

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS
Mason County Commission Chambers, 411 North 5th Street, Shelton, WA
March 7, 2017

1. Call to Order – The Chairperson called the regular meeting to order at 9:03
2. Pledge of Allegiance – Julie Nichols led the flag salute.
3. Roll Call – Present: Commissioner District 1 - Randy Neatherlin; Commissioner District 2 – Kevin Shuty; Commissioner District 3 – Terri Jeffreys.
4. Correspondence and Organizational Business
 - 4.1 Correspondence
 - 4.1.1 PUD #3 submitted a LED street light partnership opportunity to Mason County.
 - 4.1.2 The Timberland Regional Library (TRL) Director requests a letter of confirmation from Mason County on the recent appointment by Thurston County of Joseph F. Wheeler to the TRL for a term which runs December 2016-December 2023.
 - 4.1.3 110 Concerned citizens sent correspondence asking for investigation of the management of Timberlakes Community Club, Inc.
 - 4.1.4 Jason Bailey sent in an application for the Planning Advisory Commission.
 - 4.1.5 Ron Gold sent in an application for the Planning Advisory Commission.
 - 4.1.6 The Liquor and Cannabis Board sent a liquor license application for Alderbrook Resort and Spa, 10 East Alderbrook Drive, Union.
 - 4.2 Timberland Regional Library Report – Cheryl Heywood discussed programs, classes and other available opportunities through the library. Cmmr. Shuty thanked Ms. Heywood and asked how people can learn more. She said going into any Timberland library or visiting their website <http://www.trl.org> will connect you with more information and programs.
 - 4.3 News Release- Lewis-Mason-Thurston area agency on aging advisory council
Staff: Terri Jeffreys
 - 4.4 Public Works bid award information
Melissa Mcfadden announced that the Chip seal aggregate bid was awarded to Alan Shearer Trucking and Landscaping Supply, INC. The bid for Emulsion was awarded to Albina Asphalt in Vancouver WA. Melissa said that bid tabulations can be viewed at <http://bxwa.com/>
5. Open Forum for Citizen Input –

Tom Davis talked about funding for treatment courts. He addressed grants and said they should be perused to assist with the costs needed to prevent Veterans from spending unnecessary time in jail.

Ross Gallagher spoke to the News Release for the Lewis-Mason-Thurston area agency on aging advisory council. He described work done by the council and stated that this is a County wide board that needs members from all parts of the County.

Randy Lewis spoke about Native American names on landmarks. He asked that Mason County be changed back to its original name, Sawamish County.

Randy Okert discussed herbicides being sprayed in the county. He discussed the damaging effects of pesticides, noting that spraying on the side of the road puts people and pets in danger.
6. Adoption of Agenda - **Cmmr. Neatherlin/Jeffreys moved and seconded to adopt the agenda as published. Motion carried unanimously. N-aye; S-aye; J-aye.**

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7. Approval of Minutes – February 13, 2017 Briefing minutes; February 21, 2017 & February 28, 2017 Regular meeting minutes.

Cmmr. Jeffreys/Neatherlin moved and seconded to approve. Motion carried unanimously. N-aye; S-aye; J-aye.

8. Approval of Action Agenda:

8.1 Approval of contract ID2016-2017MM between Mason County and Mason Matters

8.2 Approval of Warrants

Claims Clearing Fund Warrant #s	8046578-8046824	\$ 1,060,998.94
Direct Deposit Fund Warrant #s	38676-39061	\$ 671,941.79
Salary Clearing Fund Warrant #s	7002577-7002607	\$ 487,611.93
Total		\$ 2,220,552.66

8.3 Approval of the letter of support to South Sound YMCA regarding the feasibility of a South Mason County YMCA facility.

8.4 Approval of two Winter 2017 Heritage Grant applications for the North Bay Historical Society and the Pickering Community Club totaling \$6,000.

8.5 Approval to schedule a hearing on Tuesday, March 28, 2017 at 6:30 P.M. to inform the public and receive comment about the availability of funds and eligible uses of the 2017 Public Services Community Development Block Grant.

8.6 Approval to concur with Thurston County's appointment of Joseph Wheeler to the Timberland Regional Library Board of Trustees for a term ending December 31, 2023.

8.7 Approval to have the chair sign 8 permits which allow the City of Shelton access to County owned sites in order to make improvements for the Public Works Basin 3 Inflow and Infiltration project.

8.8 Approval of \$5,000.00 from Trial Court Improvement funds to use on additional equipment alongside the new Superior Court Case Management System.

8.9 Approval of contract between the Mason County Sheriff's office and Health Delivery Inc. This contract will be an annual increase of \$160,000. The additional funds will be shifted from within the allotted 2017 Sheriff's office budget with no impact to the General Fund.

8.10 Approval of Veterans Assistance Fund application(s) for: Necessity Items \$150.00; Utilities \$1,563.76; and Housing \$2,600.00 for a total of \$4,313.76.

8.11 Approval of Amendment No. 1 with Correct Equipment INC. adding potential grinder pump equipment costs to the contract for maintenance services of grinder pumps used at the North Bay and Belfair Sewer Systems.

8.12 Approval to have the Chair sign the Commerce and Industry Insurance Company storage tank Third Party Liability Tank Guard Renewal Warranty Acknowledgement Form to bind coverage effective April 21, 2017-April 21, 2018. This policy provides coverage for the county's fuel storage tank systems.

8.13 Approval of the amended State Homeland Security Program FY-15 grant, contract #E16-221 A and approval to allow the Emergency Management Manager to sign the contract for Mason County to extend the closing day and purchase items for projects 3 and 4.

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Julie Nichols spoke on behalf of the Shelton Health and Recreation Center (SHARC). She talked about a full service recreation center in Shelton for all ages. The south sound YMCA in Olympia has asked for a Capital Study to gain more insight on the possibility of a center in Shelton.

