system. Commercial and multi-family uses should provide a pedestrian connection to adjacent commercial and/or multifamily uses where desirable and possible to encourage multiple-task trips, more efficient parking, and a high-quality pedestrian ambience. Also, connections to transit uses and adjacent properties are particularly important and may be required by the county.

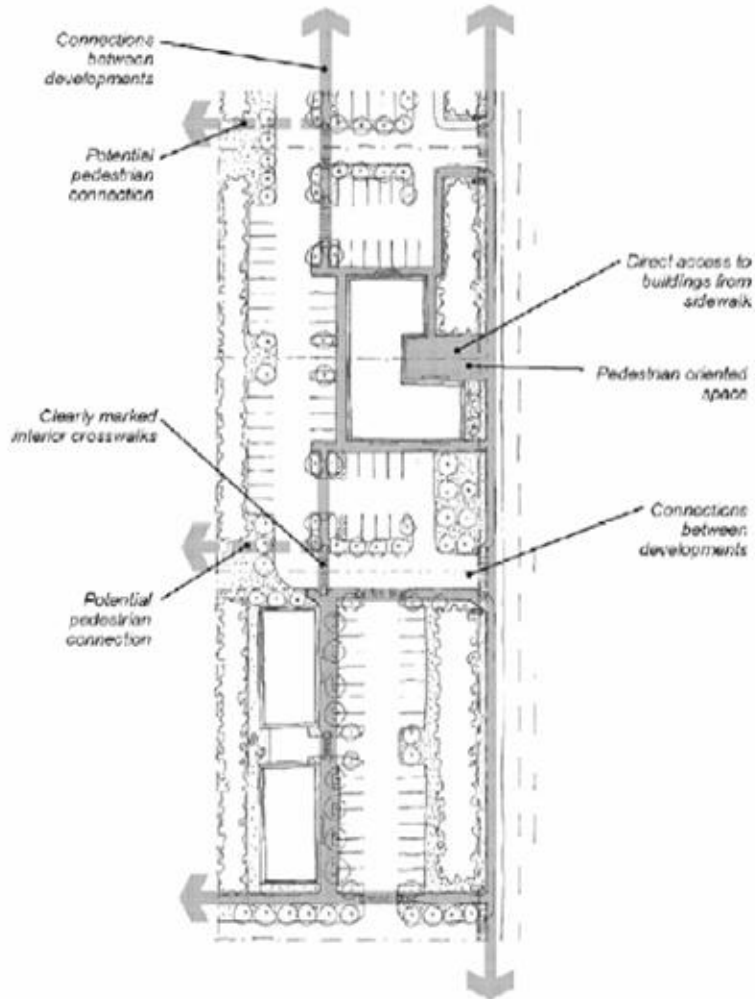


Figure 7. Developments should include a circulation system that connects buildings, open spaces, parking areas, and the adjacent street sidewalk system.

- (5) New developments shall provide for adequate interior walkway widths and surfaces. Specifically, applicants must demonstrate to the county how the proposed walkway system will be designed to handle projected usage as provided by the following guidelines:
 - (A) The paving surface on all pedestrian paths should be appropriate to their use:
 - (i) Concrete, brick or other decorative hard-surfaced pavements for interior pedestrian walkways, building entries, or parking lot pathways,
 - (ii) Seamless materials like asphalt for multi-purpose pathways,
 - (iii) Crushed gravel for nature trails,
 - (iv) Wood for boardwalks,
 - (B) The following design criteria for pedestrian paths should be applied:
 - (i) Four foot wide walkways for low pedestrian volumes,

-
- (ii) Six foot wide walkways will allow two people to walk side-by-side and is suitable where moderate pedestrian activity is expected,
 - (iii) Twelve foot wide walkways will allow two groups of two people walking side-by-side to pass and are appropriate for the heavily used walkways and communitywide trails.
 - (6) New developments shall provide pedestrian-oriented spaces in all commercial, office, and mixed-use developments. Specifically:
 - (A) Developments with less than thirty thousand square feet of gross floor area of commercial, office, and mixed-use buildings are encouraged to provide pedestrian-oriented space at a ratio of one hundred square feet for every ten thousand square feet of gross floor area of building;
 - (B) Developments with at least thirty thousand square feet of gross floor area of commercial, office, and mixed-use buildings are required to provide pedestrian-oriented space at a ratio of one hundred square feet for every ten thousand square feet of gross floor area of building.
 - (7) To qualify as a "pedestrian-oriented space, the following must be addressed:
 - (A) Provide direct pedestrian access from the adjacent roadways;
 - (B) Provide a walking surface with unit pavers or concrete with special texture, pattern, and/or decorative features;
 - (C) Incorporate pedestrian amenities, including seating, landscaping, and public art;
 - (D) Provide pedestrian lighting, preferably below fifteen feet in height;
 - (8) A "pedestrian-oriented space" may have and is encouraged to have the following features:
 - (A) Active retail uses on the building façade(s) facing the space;
 - (B) A location in areas with significant pedestrian traffic to provide interest and security—such as adjacent to a building entry;
 - (C) Provision of weather protection features on building facades fronting the space;
 - (D) Location, orientation, and/or mitigating structures designed with consideration of the sun and wind;
 - (E) Additional pedestrian amenities, including but not limited to: public art, movable chairs and tables, and extra landscaping features.
 - (9) A "pedestrian-oriented space" shall not have:
 - (A) Asphalt or gravel pavement;
 - (B) Adjacent unscreened parking lots;
 - (C) Adjacent chain link fences;
 - (D) Adjacent "blank walls" without "blank wall treatment";
 - (E) Adjacent dumpsters or service areas.

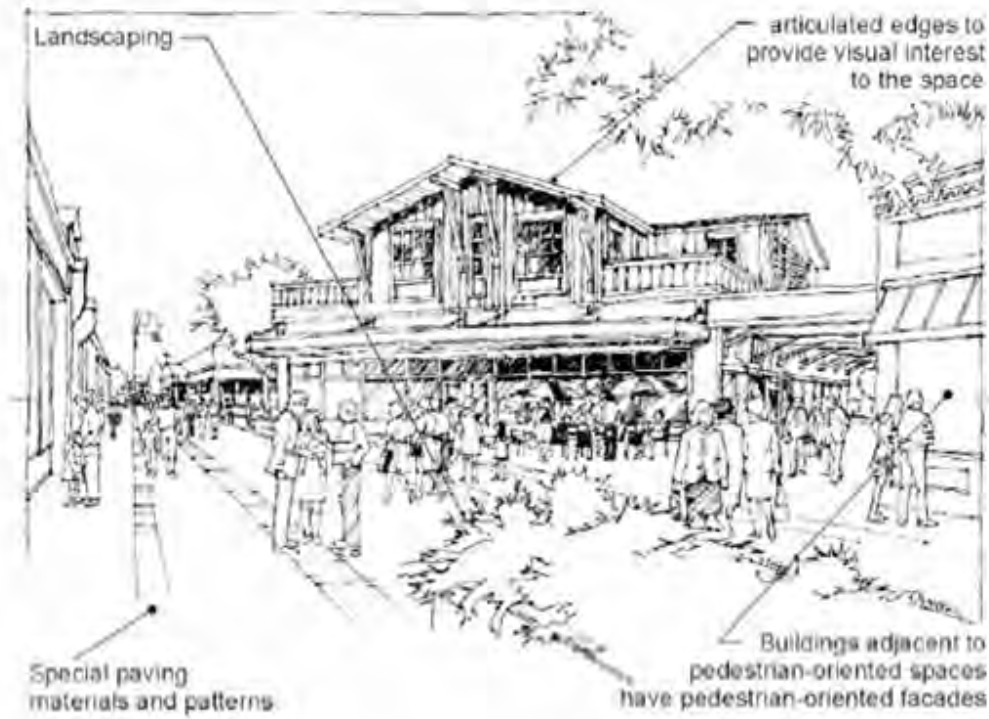


Figure 8. An example of pedestrian-oriented space.

- (10) New development shall provide pathways through parking lots. A specially marked or paved crosswalk must be provided through parking lots greater than one hundred fifty feet long (measured parallel to the street front) or more than two bays deep (approximately seventy-five feet measured perpendicular from street front). Generally, walkways should be provided at least every one hundred fifty feet measured perpendicularly to the building face with a main entry. This distance should be considered somewhat flexible to account for the length of the parking lot and driveway locations. Additional design criteria:
- (A) Pathways should be curbed and raised at least six inches above the parking lot grade except where they cross driveways or aisles or where necessary to meet handicap requirements. Alternatively, the County may approve walkways delineated by a distinctive paving material or marking when adequate pedestrian safety is provided.
 - (B) Pathways must be at least four feet wide, exclusive of parked car overhangs. Where necessary to ensure four feet of unobstructed walkway, wheel stops are required.
 - (C) Where pathways cross parking areas, contrasting materials or markings such as white concrete in an asphalt area or visually obvious paint stripes are required to define pathways.

(Ord. 133-04 Att. B § 2 (part), 2004).

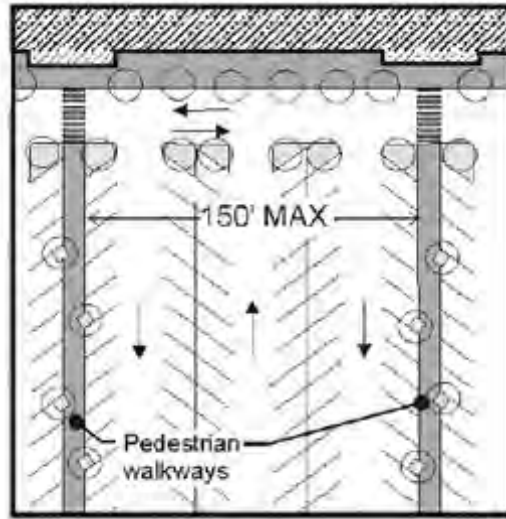


Figure 9. Illustrating standards for pathways through parking lots.