Cmmr. Jeffreys said the possibility of a recreation center in Shelton is encouraging and gave well wishes to the board working towards this goal. Cmmr. Shutty said this would be a great step in building community and health in the County.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve action items 8.1 through 8.13 as presented. Motion carried unanimously. N-aye; S-aye; J-aye.

9 Other Business (Department Heads and Elected Officials)-None

10 9:30 a.m. Public Hearings and Items set for a certain time –

10.1 Public Hearing to receive public comment on the Private Line Occupancy Permit for the transport line under and along property located at 8041 North Shore Rd., Parcel No. 22217-21-00050.

Staff: Melissa McFadden/Loretta Swanson

Loretta Swanson said the purpose of the permit is to allow the owners to place an onsite septic across the road and explained the permitting process.

Mike Griffin voiced concern with the fact that a sewer line would be next to water and alongside a bank that is not always stable. Mike spoke to slides in the area saying those who live there do not want to see a septic tank in the water if there is a slide. Mr. Griffin said they were not properly notified of the project. He said that if this project moves forward, the contractor should be responsible for any damages instead of the HOA.

Robert Cousins for Capital Financial spoke and said that concerns have been looked into and it is a sound area. An unknown gentleman in the audience asked Mr. Cousins about geological surveys. Mr. Cousins advised that copies of his plans are available to view as they are going through the Mason County Planning and Health department.

Cmmr. Jeffreys asked Public Works staff why the line needs to go under the road, and if accidents are commonplace. Staff answered that going under the road is the only option to connect and during the work, the water line will be exposed so it is visible at all times to reduce chance of hitting it.

Cmmr. Neatherlin asked if a policy is in place to notify neighbors when working on a line. Loretta noted that they do their best to contact people, but much of the contact information they have is old so sometimes people are missed.

Cmmr. Jeffreys said she would be in favor of approval. Cmmr. Neatherlin agreed.

Cmmr. Jeffreys/Neatherlin moved and seconded to approve the Private Line Occupancy located along property located at 8041 North Shore Rd., Parcel No. 22217-21-00050. Motion carried unanimously. N-aye; S-aye; J-aye.

10.2 Public Hearing to receive public comment on the Private Line Occupancy Permit for the 3 abandoned power poles and the underground conduit along Cove Drive that abuts Parcel

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No. 22021-50-00040, 351 E. Benson Loop Road.
Staff: Melissa McFadden/Loretta Swanson

Loretta Swanson explained June Hove would like to use the abandoned power poles for lighting in the right of way near her property.

Cmmr. Jeffreys thanked Ms. Hove because the light will be welcome along the dark road.

No public comment.

Cmmr. Neatherlin/Jeffreys moved and seconded to approve the Private Line Occupancy Permit for the 3 abandoned power poles and the underground conduit along Cove Drive that abuts Parcel No. 22021-50-00040, 351 E. Benson Loop Road. Motion carried unanimously. N-aye; S-aye; J-aye.

- 10.3 Public Hearing to amend Mason County Code 17.70 Master Development Plans (MDP). The amendments will eliminate potentially confusing and conflicting code language related to treatment of open space and density bonuses. The requested changes will also clarify appropriate uses within MDP developments including the potential for attached residential units and for commercial uses that serve the MDP and nearby areas. (Ex. A)
Staff: Dave Windom

Dave Windom explained what Master Development Plans are and how they are used. He noted that the proposed changes affect open space and is mostly clarification language.

Cmmr. Shutty asked if the PAC held public hearings on these changes. Dave said yes.

Patricia Vandehey said the report was confusing and voiced concern. Ms. Vandehey read through and questioned various sections within the report, RCW's, and letters from Green Diamond.

Mike Pruett from Green Diamond spoke to some concerns voiced by Ms. Vandehey, and discussed reasoning for the proposed changes.

Cmmr. Jeffreys said this code needs to be updated to be useable. She thanked Green Diamond for coming forward to assist with this first step and said she is supportive of all of the changes. Cmmr. Neatherlin and Cmmr. Shutty also praised the changes and agreed this is an important step forward for future growth and development.

Tim Whitehead noted that if approved, it goes to commerce for review.

Cmmr. Jeffreys/Neatherlin moved and seconded to adopt an ordinance to amend Mason County Code Title 17, zoning, chapter 17.70 Master Development Plans, section 17.70.011 Eligibility, section 17.70.012 Limitations, and section 17.70.015 Submittal and Review requirements and Chapter 17.06 section 17.06.010 Definitions. Motion carried unanimously. N-aye; S-aye; J-aye.

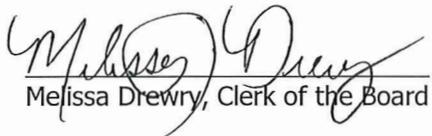
11. Board's Reports and Calendar - The Commissioners reported on meetings attended the past week and announced their upcoming weekly meetings.

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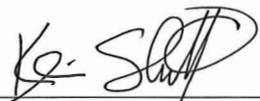
Cmmr. Jeffreys discussed the concerns from Tom Davis about funding for treatment courts. She asked if the Commission would be interested showing their support. Cmmr. Shutty said it would be a good conversation to have with the criminal justice group such as the prosecutor, law enforcement, the courts and other leaders in the community.

12.Adjournment – The meeting adjourned at 10:46

ATTEST:


Melissa Drewry, Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Kevin Shutty, Chair


Terri Jeffreys, Commissioner


Randy Neatherlin, Commissioner

ORDINANCE NUMBER 09-17

TITLE 17 - ZONING

AMENDMENTS TO CHAPTER 17.70, MASTER DEVELOPMENT PLANS, SECTION 17.70.011 ELIGIBILITY, SECTION 17.70.012 LIMITATIONS, AND SECTION 17.70.015 SUBMITTAL AND REVIEW REQUIREMENTS, AND CHAPTER 17.06, SECTION 17.06.010 DEFINITIONS

ORDINANCE amending Title 17, Zoning, Chapter 17.70, Master Development Plans, Section 17.70.011, Eligibility, Section 17.70.012 Limitations, and Section 17.70.015 Submittal and Review Requirements, and Chapter 17.06, Section 17.06.010 Definitions.

WHEREAS, amendments to Title 17 of the Mason County Code fall under the authority of Chapter 36.70 and 36.70A RCW; and

WHEREAS, Mason County adopted Master Development Plan regulations in 2006 to help foster economic development, concentrate residential growth in urban areas, and discourage suburban sprawl in rural areas of Mason County; and

WHEREAS, these regulations were intended to result in public benefits by promoting projects that incorporate innovative, quality design, provide additional or enhanced development standards for open space preservation, and require project development to integrate include low impact development standards; and

WHEREAS, since its adoption, the County has processed no applications under these regulations; and

WHEREAS, a recent inquiry in establishing a future Master Development Plan in Mason County has invoked new interest and with that proposed changes for a more feasible and streamlined application process; and

WHEREAS, this Ordinance amends Chapter 17.70, Sections 17.70.011, .012 and .015 to remove and amend conflicting and confusing language from the Master Development Plan process; and

WHEREAS, this Ordinance amends Chapter 17.06, Section 17.06.010 to provide a definition for "cottage housing" as it is described in Chapter 17.70; and

WHEREAS, the Mason County Planning Advisory Commission conducted a public hearing on November 21, 2016 and recommended adoption of amendments by the Board of County Commissioners; and

NOW THEREFORE, BE IT HEREBY ORDAINED that the Board of Commissioners of Mason County hereby amends the Mason County Code Title 17, Zoning, Chapter 17.70, Master Development Plans, Section 17.70.011, Eligibility, Section 17.70.012 Limitations, and Section 17.70.015 Submittal and Review Requirements and Chapter 17.06, Section 17.06.010 Definitions. (See Attachment A)

DATED this 7th day of March 2017^{mo}.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Melissa Drewry, Clerk of the Board


Kevin Shutty, Chair


Terri Jeffreys, Commissioner

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA


Randy Neatherlin, Commissioner

ATTACHMENT A

TITLE 17 – ZONING

CHAPTER 17.70 – **MASTER DEVELOPMENT PLANS**
SECTION 17.70.011 – ELIGIBILITY, SECTION 17.70.012 – LIMITATIONS, AND
SECTION 17.70.015 – SUBMITTAL AND REVIEW REQUIREMENTS

Chapter 17.70 - MASTER DEVELOPMENT PLANS

Sections:

17.70.011 - Eligibility.

The MDP process may be initiated when the following criteria are met:

- (1) Applicant. The master development plan application must include notarized signatures of all current property owners listed on the title report consenting in writing to the proposed master development plan and review process. If the property owner is a corporation, trust, or other holding legal interests in the land the authorized representative must attach proof of signing authority on behalf of the corporation, trust, etc.
- (2) Minimum Size.
 - (A) To be eligible for consideration as an MDP in an urban growth area, the area shall contain a minimum of forty (40) acres.
 - (B) To be eligible for consideration as an MDP in an area not within an urban growth area, the area shall contain a minimum of two hundred fifty (250) acres.
- (3) Contiguous Parcels. To be eligible for consideration as an MDP, the tract shall consist of a parcel or set of contiguous parcels under single ownership or control of one person or entity with the authority to develop the land within the proposed MDP. Contiguous parcels include parcels that are separated by right-of-way, such as roads.
- (4) Zoning Classification. Land proposed for an MDP may not be located in designated resource lands.
- (5) Fully Contained Community (FCC). Any proposed FCC shall include an application for an MDP.

17.70.012 - Limitations.

The regulations of the underlying land use district remain in place and other provisions of the county's code and development regulations shall apply unless specifically modified as allowed for in this chapter.

- (1) Codes and Regulations that May Be Modified.

- (A) In approving an MDP, the county may modify any of the development standards associated with lot size, width, depth, yard setbacks, landscaping, building height, Floor Area Ratio (FAR) limits for non-residential development, road standards, and parking, except as listed in subsection (2) of this section. All modifications shall be considered simultaneously as part of the master development plan review.
 - (B) In approving an MDP in rural areas, the county may modify use standards to authorize attached residential housing and also commercial uses, including restaurants, retail sale of goods, and services, that are appropriate in scale to serve the MPD and the zoned density of residential communities in the immediate area or that share a common natural feature with the MPD, such as a lake. The MDP may designate an area not to exceed one acre for temporary commercial uses, including, but not limited to food trucks or seasonal outdoor markets.
 - (C) The applicant may request additional modifications from the requirements of MCC Title 17, Zoning, except those listed in subsection (2) of this section. Approval for modifications other than those specifically described in subsection (1)(A) of this section shall be approved as allowed for in the code, prior to or concurrently with the submittal of the MDP application.
- (2) Codes and Regulations that May Not Be Modified.
- (A) Permitted Uses. Except as authorized in subsection 17.70.012(1)(B), an MDP may not authorize uses that are inconsistent with those allowed by the underlying zoning district(s), or other location restriction in the Mason County development regulations.
 - (B) Development Density. The maximum density of a project is the sum of the maximum densities of the underlying parcels at the time of the MDP application, as determined pursuant to the provisions of Section 17.70.015(b)(2)(C), Bonus Density. For parcels within the Mixed Use (MU) zoning district of the Belfair urban growth area and the Village Commercial (VC) zoning district of the Allyn urban growth area, the MDP shall include a residential density ranging from three to fifteen units per acre for these portions of the proposed development.
 - (C) Master Development Plan Regulations. The applicant may not request modifications of the provisions of this chapter.
 - (D) Environmental Regulations. The applicant may not request to modify any provisions of the critical area regulations and/or shoreline master program (SMP) regulations, except such modifications as may be allowed by the application of criteria for exemptions, conditional use or variance applications contained in the critical area and/or SMP regulations. The applicant may request that the application for the MDP and applications for critical area or SMP exemptions, conditional use, or variance be reviewed consistent with

RCW 36.70B and MCC Section 15.05.010(A), which allows for the integrated review of development permits and the environmental review process to avoid duplication of the review processes.