Chapter 17.26 PRIVATE OPEN SPACE FOR MULTI-FAMILY DEVELOPMENTS

17.26.010 Purpose.

The purpose of this section is to provide inviting and well-designed outdoor spaces for residents.

17.26.020 Standards.

The following standards apply to all multi family residential development unless noted otherwise:

- (1) All multi-family developments shall provide usable open space per the following:
 - (A) Three hundred square feet per unit for ground based units such as townhomes,
 - (B) Ten percent of the net developable area for all other multi-family developments such apartment buildings,
 - (C) For residential development within a mixed-use building, provide a usable open space or spaces equal to or greater than ten percent the size of the applicable building's gross floor area. Calculations for gross floor area shall exclude area used for mechanical equipment, accessory parking, and outdoor decks and balconies. Onsite ground floor pedestrian oriented space may be used in the calculations for required usable open space;
- (2) Configure buildings to create usable open space by providing one or more of the following:
 - (A) Landscaped courtyards, gardens, or commons usable by residents and visible from dwelling units to enhance security,
 - (B) Individual outdoor spaces for all ground floor units. This is most appropriate for new townhouses or other ground-related housing,
 - (C) Balconies, well-defined patios, terrace open spaces, and rooftop decks. Rooftop decks are the least preferred type of open space,

-
- (D) Play areas for children, visible from dwelling units and located away from arterial streets, parking lots and on-site drainage facilities;

Note: Required landscape buffer areas shall not be considered usable open space.

- (3) Usable open spaces should be positioned in areas with significant pedestrian traffic to provide interest and security;
- (4) Integrate natural features into usable open space, when feasible;
- (5) Paths, seating, lighting and other pedestrian amenities should be utilized to make open spaces more functional and enjoyable;
- (6) Minimum required landscaped buffer areas shall not be included in calculations for the required usable open space.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)



Figure 10. Examples of usable open space for multi family development.

Chapter 17.27 INTERIOR VEHICULAR ACCESS IN THE BELFAIR UGA

17.27.010 Purpose.

The purpose of this section is to:

- (1) Minimize negative impacts on the streetscape and pedestrian environment;
- (2) Encourage a safe and convenient network of vehicular circulation;
- (3) Create attractive vehicular routes that also accommodate pedestrian access and amenities;
- (4) Minimize negative impacts of parking lots on the streetscape and pedestrian environment;
- (5) Promote shared parking between compatible uses.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.27.020 Standards.

The following standards apply to all non-single family residential development unless noted otherwise. The Mason County director of the department of community development may waive one or more of these standards where the applicant can demonstrate that such vehicular access standard(s) is not applicable or desirable due to the nature of the site or use (i.e., industrial or mini-storage) and/or incompatibilities with adjacent properties (i.e., connections to an existing incompatible use on an adjacent property).

- (1) For properties adjacent to SR-3 and other defined highways and arterial roadways, new driveways shall be no more than thirty feet wide and shall be defined by a curb, berm, or other pavement element. No more than one driveway per parcel or one driveway per three hundred feet on a single parcel shall be allowed onto or from SR-3.

Exceptions:

- (A) Traffic analysis demonstrates the need for more than one driveway;
 - (B) On-site circulation or access to truck loading facilities cannot be accommodated by only one driveway;
 - (C) Wider driveways (up to forty feet) would be allowed if traffic volumes generated by the site require two exiting lanes (one left turn and one right turn lane) and/or if the site generates a high volume of large trucks that require a wider driveway;
 - (D) Where an additional or wider driveway is required by the fire department for safe fire apparatus access.
- (2) For new commercial development projects, strive to create major driveways that serve more than one property and/or business. Cross-access easements for adjoining properties may be required by the county, where necessary.
 - (3) Consider the alignment with driveways on the opposite side of SR-3 when determining driveway location for new and consolidated/shared driveways. Driveways across SR-3 should align or be offset such that the left-turning vehicles out of the driveways do not conflict. This may be required by the county.
 - (4) Properties adjacent to SR-3 and other defined highways and arterial roadways shall not locate their parking lots adjacent to street intersections unless the county finds that no other alternative is feasible to accommodate permitted development.
 - (5) Developments shall provide automobile connections to adjacent properties, through the use of cross access easements, common entryways, shared internal roadways, and/or shared parking lots, and similar techniques where possible.

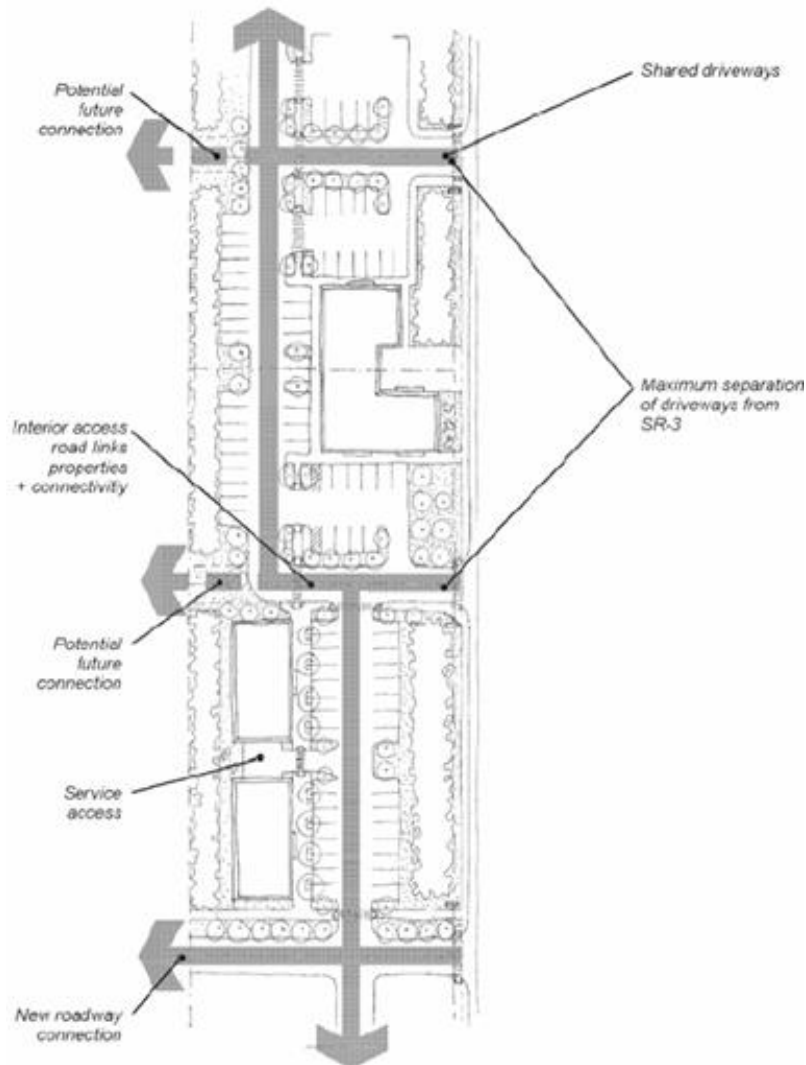


Figure 11. Example developments illustrating key vehicular access guidelines.

- (6) Commercial developers and retail property owners are encouraged to share parking lots between adjacent businesses. The construction of walls or other barriers that prohibit pedestrian access is prohibited unless the county determines that such barrier is necessary for safety or environmental reasons.
- (7) Where adjacent parking lots are not consolidated, joint pedestrian access shall be provided between developments.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.28 OFF-STREET PARKING IN THE BELFAIR UGA

17.28.010 Cooperative off-street parking.

Any two or more uses may establish cooperative off-street parking, and where it can be presented to Mason County that the hours of traffic generation on the part of the two land uses appear at different times of the day, the off-street parking provisions for each can be credited to the same off-street parking areas provided cooperatively.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.28.020 Minimum off-street parking requirements.

- (a) For purposes of defining off-street parking, the floor area of each level of a building shall exclude areas devoted to storage, restrooms, corridors, hallways, entries, stairways, elevators, decks, equipment, utility rooms and kitchens not to be occupied by clientele, and other areas for utility purposes not connected with general conduct of business for which office or sales space is provided.
- (b) Off-street parking areas shall contain the number of parking spaces stipulated in "Table 1 General Residential Parking Standards" and "Table 2 General Non-Residential Parking Standards" below. A use which is similar to any of the below-referenced uses shall adhere to the minimum parking requirements for the referenced use or uses. Mason County shall determine the minimum parking requirements for a use that is not referenced in this section.