- (E) Health Department Regulations. All development within an MDP shall be required to comply with Mason County health department regulations.
- (3) County Responsibility.
- (A) The county is not obligated to provide public improvements affecting the implementation of the MDP if public funds are not available.
 - (B) The county is not required to approve development of any phase described in the MDP if such approval violates applicable federal or state laws or administrative rules.
 - (C) Approval of the MDP shall ensure the applicant the right to proceed with development in substantial conformity with the MDP, subject to changes as may be approved pursuant to Section 17.70.022. Changes to ordinances, policies, and standards adopted after the date of recording the approved MDP shall not apply to the development, unless preempted by state or federal laws, or if determined necessary by the county for protection of public health and safety. The county reserves the right to address a serious threat to public health or safety.

17.70.015 - Submittal and review requirements.

- (a) Initial Submittal Requirements. An MDP shall be prepared in a clear and legible manner necessary to demonstrate that the requirements of this code are being fulfilled and shall include but not be limited to the following:
 - (1) Plans and Maps. All maps or plans submitted shall be presented on a sheet having a maximum size of twenty-four by thirty-six inches. All maps shall include the name of the proposal; north arrow; scale; date map was prepared and revisions when applicable; a vicinity map; and the name, address, and phone number of the applicant. If plans are presented on more than one sheet, match lines shall clearly indicate where the several sheets join. One eleven by seventeen-inch reduction of all plans and supporting graphics shall also be submitted. A plan or portion thereof involving engineering, architecture, landscape architecture, or land surveying shall be respectively certified by an engineer, architect, landscape architect, or land surveyor licensed by the state of Washington to practice as such. The sheet size and scale of any plan may be modified by the director, based on the nature and/or size of the application. In addition, the submission requirements for any modifications to an approved MDP shall be those requirements deemed necessary for a review of such modification, as determined by the director.
 - (2) Title report (issued no more than thirty days prior to formal application) for all land located within the boundaries of the proposed MDP. The title report shall show all persons having an ownership interest in the property included in the MDP and a

legal description that describes the exterior boundary of the MDP and lists all encumbrances affecting land within the MDP.

- (3) A statement that confirms the ownership or control of the land within the boundaries of the proposed MDP and the nature of the applicant's interest in the same and the owners. If the development area has multiple owners, then all owners of record shall have consented in writing to the MDP review process.
- (4) Projected population and analysis of anticipated impact of the development upon existing utilities and community facilities and services including but not limited to water, electricity, sewer and solid waste disposal, schools, parks, open space, trails, and police and fire protection. The analysis shall include how and when these impacts are being addressed by the MDP.
- (5) Report assessing adequacy of water supply to serve the proposed development.
- (6) A traffic impact report, including projected trip generation for the entire development and by phase. If needed a traffic impact mitigation plan for the entire development and by phase.
- (7) Vicinity map showing boundaries of the proposed MDP, existing zoning, and comprehensive plan land use designation for the development area and surrounding properties.
- (8) A title-verified survey of record depicting the legal boundaries of the subject property. All easements and other encumbrances listed in the title report shall be shown and labeled with the applicable recording number referenced in the title report.
- (9) Existing conditions and topography map (with a maximum contour interval of five feet) and narrative depicting present uses of the land, existing structures, roads, watercourses, significant vegetation, critical areas, wells, and other relevant natural and man-made features. On sites containing or abutting lakes or shorelines, the ordinary high water mark (OHWM) shall be shown.
- (10) MDP based on a recorded survey, showing the proposed location and type of all land uses (this may include the layout of lots, tracts, rights-of-way, and easements), approximate acreage and approximate number of units or square footage of uses, adjacent property uses, and other relevant features. All easements and other encumbrances listed in the title report shall be shown and labeled with the applicable recording number referenced in the title report. Any easement proposed to be extinguished shall be clearly identified on the MDP.
- (11) Separate but related public facilities plans showing: 1) existing and proposed streets, bicyclist and pedestrian ways, and transit locations. 2) utilities, sewer, natural and piped storm drainage systems, water service. Designation of responsibility for providing infrastructure and services shall be shown on the face of the plans. Conceptual plans shall address accessibility, circulation, and transportation impacts and needs. All related maps shall be of the same scale.

- (12) Conceptual grading and erosion control plans and provisions for restoration.
- (13) Preliminary design level maps and narrative showing off-site public improvements necessary to serve the proposed development and/or to mitigate impacts to adjacent property or public facilities. Where off-site or other infrastructure improvements are required, the applicant shall specify the timing and method of securing the improvements, including bond, letter of credit, or other security satisfactory for construction of said improvement.
- (14) A conceptual common open space management plan. For MDPs outside of UGAs, the common open space management plan shall identify recreation areas and conservation areas, including areas open to general public and/or limited to MDP residents.
- (15) A conceptual tree and vegetation retention and replanting plan.
- (16) A conceptual plan for water systems, sanitary sewer, stormwater management, flow control, and water quality treatment.
- (17) A conceptual mitigation plan (such as wetland compensation).
- (18) The director may require additional information necessary to evaluate the proposed development including but not limited to geology, soils, stormwater, and sewer.