**Table 1
General Residential Parking Standards.**

RESIDENTIAL USE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
Dwelling units—single family:	2.0 per dwelling unit	No maximum
Dwelling units—multiple-family:		
Studio units:	1.0 per dwelling unit	1.5 per dwelling unit
One-bedroom units:	1.5 per dwelling unit	2.0 per dwelling unit
Two-bedroom units:	2.0 per dwelling unit	2.5 per dwelling unit
Three-bedroom or more units:	2.0 per dwelling unit	3.0 per dwelling unit
Retirement homes:	0.8 per dwelling unit	1.5 per dwelling unit
Rest homes, nursing and convalescent homes:	0.3 per bed	1.0 per bed
Congregate care facilities:	0.5 per dwelling unit	1.5 per dwelling unit

**Table 2
General Non-Residential Parking Standards.**

NON-RESIDENTIAL USE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
Churches, synagogues and temples:	1.0 per 4 fixed seats plus 1.0 per 50 sq. ft. of gross floor area without fixed seats for assembly purposes.	
Day care facilities and pre-schools:	2.0 plus 1.0 per employee	5.0 plus 1.0 per employee
Financial institutions:	3.0 per 1,000 square feet	5.0 per 1,000 square feet

Food stores and markets:	3.0 per 1,000 square feet	5.0 per 1,000 square feet
Governmental buildings, studios, professional and business offices:	3.0 per 1,000 square feet	5.0 per 1,000 square feet
Hotels/motels:	1.0 per room plus 1.0 per employee on any given shift	
Medical offices:	3.0 per 1,000 square feet	5.0 per 1,000 square feet
Manufacturing facilities:	1.0 per 1,000 square feet	
Personal services:		
Without fixed stations:	3.0 per 1,000 square feet	5.0 per 1,000 square feet
With fixed stations:	1.5 per station	2.0 per station
Restaurants and cafeterias:	8.0 per 1,000 square feet	15.0 per 1,000 square feet
Retail sales and service stores:	3.0 per 1,000 square feet	5.0 per 1,000 square feet
Service stations:	3.0 per facility plus 1.0 per service bay plus 3.0 per 1,000 sq. ft. for store	
Theaters:	1 per 4 fixed seats and/or 1 per 100 sq. ft. of gross floor area without fixed seats for assembly purposes	
Wholesale and warehouse uses:	1.0 per 1,000 square feet	

- (c) An applicant may request a modification of the minimum or maximum required number of parking spaces by providing a study that substantiates parking demand can/should be met with a reduced/increased parking requirement. In such cases, Mason County may approve a reduction of up to fifty percent of the minimum required number of spaces or an increase of up to twenty-five percent of the maximum required number of spaces. Said study shall be prepared by a qualified professional approved by Mason County.
- (d) When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitation of the shell permit. In industrial developments, a minimum of twenty percent of gross floor area shall be assumed as office when calculating parking requirements. When the range of possible uses result in different parking requirements, Mason County will establish the amount of parking based on a likely range of uses.
- (e) In any non-business-~~industrial~~ industrial development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.
- (f) Off-street parking areas shall contain at least one bicycle parking space for every twelve spaces required for motor vehicles except as follows:
 - (1) Mason County may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location;
 - (2) Mason County may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following uses:
 - (A) Park/playfield,
 - (B) Marina,
 - (C) Library/museum/arboretum,

- (D) Elementary/secondary school,
 - (E) Sports club, or
 - (F) Retail business (especially when located along a developed or projected bicycle trail or designated bicycle route).
- (g) Bicycle facilities for patrons shall be located within one hundred feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.
- (h) All bicycle parking and storage shall be located in safe and visible areas that do not impede pedestrian or vehicle traffic flow and shall be well lit for nighttime use.
- (Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.29 SERVICE AND STORAGE AREAS IN THE BELFAIR UGA

17.29.010 Purpose.

The purpose of this section is to screen the negative impacts of service and storage areas on the pedestrian environment.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.29.020 Standards.

The following standards apply to all development except for single family developments and developments in the business-industrial district:

- (1) Service elements shall be located to minimize the impacts on the pedestrian environment and adjacent uses. Service elements should generally be concentrated and located where they are designed for easy access by service vehicles and for convenient access by tenants;

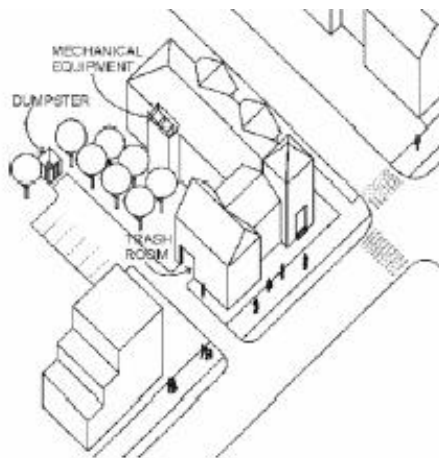


Figure 12. Site service elements to minimize their impacts on the pedestrian environment.

- (2) Garbage, recycling collection and utility areas that are visible from a public street, park, or neighboring property shall be enclosed and screened around their perimeter by a wall or fence at least seven feet

high and have self-closing doors. If the area is adjacent to a public street or pedestrian alley, a landscaped planting strip, minimum three feet wide, shall be located on three sides of such facility;

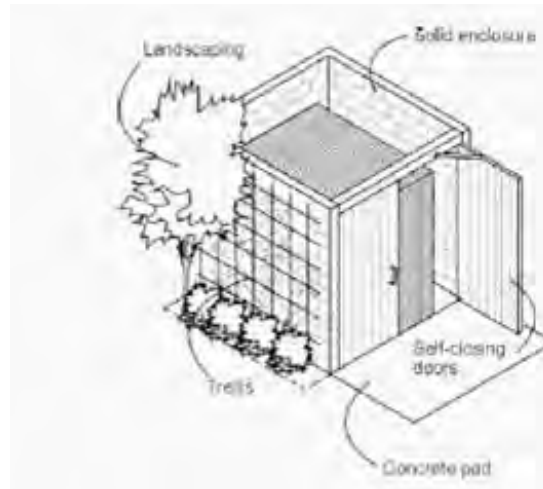


Figure 13. Screen service elements.

- (3) Screen fences should be made of masonry, ornamental metal or wood, or some combination of the three. The use of chain link, plastic or wire fencing is prohibited;
- (4) Roof-mounted mechanical equipment should be located so as not to be visible from the street, public open spaces, parking areas, or from the ground level of adjacent properties. Screening features should blend with the architectural character of the building;
- (5) Outdoor storage areas, when permitted, must be screened from the view of public streets, parking areas, pedestrian pathways, open space, and adjacent properties per the screen fence standards per above or by providing at least fifteen feet of Type A Landscaping per subsection 17.31.020(7g) around the perimeter of the storage area.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.30 BUILDING DESIGN REQUIREMENTS IN THE BELFAIR UGA

17.30.010 Purpose.

The purpose of this section is to:

- (1) Reduce the bulk and mass of large buildings.
- (2) Add visual interest to buildings.
- (3) Retain Belfair's small town character.
- (4) Encourage the utilization of design details and small-scale elements in the design of buildings so that they are attractive at a pedestrian scale.
- (5) Achieve a human scale by including elements that provide visual clues to the size of the building and activity within.
- (6) Encourage pedestrian activity.

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- (7) Encourage the use of high quality and durable building materials.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.30.020 Standards.

The following standards apply to all commercial and multi-family development unless otherwise noted (developments in the B-I zone are exempted). The Mason County planning director may waive one or more of these standards where the applicant can demonstrate that such building design standards are not applicable since the applicable building or buildings are screened from public view from the street or adjacent properties and such design features are not typically found on buildings proposed for the subject use (retail and multi family uses shall not be exempted in any case).

- (1) Multi-story buildings shall include modulation and/or articulation features. Specifically, commercial buildings shall provide at least two of the modulation and articulation features listed below along the street front or primary façade at intervals of no more than fifty feet. Multi-family buildings shall provide at least two of the modulation and articulation features below along the street front or primary façade at intervals of no more than forty feet.

Modulation and/or articulation methods:

- (A) Providing building modulation of at least six feet in depth and six feet in width (required for multi family residential buildings);
- (B) Repeating distinctive window patterns at intervals less than the articulation interval;
- (C) Providing a porch, patio, deck, or covered entry for each articulation interval;
- (D) Providing a balcony or bay window for each articulation interval;
- (E) Changing the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval;
- (F) Changing materials and/or color with a change in building plane;
- (G) Providing lighting fixtures, trellis, tree, or other landscape features within each interval;
- (H) Using recessed building entries, plazas, courtyards, or seating and plantings areas;
- (I) Using alternative methods to shape a building such as angled or curved façade elements, offset planes, or terracing;
- (J) Using other methods as approved by the county as long as they meet the intent of the standards.

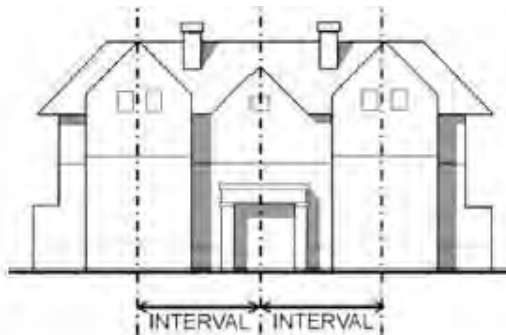


Figure 14. An example of building articulation.

- (2) Buildings greater than one hundred feet in length along the street front and/or primary façade should provide an additional special design features (for example: a broken or articulated roofline, inset or gabled entry, dormer, chimney, stepped roof, gable, prominent cornice or fascia, clock tower, fountain, or pedestrian open space) to add visual interest.
- (3) For commercial structures over forty thousand square feet in gross building footprint such as a grocery store, smaller uses and activities should be clustered near the entrance as shown on Figure 15. Alternatively, developments can provide at least six hundred square feet of pedestrian-oriented space near the building entry.

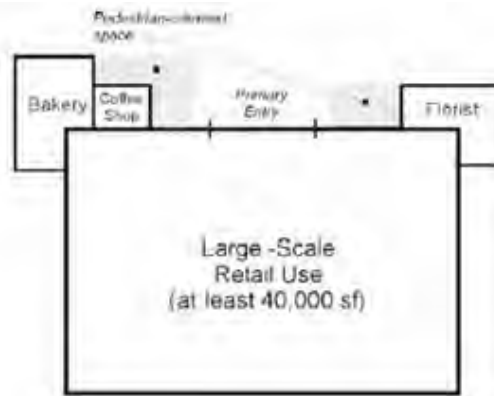


Figure 15. An example of clustering smaller uses near an entry of large commercial structures.