SUPPLEMENTAL APPLICATION REQUIREMENTS

MDP Handbook. The MDP shall be accompanied by a written report/handbook to be approved as part of the MDP addressing design guidelines and development standards demonstrating integration of low-impact development techniques, trails, open space, critical area protection, common areas, architectural design, building height, setbacks, lot coverage, construction materials, landscaping, screening, and buffering. The Handbook may incorporate information listed above, but at a minimum shall include the following information, unless waived in advance through the preapplication process. The Handbook should be organized in the sequence listed below unless a different organization and/or format is agreed to by the County during the preapplication process:

- (19) Timeline and Phasing of Development. An overall schedule and description of phasing, and the development to occur in each phase. If phasing alternatives are contemplated, these alternatives shall be described. This information should be keyed to a concept map for easy reference.
- (20) Planned Uses and Functions Within the Boundaries of the MDP. Including the density or intensity of proposed uses and the maximum height and size of the proposed structures. This information shall be keyed to a supporting concept map for easy reference. A chart providing the following information shall include the following:
 - (A) Maximum number of dwelling units by type (e.g., single-family attached, single-family detached, cottage housing, duplex, townhouse);

- (B) Maximum total square feet of building floor area proposed for commercial or industrial uses by general type of use;
 - (C) Maximum total land area, expressed in acres or square feet and as a percent of the total development area, proposed to be devoted to residential, commercial, or industrial uses; minimum public and private open space; streets; and, off-street parking and loading areas. Land area and square feet may be expressed as a range (minimum and maximum ranges);
 - (D) Maximum total land area expressed in acres and as a percent of the total development area (and by phase), proposed to be in pervious and impervious surface.
- (21) Development standards that will be implemented in all phases of the MDP (e.g., architectural design; building height, location, [setbacks, yards and/or maximum lot coverage and orientation]; construction materials; common area development and maintenance; landscape programs including streetscapes and entry statements; and the incorporation of native plants in all landscaping, screening, and buffering). These standards should include the following:
- (A) Site planning standards (e.g., street image, setbacks, lot coverage, lot width, building orientation and placement, and parking location);
 - (B) Architectural standards for compatibility and context. These standards should allow new buildings within the MDP to achieve a measure of variety and individuality but at the same time include provisions on how new construction will be in-scale and in harmony with the existing and planned development and landscaping. Standards should address building height, volume and massing and roof shape. Standards should provide guidance on design elements (such as architectural detailing, building and roof material, eaves, fenestration (size, proportion and location of windows on a wall), building modulation, signage, lighting) that are of human scale to create variety, interest and texture on new buildings;
 - (C) Provisions for low impact development techniques throughout the MDP;
 - (D) Landscaping standards including streetscapes, entrances, perimeter, parking lots, open space, recreation areas, and methods of screening and buffering, where incompatible land use configurations necessitates protection for the proposed development or surrounding development;
 - (E) Provisions for the creation, use, and maintenance of open space, recreation areas, and preservation of scenic features of the land;
 - (F) Specifications on how amenities are to be provided (such as pedestrian and bicycle ways, trails, common and private open space, recreational facilities, street lighting, and landscaping), including how low-impact development techniques will be incorporated into these amenities, where these amenities shall be located, and the timing of their placement and development;

- (G) Pedestrian and nonmotorized circulation standards;
 - (H) Circulation and parking standards;
 - (I) Signage program, in conformance with underlying regulations;
 - (J) Miscellaneous. Including but not limited to provisions for the location and screening of trash and recycling enclosures, mailbox location(s), RV and boat storage, mechanical/electrical and storage areas, walls, recreation facilities, and other similar amenities.
- (22) Provide a conceptual plan that explains how roads, waste disposal, water supply, storm drainage, runoff control, fire protection, and utilities will be provided and the low impact development standards that will be implemented in their development, provide approximate timing and location. If applicable, indicate the closest sewer and community waterlines and their capacity to serve this development.
- (23) Circulation and Access Diagrams.
- (A) Access and connectivity to adjacent public lands and trails.
 - (B) Provisions for pedestrian, bicycle and if applicable equestrian circulation throughout the development and connectivity with surrounding properties.
- (24) Provide a preliminary soil / geotechnical report prepared by a professional licensed with Washington State to perform this type of analysis as necessary, including conclusions and recommendation regarding grading, foundation design, and seismic and other geological hazards on the property.
- (25) Conceptual grading and erosion control plan, including a stormwater report consistent with the county's adopted stormwater management ordinance.
- (26) Provisions for Water Supply. Provide a conceptual plan on how new development will be served by an adequate public or private water supply system. Indicate the timing of installation of required water system improvements.
- (27) Conceptual sewer report.
- (28) Fire prevention measures and emergency vehicle access.
- (29) Optional Elements.
- (A) Concept landscaping plan.
 - (B) Concept lighting plan.
 - (C) Project signage plan.
 - (D) Plans showing building orientation, massing, and footprints.
 - (E) Features unique to commercial and industrial sites if applicable, such as security measures, loading, and material storage.

(b) Review Criteria. MDPs must demonstrate compliance with the applicable goals and policies of the comprehensive plan and detail the source and adequacy of water, wastewater treatment, stormwater treatment, surface and groundwater protection, critical area protection, fire control, transportation, and mitigation on adjacent properties to compensate for direct impacts from noise, fugitive dust, odor, and runoff. Compliance with these review criteria shall entitle the applicant to a residential density bonus not to exceed the maximum residential density bonus allowed within the underlying zoning district. An applicant satisfies the conceptual plan requirements of this chapter if the plan demonstrates that the proposed concept is feasible. In most circumstances, detailed engineering studies are not required to demonstrate feasibility. The burden of proof is on the applicant to demonstrate the proposed MDP is consistent with the following criteria.

(1) Land Suitability.

(A) No land shall be developed that is held to be unsuitable for any proposed use or if identified as development not permitted in a critical area pursuant to MCC Chapter 8.52 (Mason County Resource Management). Areas identified as being critical areas include but are not limited to wetlands, aquifer recharge areas, frequently flooded areas, landslide hazard areas, seismic hazard areas, erosion hazard areas, and fish and wildlife habitat conservation areas.

(B) Critical areas should be located in a tract or other permanent designation that indicates the land is not available for development. In any MDP not located within an urban growth area, critical areas and any required buffer or vegetation area may be included as common open space in an MDP pursuant to subsection (b)(5)(B)(ii) of this section.

(2) Uses and Density.

(A) An MDP may only contain uses that are permitted in the zone(s) in which it is located.

(B) When an MDP is located in more than one zoning district, uses and density may shift between zoning districts within the boundaries of the MDP if that transfer does not:

(i) Exceed the maximum density of the zone; and

(ii) Transfer density from inside the urban area to outside the urban area.

(C) Bonus Density. The county board of commissioners may approve a bonus in the number of dwelling units allowed up to the maximum residential density allowed in the Mason County Code, based on the gross land area of the property, if:

(i) For Rural Areas. The applicant may request a bonus in the number of dwelling units permitted by the underlying land use district, up to the density permitted by a performance subdivision in rural areas (see Mason County Code Section 17.03.032(a), Chapter 16.21,). Notwithstanding any

other provision of Titles 16 and 17, the applicant may obtain such bonus density by means of approval of the MDP, and may subdivide consistently with such MDP by means of a standard subdivision, without approval of a performance subdivision.

- (ii) For Urban Areas. The applicant may request a density bonus of up to one unit/gross acre for each five percent increase in the total minimum required open space.
 - (iii) Bonus Decision Criteria. The county board of commissioners may approve a bonus in the number of dwelling units allowed up to the maximum residential density allowed in Mason County Code, based on the gross land area of the property, if:
 - a. The design of the development offsets the impact of the increase in density due to provision of privacy, open space, landscaping, and other amenities; or
 - b. The increase in density is compatible with existing uses in the immediate vicinity of the subject property.
 - c. If no density is transferred from within the urban area to outside the urban area.
- (3) Public Benefit. The master development plan must demonstrate that the proposed development will provide specifically identified benefits that clearly outweigh any adverse impacts or undesirable effects of the proposed MDP. These public benefits include but are not limited to:
- (A) Low Impact Development. Development within the MDP shall utilize low-impact development (LID) techniques that protect water quality, reduce stormwater runoff, reduce impervious surfaces, and preserve open space.
 - (B) Critical Area and Shoreline Protection. The MDP protects critical areas and/or shoreline areas that would not be protected otherwise to the same degree as without the master development plan.
 - (C) Natural Features. For projects outside an urban growth area, the MDP preserves and enhances natural features of the subject property such as clusters of, Madrona trees, rock outcroppings and non-critical area wildlife habitat not required under other county regulations.
 - (D) Housing. Clustering of residential structures and use of other innovative housing styles (e.g., zero lot line development, cottage housing, townhouses) is encouraged in order to preserve existing site amenities such as lakes, native vegetation, trees, critical areas, and scenic vistas.
- (4) Site/Building Design. Development shall demonstrate high quality architectural design and thoughtful placement of structures in relation to the natural and built environment.

- (A) Siting of all development shall avoid the following:
- (i) Interruption of scenic views and vistas from public rights-of-way, parks, and other publicly owned lands;
 - (ii) Construction on hill tops or ridgelines without consideration of building massing, visibility and the inclusion of public spaces;
 - (iii) Direct access from individual parcels onto existing public ways;
 - (iv) A predominant "linear" configuration of common open space (except when following a linear site feature such as a watercourse or shoreline);
 - (v) Creation of a "gated" community.
- (B) Development standards within the MDP shall address the following:
- (i) When designing a new nonresidential building, consider other buildings in the area to determine whether there are opportunities to ensure harmony in the texture, lines and masses of the buildings.
 - (ii) Building setbacks along streets should consider the setbacks of neighboring structures to allow for continuity among buildings and ensure visibility from the street.
 - (iii) The size, scale, mass, character, and architectural design along the perimeter of the MDP shall incorporate a suitable transition to adjacent or abutting lower density/intensity zones. New development should consider the predominant character of the surrounding area and reinforce the positive architectural attributes, siting patterns of buildings, massing arrangements, and streetscape of the surrounding development.
 - (iv) The orientation of nonresidential individual building sites shall maintain maximum natural topography and cover. Buildings should be oriented to enhance and protect views from within the site by considering topography, building location, mass, and style.
 - (v) Incorporation of appropriately sized landscape buffers that provide transition and screening between adjoining properties and uses of different intensity.
 - (vi) Materials used shall reduce the potential for light and glare.
 - (vii) Coordinate site and building design throughout the MDP. Building within phases should be related by coordinated materials and roof styles, but contrast should be allowed through the incorporation of varied materials, architectural detailing, building orientation or housing type (e.g., cottage housing, accessory dwelling units, single-family detached and attached, townhouses).

- (viii) Incorporate well-designed open space and landscaping when clustering houses or separating building groupings to provide an appearance of openness and a reduction of impervious surfaces.
 - (ix) Incorporate provision for internal privacy between dwelling units and external privacy for adjacent dwelling units. Each residential or mixed-use development should provide visual and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walkways, landscaping, and berms may be used as appropriate for the protection and aesthetic enhancement of the property; ensuring the privacy of the occupants and surrounding properties; and screening of storage, mechanical, garbage, recycling, and other appropriate areas; and for noise reduction. Consider placement of windows at a height or location or placement of appropriate screening to provide sufficient privacy, light, and air for each unit.
 - (x) The visual impact of garages should be reduced by the use of additional setbacks from the street, when garage doors must face the street or by the use of side facing or rear facing garages (accessed off an alley), when possible.
 - (xi) Any mixed-use development shall be located in consideration of the natural environment as well as the use, scale and architecture of the surrounding built environment. Uses shall be consistent with those permitted in the underlying zone and the location clearly identified in the MDP. Pedestrian and nonmotorized access shall be incorporated into the design of the mixed-use development.
 - (xii) All new electrical distribution and communication lines necessary to furnish permanent service to new commercial and industrial buildings, multiple-occupancy buildings and new residential buildings are required to be underground in the area that will be developed, but not in other areas of the MDP. Undergrounding of all existing overhead electrical distribution and communication lines is required where there is a change in use or intensification of an existing use proposed as part of the MDP.
- (5) Common Open Space. A common open space designated on the master development plan is area permanently restricted from future residential development. Common open space is land that meets the following standards:
- (A) Urban Growth Areas. Minimum common open space for master development plans located within an urban growth area.
 - (i) Common open space shall be predominately located in large contiguous, undivided areas, with no dimensions less than thirty feet.
 - (ii) Critical areas may be located within the common open space, provided no more than twenty percent of the common open space areas are

designated critical areas, and the critical areas and their buffers account for no more than forty percent of the common open space. Signage and/or fencing may be required to protect and/or delineate the critical area.