- (4) All buildings must employ at least two of the following elements or techniques toward achieving human scale. If a proposed building is over three stories in height, or more than one hundred feet wide as measured along any façade facing a street and visible from that street, the building shall use at least three of the following listed elements:
 - (A) Balconies or decks in upper stories at least six feet deep and six feet wide. At least one balcony or deck per upper floor on the facades facing streets;
 - (B) Bay windows that extend out from the building face at least one foot measured horizontally in upper stories, at least one per floor on the facades facing the street;
 - (C) Individual windows in upper stories;
 - (D) Multiple-paned fenestration (windows with multiple panes);
 - (E) At least one hundred fifty square feet of pedestrian-oriented space;
 - (F) Gable or hipped roof, providing that the hipped or gable roof covers at least one half of the building's footprint and has a slope greater or equal to three feet vertical in twelve feet horizontal;
 - (G) A porch, covered entry, trellis, gateway feature, or similar element;
 - (H) Upper story setbacks, providing one or more of the upper stories are set back from the face of the building at least six feet;
 - (I) Any of the features noted in the "pedestrian-oriented facades" definition;
 - (J) Other, similar method approved by the county. All proposals for achieving human scale are subject to approval by the county.
- (5) All buildings facing a street, park, public walkway, or parking area must include at least three of the following design detail elements:

- (A) Sculptural, mosaic, or other architectural details;
- (B) Transparent window area or window displays along at least fifty percent of the length of the ground floor façade for retail;
- (C) Pedestrian weather protection;
- (D) Decorative light fixtures;
- (E) Landscape trellises;
- (F) Decorative building materials incorporated into the building facade, including decorative masonry, shingles, brick, or stone;
- (G) Individualized patterns or continuous woods details such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, wave trim or lattice work, ceramic tile, stone, glass block or similar materials;
- (H) Other materials with decorative or textural qualities as approved;
- (I) Gable or hipped roof, provided the hipped or gable roof covers at least one half of the building's footprint and has a slope greater or equal to six feet vertical in twelve feet horizontal;
- (J) Building articulation, with the upper story set back from the face of the building at least six feet or projecting out (forward) at least two feet;
- (K) Decorative artwork;
- (L) Other, similar element approved by the county. All proposals for achieving human scale are subject to approval by the county.

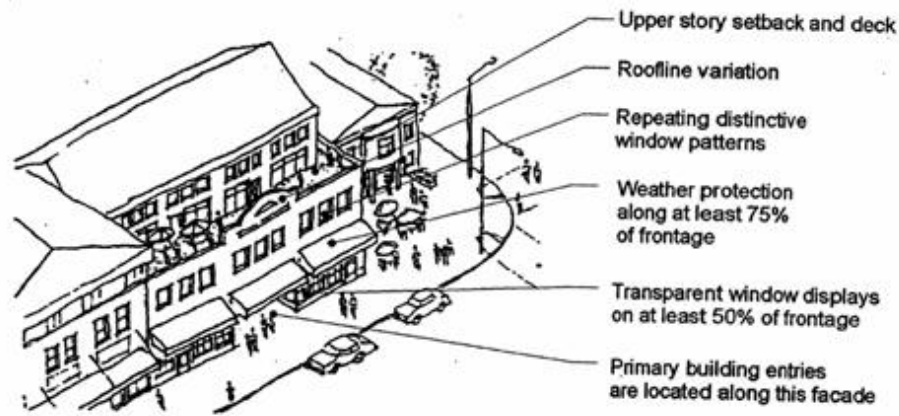


Figure 16. An example development illustrating some of the desired design details.

- (6) All buildings must provide a covered entry (such as an overhang, awning, or canopy) on their primary facade.
- (7) Untreated blank walls visible from public streets, sidewalks, pedestrian areas, and parking areas are prohibited. Where unavoidable, blank wall treatment should be provided in one or more of the following ways:
 - (A) Installing a vertical trellis in front of the wall with climbing vines or other plants;
 - (B) Landscaping that covers fifty percent of wall area within three years of planting;
 - (C) Special materials (e.g., decorative patterned masonry);

- (D) Display windows;
- (E) Artwork or other treatment approved by the county.

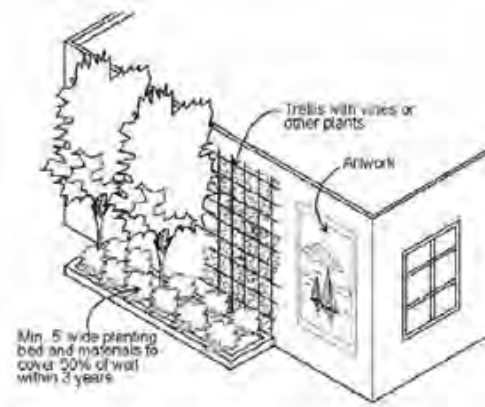


Figure 17. Blank wall treatments.

- (8) Durable and high-quality exterior materials must be used on buildings visible from a public right-of-way, pedestrian area, or parking lot. Highly reflective materials are not allowed. Materials should be typically used in the Northwest, including, but not limited to:
 - (A) Bevel or lap siding;
 - (B) Rock, stone, and brick material;
 - (C) Architectural shake-style or "asphalt" shingle roofing;
 - (D) Metal roofs.
- (9) If sheet materials (for example: composite fiber products or metal siding) are used as a siding material over more than twenty-five percent of a building's façade visible from a public right-of-way, pedestrian area, or parking lot, then material with a matted finish in a color must be used. The following must also be done:
 - (A) Visible window and door trim painted or finished in a complementary color;
 - (B) Corner and edge trim that covers exposed edges of the siding material.
- (10) All prefabricated metal buildings visible from a public right-of-way, pedestrian area, or parking lot shall include at least three of the following features:
 - (A) Porch or recessed entry;
 - (B) Overhanging eaves;
 - (C) Visible trim at least four inches wide around all doors and windows in an accent color;
 - (D) Other building elements such as a cupola, building wing, trellis, portico, etc.;
 - (E) Picture windows or adjoining windows totaling at least thirty-two square feet;
 - (F) Canopy or other weather protection feature over an adjacent walkway;
 - (G) Other feature that meets the intent of the standards and as approved by the county.
- (11) If concrete blocks (concrete masonry units or "cinder blocks") are used for walls that are visible from a public right-of-way, pedestrian area, or parking lot, use one or more of the following architectural treatments:

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- (A) Textured blocks with surfaces such as split-face or grooved;
 - (B) Colored mortar;
 - (C) Other masonry types, such as brick, glass block, or tile, in conjunction with concrete blocks;
 - (D) Other similar treatment acceptable to the county.
- (12) Do not use the following materials for walls that are visible from a public right-of-way, pedestrian area, or parking lot unless an exception is granted by Mason County:
- (A) Mirrored glass;
 - (B) Corrugated fiberglass;
 - (C) Chain-link fences in front yards;
 - (D) Synthetic materials with reflective surfaces, including galvanized steel and glossy vinyl siding.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.31 LANDSCAPING IN THE BELFAIR UGA

17.31.010 Purpose.

The purpose of this section is to:

- (1) Preserve and improve the aesthetic character of Belfair;
- (2) Enhance the esthetic quality of new construction;
- (3) Promote retention and protection of existing vegetation and to reduce the impact of development on drainage systems, water quality, and natural habitats;
- (4) Enhance the appearance of the SR-3 corridor and other streets in Belfair;
- (5) Mitigate the negative impacts of parking lots on the streetscape;
- (6) Screen unsightly uses from view.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.31.020 Standards.

The following standards apply to all commercial and multi family development unless otherwise noted. A landscape design plan is required.

- (1) Landscaping should be suitable and fitting with the character of Belfair as a growing community in a rural area. Because this is within an urban growth area with a variety of development types, landscaping—both naturalized and cultivated—will be important in establishing and unifying the community's character. Existing substantial vegetation and native materials in informal plantings and arrangements should be considered in the concept.

Specific objectives include:

- (A) To provide visual screens and barriers as a transition between differing land uses;

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- (B) To define plant species which are of low maintenance, resistant to drought and otherwise appropriate for conditions within the business district and which are safe for pedestrians;
 - (C) To provide visual relief from large expanses of parking areas and integrate new construction into the natural environment;
 - (D) To provide physical separation between vehicular and pedestrian traffic;
 - (E) To retain existing vegetation and significant trees by incorporating them into the site design;
 - (F) To provide decorative landscaping as a focal setting for signs, special site elements and/ or pedestrian areas;
 - (G) To provide increased areas of permeable surfaces to allow for infiltration of surface water into groundwater resources, reduce the quantity of stormwater discharge and improve the quality of stormwater discharge;
 - (H) Maintaining a green corridor along SR-3 except where buildings are encouraged to front directly onto the highway.
- (2) The landscape design plan shall address the following considerations:
- (A) A unified pedestrian circulation system with amenities and plantings;
 - (B) A coordinated system of open spaces and/or planted areas that provide the required pedestrian areas and landscaping. The plan should indicate how the various spaces and plantings relate to the project's site design objectives of continuity, variety, activity, etc.;
 - (C) Screening of service or unsightly areas;
 - (D) Plantings and/or site features that enhance the building's architectural qualities;
 - (E) Protection of existing significant trees and natural site amenities.
- (3) The design plan should consider the following landscape design objectives where appropriate:
- (A) Where feasible, coordinate the selection of plant material to provide a succession of blooms, seasonal color, and a variety of textures;
 - (B) Provide a transition in landscaping design between adjacent sites, within a site, and from native vegetation areas in order to achieve greater continuity;
 - (C) Design landscaping to create definition between public and private spaces;
 - (D) Design landscaping to provide a transition between built structures (vertical planes) and the site (horizontal planes);
 - (E) Use plantings to highlight significant site features and to define the function of the site, including parking, circulation, entries, and open space;
- (4) The design plan should use planting strips or areas as barriers and/or screens to separate land uses or specific activities and provide visual relief from large expanses of parking areas or buildings.
- Specifically:
- (A) Planting areas should be a mix of evergreen and deciduous shrubs whose height and width will be proportionate to the area being planted;
 - (B) Trees, shrubs, ground covers, and/or grasses that are native to the Puget Sound basin and are appropriate to the conditions of the site are preferred;