- (iii) The minimum common open space shall be concentrated in large usable areas.
 - (iv) Single-Family Residential. Residential developments shall provide a minimum area of common space or recreation area equal to two hundred square feet per unit.
 - (v) Attached Residential Units. Attached housing developments shall provide a minimum area of common space or recreation area equal to one hundred square feet per unit.
 - (vi) Common open space shall be accessible by all residents and employees of the MDP for passive recreation and enjoyment.
- (B) Outside of an Urban Growth Area. Minimum common open space for master development plans not located within an urban growth area. Common open space includes recreation areas and conservation areas.
- (i) A minimum of sixty-five percent of the gross land area within the boundaries of the proposed MDP shall be designated as common open space.
 - (ii) Up to sixty-five percent of this designated common open space may consist of critical areas and their required buffers.
 - (iii) Common open space shall be located in large contiguous, undivided areas, with no dimensions less than fifty feet.
 - (iv) Standards for recreation areas. Recreation areas allow for active and passive recreation. Non-residential development is allowed in recreation areas, such as tennis courts, swimming pools, lodges, and concession stands. Designated recreation areas shall be accessible by all residents, guests, and employees of the MDP for recreation and enjoyment.
 - (v) Standards for conservation areas. Conservation areas allow for protection of critical areas and the conservation of other natural elements of importance to the community, including open space maintained for its aesthetic qualities. Low-impact recreation such as hiking and biking are permitted within conservation areas. Other uses permitted within conservation areas include forestry and agriculture, provided that these uses do not occur within any required critical area buffer or area maintained for its aesthetic qualities.

(vi) The MDP's common open space plan shall identify the recreation areas and conservation areas. The plan shall also delineate areas that are open to the general public and areas that are accessible only to residents, guests, and employees of the MPD.

(C) Standards for Common Open Space in Both Urban and Rural Areas.

(i) No more than fifteen percent of the required common open space may be covered with impervious surfaces such as paved trails, community structures, and amenities (including swimming pools, sport courts, and accessory structures).

(ii) Common open space must preserve important site features, including unique geological features and wildlife habitat.

(iii) Common open space must minimize the fragmentation of open space. To the greatest extent possible, the designated common open space shall be located in large, undivided areas.

(iv) The following recreational and community utility uses may be allowed in common open space areas, unless prohibited by critical area or shoreline regulations:

a. Beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, equestrian trails, playgrounds, and any nonmotorized passive recreational facilities.

b. Community wells, well houses, water lines, community drainfields, retention and detention ponds, water recharge and infiltration facilities, water system appurtenances, and biofiltration swales.

(v) Common open space areas should be interconnected and access provided as appropriate.

(vi) An open space management plan that addresses vegetation removal, planting, enhancement and maintenance shall be approved with the MDP.

(vii) Permanent vegetation removal within common open space shall not be permitted, except as follows

a. Construction and maintenance of trails, playfields, community structures, sport courts, or other amenities as provided for in this chapter

b. Removal of diseased or hazardous vegetation, such as invasive plant species, consistent with best management practices and a plan prepared by a landscape architect.

c. Selective thinning and enhancement of native vegetation.

d. Forestry or agriculture uses within conservation areas.

(viii) Any proposed common open space, unless conveyed to a land trust, shall be subject to a recorded conservation easement¹ providing that such land shall be perpetually preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.

- (6) Private Open Space for Master Development Plans within Urban Growth Areas. Each residential unit in the MDP shall have usable private open space (in addition to parking, storage space, lobbies, and corridors) for the exclusive use of the occupants of that unit. Each ground floor unit, whether attached or detached, shall have private open space, which is contiguous to the unit and shall be an area of at least twenty percent of the gross square footage of the dwelling units. The private open space shall be well demarcated and at least ten feet in every dimension. Decks on upper floors can substitute for some of this required private open space. For dwelling units that are exclusively upper story units, there shall be deck areas totaling at least sixty square feet in size with no dimension less than five feet. This provision is inapplicable to attached residential units.
- (7) Amenities. Development shall address the incorporation of the following amenities as appropriate for the site and proposed uses:
- (A) Bike/Pedestrian Trail(s). Trails shall be developed in the MDP that will be linked to existing or proposed trails or otherwise provide linkage between local streets and destinations within and outside of the MDP such as parks, schools, open space, other streets, and commercial areas. When feasible developers are encouraged to connect to off-site trail facilities.
 - (B) Community facilities such as all season meeting facilities, parks, play lots, swimming pools, tennis courts, basketball courts, or other type of sports fields.
 - (C) In MDPs proposing one hundred residential units or more, consideration should be given to provide storage lots/yards for boats, trailers, recreational vehicles, commercial vehicles, commercial truck and/or commercial trailer. Solutions (such as common storage buildings, yards lots and covenants) shall ensure that these are not parked and/or stored in streets, driveways, or residential front yards within the MDP. Storage yards/lots for boats, trailers and RVs must be screened from view.
 - (D) Educational features such as signage in association with natural features located within common open space.

¹ Conservation easement. A grant of property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open, or wooded state, precluding future or additional development.