- (C) Care must be taken not to visually block lines of sight for vehicles or pedestrians or obscure businesses with landscape material that will be too large at maturity for the site;
 - (D) Plants should be arranged asymmetrically unless the landscape plan emphasizes a formal design concept or space is too restricted to allow a mix of plant materials;
 - (E) Ground cover material should cover seventy percent of the soil in one growing season or seventy percent of the soil in three years if mulch is applied until the ground cover fills the designated area.
- (5) The design plan should also consider:
- (A) Integration of the stormwater management features (such as biofiltration swales or surface water detention ponds) into the planting strip;
 - (B) Incorporation of or protection of natural features, including wetlands, significant trees and vegetation, and slopes.
- (6) Landscaping types. The following list of landscaping types:
- (A) Landscape Type A.

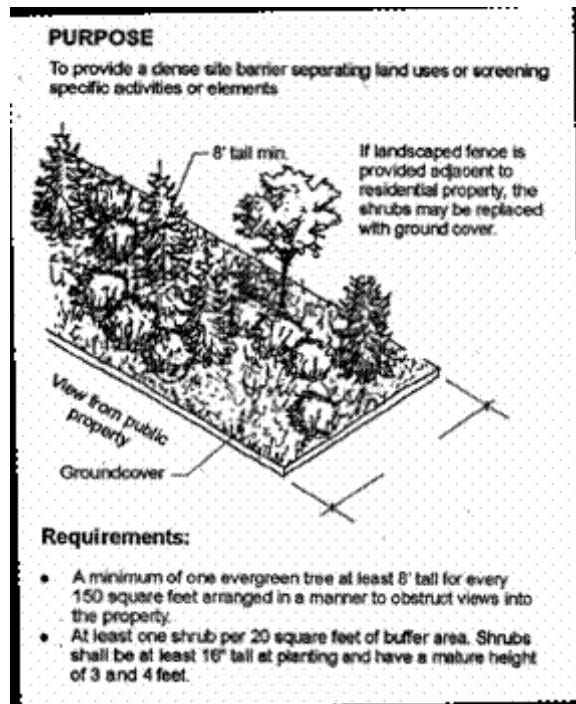
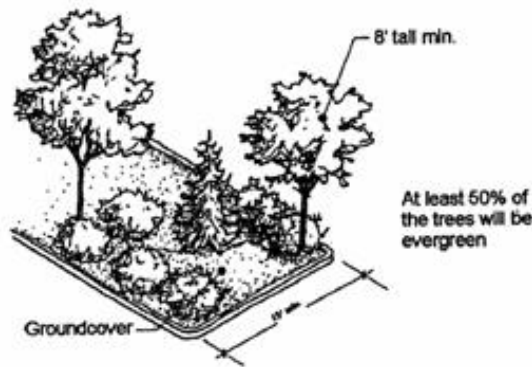


Figure 18. Landscape Type A.

- (B) Landscape Type B

PURPOSE

To provide moderately dense and naturalistic vegetation screen to offer visual relief and integrate built elements into the natural environment.



Requirements:

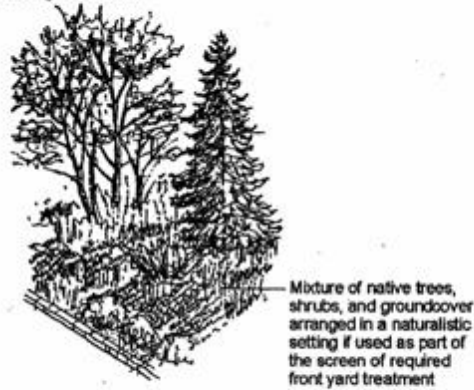
- At least one tree per 300 square feet of landscaped area (min. Ht. 8').
- Shrubs covering at least 50% of landscaped area.
- Groundcover which will cover the remaining area within 3 years.

Figure 19. Landscape Type B.

(C) Landscape Type C

PURPOSE

To enhance the natural areas and to integrate developments into the existing conditions.



Requirements:

- Landscaping shall consist of trees, shrubs and groundcovers that are native to the Puget Sound basin and are appropriate to the conditions of the site. Species are subject to the approval by the City.
- Arrangements of plants shall be asymmetrical and plant material shall be sufficient in quality to cover the soil in one growing season.

Figure 20. Landscape Type C.

(7) Landscape buffer requirements between uses shall be as noted in Table 1 below. Where substantial native vegetation exists in the required side and rear buffer areas, such vegetation shall be retained

within the required buffer width to the extent possible. Where a limited amount of native vegetation exists in the required buffer area, the county may require supplemental landscaping based on the required landscape types noted in Table 3 to complement the existing native vegetation.

Table 3. Required buffers for side and rear yards. Landscape Types A, B, and C refer to the landscaping types referenced in subsection (4) above.

		Applicable Use (Buffer must occur within)			
		Category 3* (includes multi family housing and group care facilities)	Category 4* (includes lodging and small scale retail and office)	Category 5* (includes retail and light industrial uses)	Category 6* (includes heavy industry and related uses)
Use of Adjacent Property	Category 1* (includes passive recreational uses and some agricultural uses)	10' Type A 20' Type B or 25' Type C	10' Type A 15' Type B or 20' Type C	10' Type A 15' Type B or 20' Type C	10' Type A 15' Type B or 20' Type C
	Category 2* (includes most single family housing, public institutions and public parks)	10' Type A 15' Type B or 20' Type C	10' Type A 15' Type B or 20' Type C	10' Type A 15' Type B or 20' Type C	15' Type A 20' Type B or 30' Type C
	Category 3*	X	10' Type A 15' Type B or 20' Type C	10' Type A 15' Type B or 20' Type C	10' Type A 20' Type B or 30' Type C
	Category 4*	X	X	10' Type A 15' Type B or 20' Type C	10' Type A 20' Type B or 30' Type C
	Category 5*	X	X	X	10' Type A 15' Type B or 20' Type C
	Category 6*	X	X	X	X

*Land Use Categories are detailed in the Mason County Development Regulations, [see MCC 17.03.034](#).

- (8) Provide internal parking lot landscaping (parking lots within the Business-Industrial district are exempt unless visible from SR-3). Specifically, all surface parking lots (excluding underground or structured parking areas) with more than fourteen stalls and within one hundred feet of the public right-of-way (excluding alleys) and not separated from that street by another building shall conform to the following standards:

Total Number of Parking Spaces	Minimum Required Landscape Area*
15 to 50	15 square feet/parking space
51 to 99	25 square feet/parking space
100 or more	35 square feet/parking space

* Landscaped area calculations can include landscaped areas between the parking lot and the street.

- (9) Provide shrubs and ground cover in the required interior parking lot landscape areas.
 - (A) Plant shrubs at a density of five per one hundred square feet of landscape area.
 - (B) Up to fifty percent of shrubs may be deciduous.
 - (C) Select and plant ground cover so as to provide ninety percent coverage within three years of planting, provided that mulch is applied until plant coverage is complete.
- (10) Do not locate a parking stall more than fifty feet from a landscape area.

Exceptions:

 - (A) Mason County may exempt parking lots with less than one hundred parking spaces and not visible from or not within one hundred feet of a street or park from interior parking lot landscaping, but not necessarily from perimeter parking lot landscaping;
 - (B) Mason County may allow alternative parking lot landscaping schemes where the applicant can successfully demonstrate that such schemes better meet the intent of the guidelines.
- (11) Provide at least one tree for every six parking spaces. The trees required for parking lot landscaping may not be considered as street trees.

Exceptions:

 - (A) Mason County may exempt parking lots with less than one hundred parking spaces and not visible from or not within one hundred feet of a street or park from interior parking lot landscaping, but not necessarily from perimeter parking lot landscaping;
 - (B) Mason County may allow alternative parking lot landscaping schemes where the applicant can successfully demonstrate that such schemes better meet the intent of the guidelines.
- (12) Provide landscaping to screen parking lots from adjacent or neighboring properties. Specifically, screen parking lots with over fourteen stalls and within five feet of adjacent property lines with Landscape Type A or ten feet of Type B or C landscaping. Mason County may waive this requirement if parking is shared by the adjacent uses.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

Chapter 17.32 LIGHTING IN THE BELFAIR UGA

17.32.010 Purpose.

The purpose of this section is to:

-
- (1) Provide a suitable level of illumination for pedestrian walkways and building entries at night;
 - (2) Minimize the possibility of illegal activities by providing suitable illumination at night;
 - (3) Improve the confidence and safety of pedestrians walking throughout the downtown area at night.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.32.020 Technical definitions.

"Foot-candle" means a unit equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

"Foot-lambert" means a unit of luminance equal to the luminance of a surface emitting a luminous flux of one lumen per square foot.

"Lux" means unit of illumination equivalent to nine hundred twenty-nine thousandths foot-candle and equal to the illumination produced by luminous flux of one lumen falling perpendicularly on a surface one meter square.

"Lumen" means the unit of luminous flux equal to the luminous flux emitted in a unit solid angle by a point source of one candle intensity.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.32.030 Standards.

The following standards apply to all commercial and multi family development unless otherwise noted. For the illumination levels described below, conformance shall be determined with the measuring instrument located approximately five feet above the walking surface. Measurements shall be taken during the darkest portion of the night. Existing lighting fixtures, whether illuminated advertising signs, building-mounted lights, or streetlights, may contribute to the measured levels stipulated.

- (1) Provide a minimum illumination level of two foot-candles for all public pedestrian walkways. Building entries require four foot-candles or greater.
- (2) Provide a minimum illumination of one foot-candle throughout public and private parking areas. Parking lot light fixtures shall be of attractive and harmonious design for the area they serve and shall provide maximum illumination down while minimizing illumination up. They shall be high-pressure sodium or as approved by the county.
- (3) Direct lighting downward to the intended area to be lighted. All exterior lighting fixtures should incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting should be arranged so that the light is directed away from adjoining properties. Temporary high intensity construction lights should be oriented so that the bulb itself is not visible from the nearest property line.
- (4) Limit freestanding light fixtures to sixteen feet in height.
- (5) Vehicular roadway and highway lighting shall be subject to the county requirements.
- (6) Do not use mercury vapor light fixtures.
- (7) When using decorative miniature lighting strings, do not use bulbs larger than eleven watts each.
- (8) Consider light from buildings as an attractive component of streetscape lighting.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.33 SAFETY IN THE BELFAIR UGA

17.33.010 Purpose.

The purpose of this section is to:

- (1) To reduce criminal activity by providing natural surveillance opportunities onto public and semi-public spaces;
- (2) To ensure that a development's circulation system, parking areas, sidewalks, and open spaces contribute a perception of residential and controlled space where illegal activity will be observed and reported;
- (3) To encourage design measures that create a sense of individual territory and community responsibility by residents.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.33.020 Standards—Non-single residential development.

The following standards apply to all non-single family residential development:

- (1) Entries and pedestrian walkways shall be emphasized with lighting and landscaping so that occupants and guests can clearly see them;
- (2) Well-lit parking areas and walkways (at least two foot-candles evenly distributed on the ground) which allow users to identify faces at a reasonable distance and choose an appropriate route shall be provided. Avoid dead-ends or isolated places for pedestrian walkways.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.33.030 Standards—Multi-family residential development.

The following standards apply to all multi family residential development:

- (1) Multiple family residential development sites should be designed to assure that the following contribute to natural surveillance and provide for the personal safety for residents:
 - (A) Orientation of a building,
 - (B) Placement of windows and doors,
 - (C) Alignment of sidewalks and paths,
 - (D) Locations and levels of lighting,
 - (E) Design and size of open spaces;

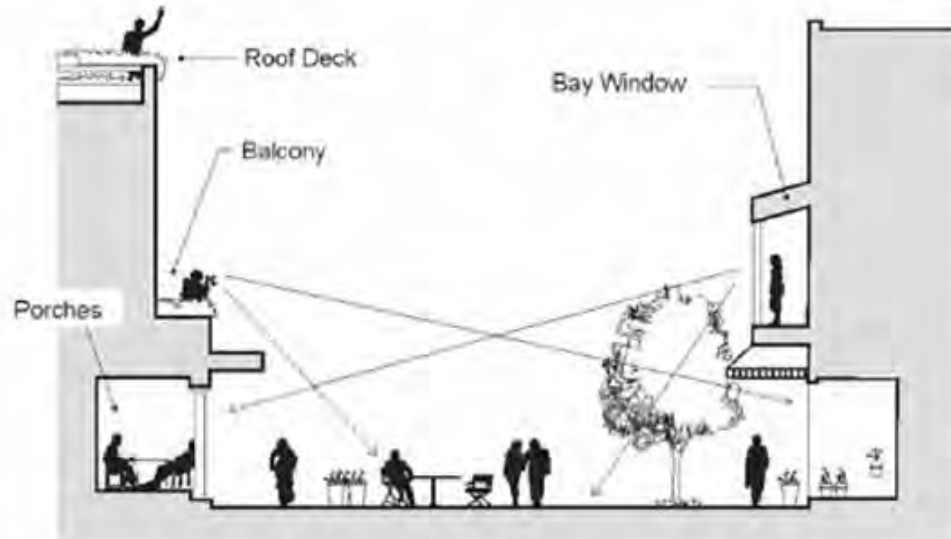


Figure 21. Design for safety by maximizing surveillance of common open spaces.

- (2) Buildings shall be arranged to allow visibility from dwelling units to open space areas, parking lots, and pedestrian walkways;
- (3) Entrances should be prominent and highly visible from other buildings and public areas;
 - (A) Open spaces should be located in central areas to maximize resident's access the space and improve its visibility from surrounding dwelling units,
 - (B) Windows, openings, and lighting should be included to provide visibility into common areas such as laundry rooms, mail kiosks, parking garages, exercise rooms, stair wells, and other parts of the site,
 - (C) Windows on the street front façade should be provided, where possible, to provide views of the street for security,
 - (D) Children's play areas must be centrally located, visible from dwelling units, and away from hazardous areas (garbage dumpsters, streets, parking areas, woods);
- (4) Attractive paved pedestrian walkways shall be provided, where applicable, for visible and convenient access between buildings, open space, public sidewalks, transit sites, and parking areas;
- (5) The visual and spatial transition between the living area of a residence and the street should be emphasized. This means providing a partial visual screen or space-defining element between the interior residential space and the public sidewalk.

Specifically:

 - (A) Raise the ground level dwelling windows or provide landscaping as a transition, particularly where setbacks are minimal;
 - (B) Avoid exterior access corridors next to dwelling windows on upper floors;
 - (C) Provide appropriate screening and buffering to create a physical separation between pedestrians on the sidewalk and the windows of a residential unit.

(Ord. 133-04 Att. B § 2 (part), 2004).

Chapter 17.34 SIGNS IN THE BELFAIR UGA

17.34.010 Signs in the Belfair UGA.

This chapter shall also be known as the "Belfair Sign Code."

(Ord. 133-04 Att. B § 2 (part), 2004).

17.34.020 Intent of sign regulations.

The intent of the sign regulations is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the number, size, design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; to preserve and improve the appearance of Belfair as a place in which to live and as an attraction to nonresidents who come to visit or trade; to encourage sound signing practices as an aid to business and for public information but to prevent excessive and confusing sign displays or signs that pose a hazard to the public.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.34.030 Application.

This chapter applies only to signs within the Belfair urban growth area.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.34.040 Exemptions to the sign regulations.

The following may be construed as signs, but are not intended to be regulated as signs in the development regulations:

- (1) The flag, emblem or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent;
- (2) Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices and signs erected by government agencies to implement public policy;
- (3) Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones;
- (4) Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses;
- (5) Decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday, or traditional community event such as annual festivals or parades;
- (6) Sculptures, fountains, murals, mosaics and design features which do not incorporate advertising or identification.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

17.34.050 Definitions.

The following definitions apply within this chapter:

"Accessory building or use" means any building or use which:

- (1) Is subordinated to, and serves a principal building or principal use;
- (2) Is subordinate in area, extent or purpose to the principal building or principal use served;
- (3) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- (4) Is located on the same lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.

Accessory uses include signs which are related to and support an on-site business or activity.

"Agricultural sales sign" means a temporary sign used to announce and/or direct the public to a sale of locally grown agricultural products.

"Animated sign" means any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere.

"Changing message center sign" means an electrically or electronically controlled sign where different automatic changing messages are shown on the same lamp blank.

"Commercial sign" means, for the purposes of sign regulations, a sign intended to attract attention, identify, advertise, and/or promote: a business; goods sold, offered, traded, or manufactured; a service sold or offered; or professional, commercial or industrial gainful activity.

"County" means Mason County, Washington.

"Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.

"Flashing sign" means any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source.

"Garage sale signs (yard sales, moving sales, patio sales)" mean temporary signs used to announce and/or direct the public to a sale of used items.

"Off-premises sign" means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

"On-premises sign" means any communication device, structure or fixture that is intended to aid in identification and to advertise and/or promote a business, service, activity, interest or view at the location on which the sign is located.

"Non-commercial sign" means, for the purposes of sign regulations, a sign intended for a purpose other than to attract attention, identify, advertise, and/or promote: a business; goods sold, offered, traded, or manufactured; a service sold or offered; or professional, commercial, or industrial gainful activity.

"Political sign" means a temporary sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.

"Real estate signs" mean any temporary sign pertaining to the sale, lease or rental of land or buildings.

"Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

"Sign" means any communication device, structure or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way. Signs as regulated in this chapter have been organized into a variety of types, such as commercial and non-commercial, which are regulated differently.

"Temporary sign" means those signs intended and designed to be displayed for a limited period of time and associated with a particular event or short term activity. Temporary signs may be of either a commercial or non-commercial nature.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

17.34.060 Sight distance for signs.

In addition to the setback requirements otherwise established, signs shall be located such that there is at every street intersection a clear view between heights of three feet and ten feet in a triangle formed by the corner and points on the curb thirty feet from the intersection or entryway.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.34.070 Prohibited signs.

The following signs or displays are prohibited in the Belfair Urban Growth Area:

- (1) Roof signs;
- (2) Animated or flashing signs, provided that changing message center signs may be allowed when the image and/or message remains fixed for at least five seconds and that the only animation or appearance of movement allowed is the transition from one message and/or image to another by the scrolling on and/or off of the message and/or image;
- (3) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device from the traffic intended to be served by the sign, signal or device;
- (4) Signs attached to utility poles;
- (5) Off-premises signs, except for the temporary signs allowed in Sections 17.34.080;
- (6) Pole-mounted signs;
- (7) Ground-mounted signs taller than ten feet in height;
- (8) Signs employing exposed electrical conduits;
- (9) Signs with visible ballast boxes or other equipment;

- (10) Signs with luminous plastic letters;
- (11) Audible or odor-producing signs;
- (12) Back-lit translucent awnings;
- (13) Cardboard signs, except for the temporary signs allowed in Section 17.34.080;
- (14) Back-lit signs with letters or graphics on a plastic sheet (also known as can signs);
- (15) Vinyl banners, except those related to a specific event and displayed prior to the event for no more than ten days.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

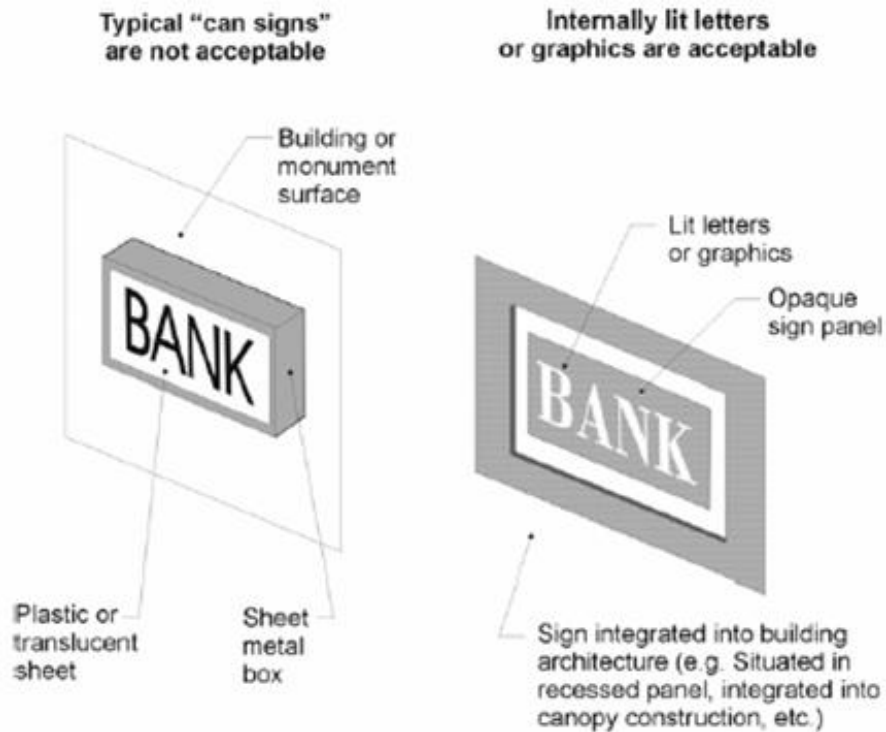


Figure 22. Can signs compared with permitted signs.

17.34.080 Temporary signs.

Temporary signs are those intended and designed to be displayed for a limited period of time and shall not be permanently attached or anchored to the ground, to a building, or any other structure. Temporary signs specified in 17.34.080.C, which are allowed in the right-of-way, are regulated pursuant to 17.03.202.C, 17.03.202.D., and state law.

- A. Signs displayed on a property actively marketed for sale, lease, or rent.
 - (1) Permitted Location: On property for sale, lease, or rent.
 - (2) Duration: No longer than ten days after the sale, lease, or rent of property has been finalized.

-
- (3) Off-Premise Signs: May be placed on private property with owner's consent.
 - B. Signs displayed on a property holding a temporary event.
 - (1) Permitted Location: On the property with which the temporary event is associated.
 - (2) Duration: no longer than ten days after the event.
 - (3) Off-Premise Signs: May be placed on private property with owner's consent.
 - C. Signs displayed during elections and campaigns.
 - (1) Permitted Location: May be placed on private property with owner's consent and in the public right of way as regulated pursuant to 17.03.202.C, 17.03.202.D., and state law.
 - (2) Duration: no longer than ten days after the final campaign or election.

(Ord. No. 36-18, 6-5-2018)

Editor's note(s)—Ord. No. 36-18, adopted June 5, 2018, repealed the former § 17.34.080, and enacted a new § 17.34.080 as set out herein. The former § 17.34.080 prohibited non-commercial signs and derived from Ord. 133-04 Att. B § 2 (part), adopted 2004.

17.34.090 Non-commercial signs.

Non-commercial signs may be placed upon private property with owner's consent.

(Ord. No. 36-18, 6-5-2018)

Editor's note(s)—Ord. No. 36-18, adopted June 5, 2018, repealed the former § 17.34.090, and enacted a new § 17.34.090 as set out herein. The former § 17.34.090 pertained to real estate signs and derived from Ord. 133-04 Att. B § 2 (part), adopted 2004.

17.34.100 Design guidelines.

The following guidelines apply to all signage for non-single family residential development:

- (1) Signage must be of high-quality design and materials;
- (2) Signage shall always complement a building's character and design (e.g., walls signs should avoid covering building columns);
- (3) Signs may be fabricated of mixed media, including metal reverse-illuminated letters, suspended neon letters, illuminate individual letters, or signs etched or cut out of solid material, such as wood or brass, and illuminated from behind;
- (4) Keep signs as simple as possible, relying on symbols to avoid needless clutter and complexity;
- (5) Use landscaping in conjunction with monument signs to enhance the appearance;
- (6) Light colored lettering and logos on a dark background is highly recommended for readability, sense of quality and design continuity;
- (7) Non-illuminated mixed-media, and other special mixed-media signs will be subject to approval by the county.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—Ord. No. 36-18, adopted June 5, 2018, repealed § 17.34.100, which pertained to non-commercial signs and derived from Ord. 133-04 Att. B § 2 (part), adopted 2004; § 17.34.110, which pertained to garage sale signs (also yard sales, moving sales, patio sales) and derived from Ord. 133-04 Att. B § 2 (part), adopted 2004; and § 17.34.120, which pertained to agricultural sale signs and derived from Ord. 133-04 Att. B § 2 (part), adopted 2004.

Said ordinance then renumbered §§ 17.34.130—17.34.180 as 17.34.100—17.34.150.



Figure 23. Appropriate sign location and size.

17.34.110 Permitted commercial monument sign standards.

- (a) Monument site entry signs may be located at major vehicular or pedestrian entries along the street front.
- (b) Only one monument sign is allowed per site. For large sites, more than one monument sign shall be permitted as long as such signs are placed no closer than one hundred fifty feet apart along the street front.
- (c) Monument signs size limits:
 - (1) Single tenant signs shall be no more than eight feet in height and thirty-two square feet in area per face (Two sign faces are allowed);
 - (2) Single tenant signs for retail uses larger than fifty thousand square feet in gross floor area shall be no more than ten feet in height and fifty square feet in area per face;
 - (3) Multi-tenant (more than three tenants) signs shall be no more than ten feet in height and forty square feet in area per face;
 - (4) Multi-tenant signs for commercial uses with more than fifty thousand square feet in gross floor area shall be no more than ten feet in height and fifty square feet in area per face;
 - (5) Monument signs for multi family developments shall be no more than five feet in height and twenty-eight square feet in total sign face area.



Figure 24. An example of a monument sign.

- (d) Signs shall be designed to integrate with adjacent site landscaping.
- (e) Monument signs shall be setback at least five feet from any public right-of-way.
- (f) Monument signs may be internally lit or illuminated from the front.
- (g) A thirty-foot lineal break in required tree coverage in landscaped front yard areas parallel to the street, where applicable, is permitted adjacent to monument signs to enhance visibility. Other landscape elements such as shrubs and ground cover will still apply.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—See editor's note for § 17.34.100.

17.34.120 Permitted commercial building sign standards.

- (a) Building signs are those signs mounted directly on the face of a building and include signs to identify the building or facility or individual tenants or businesses. Building signs should be designed and located to fit with the buildings architecture. For example, building signs might fit within a recessed panel or on a building element such as a fascia or canopy. Building signs should not cover over an architectural element such as a window or portion of a buildings ornamentation or trim.
- (b) Buildings signs should fit parallel or perpendicular with the building façade. The supporting mechanisms or arms of new building signs should not be visible. Perpendicular signs should not extend more than four feet from the building façade.
- (c) The maximum surface area of building mounted signs for a given façade is twenty-five square feet plus ten percent of the area of the building's main façade. The sign(s) may be located on any façade, but the signs on all façades count toward maximum surface area.
- (d) The lettering and logos of building signs may be internally-lit but the background of the sign face shall not be internally illuminated. Building signs may be illuminated from the front.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—See editor's note for § 17.34.100.

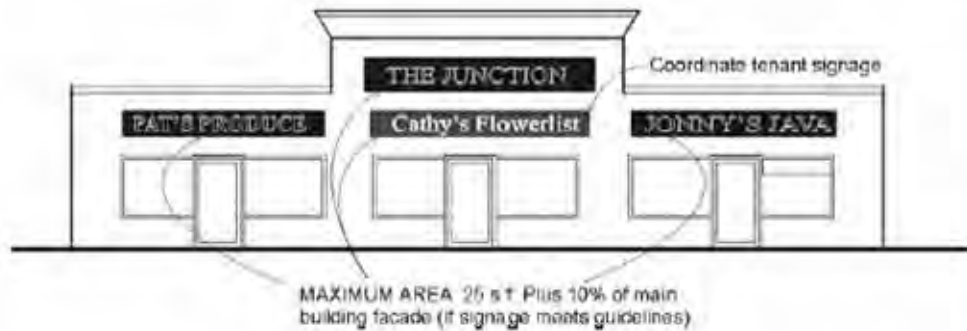


Figure 25. Maximum size of building signs.

17.34.130 Permitted commercial tenant sign standards.

Miscellaneous tenant signs including those hung from building canopies (blade signs), temporary ground placed A-Board signs, and window signs are allowed provided they do not exceed twelve square feet and provided they are within ten feet of the individual or multiple tenant building entrance.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—See editor's note for § 17.34.100.

17.34.140 Permitted commercial neon sign standards.

Neon signs in windows are permitted.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—See editor's note for § 17.34.100.

17.34.150 Non-conforming commercial signs.

- (a) Signs which are legally established prior to the effective date of this chapter, December 28, 2004, may continue for a period of ten years, provided that, if a non-conforming sign is changed or moved, it must be brought into conformance with this chapter at that time. Notwithstanding the previous sentence, sandwich boards or A-frame boards, which are legally established prior to the effective date of this chapter, may continue for a period of ninety days, provided that after that time:
 - (1) The sign shall be removed or brought in to conformance, and
 - (2) Prior to any enforcement action, the county shall attempt to notify the property and/or business owner of the non-conformity.
- (b) If this chapter is amended so as to create new non-conforming signs from signs which were in conformance with this chapter, those signs may continue for a period of ten years from the date of the amendment that made them non-conforming, provided that, if a non-conforming sign is changed or moved, it must be brought into conformance with this chapter at that time.
- (c) Parcels affected by roadway construction identified in the Belfair subarea plan may be granted an extension of six months past project completion to bring non-conforming signs into conformance.

(Ord. 133-04 Att. B § 2 (part), 2004; Ord. No. 36-18, 6-5-2018).

Editor's note(s)—See editor's note for § 17.34.100.



Figure 26. Example of a sandwich board or A-frame board.

17.34.160 Severability.

This title shall be governed by the laws of the State of Washington. In the event that any portion or section of this title be declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the title shall not be affected and shall remain in full force and effect.

(Ord. No. 36-18, 6-5-2018).

17.34.170 Enforcement.

County officials shall have the authority to remove signs when not placed in accordance with this section.

(Ord. No. 36-18, 6-5-2018).

Chapter 17.35 NEIGHBORHOOD DESIGN IN THE BELFAIR UGA

17.35.010 Purpose.

The purpose of this section is to:

- (1) Enhance pedestrian and vehicular connectivity between residential areas and to surrounding uses and amenities;
- (2) Provide safe and attractive streets for residents;
- (3) Create cohesive neighborhoods designed around centralized park or open spaces;
- (4) Create walkable neighborhoods;
- (5) Create community open space amenities which lend identity to a neighborhood and are used by its residents in many ways;

-
- (6) Create a system of parks that are accessible and interconnected, providing a greater amenity to the community;
 - (7) Retain sensitive natural areas and other unique natural features as community open space.

(Ord. 133-04 Att. B § 2 (part), 2004).

17.35.020 Standards.

The following standards apply to all residential subdivisions and development unless otherwise noted:

- (1) Reserved.
- (2) Single family and driveway design. The following standards apply to new developments with more than four lots;
 - (A) Design driveways with minimum amounts of impervious surface and minimum presence on the street to retain green-space and reduce surface water runoff. Driveways must meet the following standards:
 - (i) Driveways and vehicle circulation pavements shall be the minimum size, necessary to accommodate vehicle storage and circulation. The county may require that pavement dimensions be modified to reduce impervious surface. Applicants are encouraged to use pervious materials, where feasible, such as split pavements with lawns or unit pavers in the center of the driveway,
 - (B) Design homes that minimize the impact of garages on the street and enhance the sense of neighborhood. Specifically:
 - (i) All homes should include a porch or covered entry facing the street,
 - (ii) Garages visible from the street shall be setback at least five feet further than the front wall of the house facing the street;
- (3) Street Network. The following standards apply to new developments with more than four lots:
 - (A) The street pattern for new residential development shall emphasize a connected network of streets rather than long irregular loops with dead-ends and cul-de-sacs. Such a network will provide better traffic flows, orientation, and shorter trips through the neighborhood. Intersections should occur at no more than four hundred foot intervals;
 - (B) The street pattern should be adjusted for existing topography and other natural features, while maintaining interconnections and function;
 - (C) Streets should interconnect neighborhoods;
 - (D) Allow for future connections where topography permits a street to be extended in the future;
 - (E) Consider alleys in the design of a street system—which have proven useful in reducing on-street parking pressure and pedestrian/driveway conflicts. Alleys are also the most appropriate location for utilities and other service facilities. Alleys also enhance the appearance of the street since garages will be located at the rear of homes;
- (4) Street Design. The following standards are consistent with the American Association of State Highway Transportation Officials (AASHTO) Green Book and apply to all public streets in residential areas with traffic volumes less than four thousand average daily traffic and speeds less than thirty mph:
 - (A) Residential streets shall be designed per Table 4;

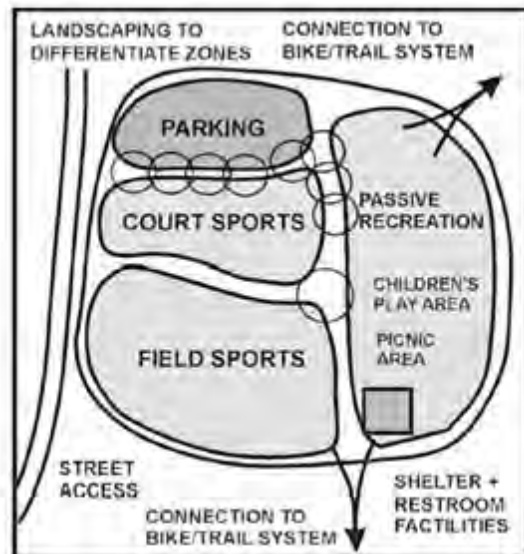
Table 4

Residential street design standards

	LOCAL NEIGHBORHOOD STREETS		
Classification	Primary Collector	Secondary or Sub-Collector	Access Street
Characteristics	Principal collector within residential areas. Conveys traffic from arterials to lower order streets. Collectors are often key streets for bicycle access.	Conveys traffic from collectors to access streets.	Carries very little or no through traffic.
Usual Average Daily Traffic	1,000-3,000	400-1,000	0-400
Lane Configuration	At least two 12' lanes and two 5' shoulders. 8' parking lanes and/or 5' bicycle lanes are desireable desirable.	Two 11' travel lanes (accommodating two lanes of traffic) and two 4' shoulders. 8' parking lanes; or two 10' travel lanes and one 8' parking lane are desireable desirable.	Two 11' travel lanes (accommodating two lanes of traffic) and two 2' shoulders. 6' or 7' parking lanes or shoulders are desireable desirable. May go to 10' lanes.
Curb to Curb Width	34'	30'	24'-26'
Recommend R.O.W. Including Sidewalks on Both Sides	60'	50'	40'
Level Design Speed	30 mph	20 mph	20 mph
Range of Desirable Centerline Curb Radius	300'-500'	150'-300'	100'-150'
Sidewalks or Separated Paths	5' sidewalk on at least side	5' on at least one side	5' on at least one side

- (B) The county may approve an alternative street design where the applicant can demonstrate that such alternative design achieves the following:
 - (i) Enhances safety for pedestrians and vehicles,
 - (ii) Provides durable construction but reduces environmental impacts (i.e., less impervious surface),
 - (iii) Street design is appropriate for site given existing topography and vegetation,
 - (iv) Street design is consistent with the purpose of this section and is sufficient to accommodate the projected traffic;
- (5) Sidewalks and Trails. The following standards apply to all new residential development with more than four lots unless otherwise noted:

- (A) New development should be integrated with, and expand Belfair's system of community-wide trails (see Figure 6);
 - (B) Sidewalks or pathways should be provided along public streets per Table 4 above;
 - (C) The paving surface on all pedestrian paths should be appropriate to their use:
 - (i) Concrete for sidewalks,
 - (ii) Seamless materials like asphalt for bike/skating trails,
 - (iii) Crushed gravel for nature trails,
 - (iv) The county will consider alternative materials where the applicant can demonstrate that the material is appropriate for the projected use, durable, and easily maintainable;
 - (D) All multi-lot developments over twenty acres should provide bicycle pathways or routes—especially if they connect with the planned community wide trail system;
- (6) Parks and Open Space. The following guidelines apply to all residential subdivisions with more than twenty-five lots and all multi-family development unless otherwise noted:
- (A) A variety of public recreation spaces shall be provided in residential subdivisions. The minimum recreation area required is 350 square feet per unit or lot. The recreation spaces should be evenly distributed where possible throughout the subdivision as follows:
 - (i) Pocket parks or squares. These active recreation areas should be a minimum of five thousand square feet in size and should incorporate a children's play area, landscaping, and seating at a minimum. At least one side of the park perimeter shall front on a street to be visible and accessible from the street making them safer places.
 - (ii) Passive recreation areas. Passive recreation areas such as pathways and trails, seating areas and viewing areas are encouraged. No more than fifty percent of the total recreation area can be passive recreation.



- (iv) The county will consider alternate means of providing parks and recreation as long as they meet the intent of the standards:

- a. Providing off-site facilities for smaller developments,
- b. Contributing to county park and recreation funds,
- c. Setting aside land for future park development;
- (A) The county may require retention of existing natural features such as high points, ponds, wetlands, or streams as community open space. Concentrate development on the land of least natural value. Preserve existing natural landmarks such as significant trees to the extent possible. Incorporate passive recreational features such as footpaths into natural areas, except where access conflicts with important habitat resources.

(Ord. 133-04 Att. B § 2 (part), 2004).

(Ord. No. 23-19, Att. A, 3-19-2019)