- (E) Other. Trash and recycling receptacles, bike racks, transit stops, bus pullouts, bus shelters, or kiosks.
- (8) Standards for Common Open Space in MPDs Outside of UGAs.
- (A) Landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. This provision does not preclude forestry or agricultural uses within conservation areas.
 - (B) Any grade change shall be in keeping with the general appearance of the surrounding area. Areas that are cleared and graded should be restored in a manner appropriate based on the surrounding landscape.
 - (C) Treat natural topography, natural drainage ways as fixed determinants of roadway and lot configuration rather than as elements that can be changed to follow a preferred development scheme.
 - (D) Streets and building pads shall be designed and located to maintain and preserve natural topography and clusters of trees, avoid critical areas, minimize cut and fill, and protect and enhance views within or outside of the MDP.
- (9) Circulation Design. An MDP provides an opportunity to develop a circulation system that has consistent roadway design and layout and less impact on the natural environment. Access within and through the MPD shall be designed to complement existing roadways, while providing numerous transportation choices and routes. Narrow travel lanes, traffic calming devices, and alternative pavements for street parking may be utilized to reduce impervious area. The MDP shall have sufficient nonmotorized and motorized access commensurate with the location, size, density and uses within the proposed development. The circulation system within the MDP shall be developed based on these criteria:
- (A) Provide a connected street pattern that affords multiple access points to neighborhoods;
 - (B) Provide an interconnected network of streets, pathways, and trails to disperse vehicular trips and to make nonmotorized modes of travel (such as walking and biking) practical, safe, and attractive for short trips;
 - (C) Accommodate the traffic demand created by the development on all streets as documented in a traffic and circulation report approved by the county engineer;
 - (D) Provide efficient fire and safety vehicle access;
 - (E) Provide a street system that minimizes site disturbance, avoids critical areas, and reduces fragmentation of landscape;
 - (F) Incorporate street and parking designs that minimize impervious surfaces to reduce stormwater flows.

- (10) Road Layout. There are a variety of street system layouts that may be employed to reduce impacts on the natural environment and provide connectivity to the county's road system. Alternative systems should be presented with an emphasis on a modified grid system. This modified system is characterized by interconnected roadways, large open spaces, and very few cul-de-sacs. A modified grid pattern provides curving and looping roadways to reduce vehicle speeds, add character and accommodate topography, natural features or existing development. All MDP's shall incorporate multiple points of access to the county road system.
- (11) Design. The following criteria shall be used in designing the street system:
- (A) Provide a minimum of two access points to the county road system and additional access points as required to reduce traffic congestion;
 - (B) Discourage external traffic from short cutting through the development;
 - (C) Provide convenient internal circulation to avoid reliance on the arterial system;
 - (D) Ensure multiple pedestrian and bicycle routes are included utilizing road rights-of-way, easements, open space, and/or utility corridors;
 - (E) Provide for future roadways identified in the county's comprehensive plan;
 - (F) Provide connection to adjacent parcels when directed by the county engineer;
 - (G) Provide turnouts or intersections at a minimum of every eight hundred feet along a roadway when feasible to improve internal circulation;
 - (H) Follow the existing topographic contours to minimize cuts and fills;
 - (I) Avoid critical areas;
 - (J) Minimize or avoid stream crossings;
 - (K) Locate open space areas or bioretention areas down gradient of roads, walkways or other impervious surfaces;
 - (L) Minimizes the length of the overall roadway network.
- (12) Road Sections. Applicable existing road standards for the Allyn, Belfair and Shelton urban growth areas and for the rural areas, MCC Chapter 16.48, shall apply except as modified in MCC Chapter 17.72 MDP, Low Impact Development Standards. The applicant may be permitted to develop to road standards other than those for the Allyn, Belfair and Shelton urban growth areas and for the rural areas when a clear public benefit can be demonstrated.
- (13) Pavement. See MCC Chapter 17.72 for required LID techniques.
- (14) Parking Area Requirements. The MDP shall site and design commercial, manufacturing and industrial development to minimize the visual impact of impervious areas dedicated to parking and/or reduce the effective imperviousness

of parking areas, while still providing adequate parking for various land use classifications. See MCC Chapter 17.72 for required LID techniques.

- (A) Parking areas shall be located to minimize their visibility from the street.
- (B) Parking areas shall be adequately landscaped along the perimeter and in the interior.
- (C) When surface parking areas are adjacent to a public right-of-way the parking area shall provide a planting strip between the parking area and rights-of-way. This perimeter screening shall provide year-round visual screening of the parking area that meets or exceeds the minimum required by the underlying land use district designation. Screening may include low walls, opaque hedge walls.
- (D) At least ten percent of the parking area, not including driveways and loading area, must be landscaped. The landscaping must be dispersed throughout the parking area. Landscaped areas shall be sufficiently large to provide on-site stormwater management. Filter strips can be designed as landscape features within parking lots or other areas, to collect flow from large impervious surfaces. Perimeter landscaping may not substitute for interior landscaping.
- (E) One tree shall be planted for every four parking stalls provided. Existing trees may be used to meet this standard. If existing trees are retained, each tree six inches or less in diameter counts as one tree. Each tree more than six inches and up to nine inches in diameter counts as two trees. Each additional three-inch diameter increment above nine inches counts as one tree.
- (F) Protective curbs shall be placed around landscaping. Where stormwater is intended to run off the parking area into a landscaped area, the curbs must be discontinuous (as with tire stops) or perforated. Where landscaping is at higher grade than the parking area, the curbs must be continuous to prevent soil or other material from washing off the landscaped area onto the vehicle area.
- (G) Minimum off-street parking requirements outlined in Chapter 17.28 for nonresidential uses shall be used. The total number of parking spaces may exceed the minimums outlined in Chapter 17.28.
- (H) The designer shall incorporate alternative paving surfaces into the parking lot to promote infiltration of the runoff without the need for conventional catch basins and pipe systems.
- (I) Where underlying soils are not conducive to rapid infiltration, bioretention areas should be incorporated into the parking lot as concaved landscaped areas (i.e., situated lower than the height of the parking lot surface so that stormwater runoff is directed as sheet flow into the bioretention area). Bioretention areas can be used in concert with alternative paving surfaces to maximize the attenuation of runoff. Spacing and layout of the bioretention

area should be designed so runoff is maintained as sheet flow from the driving surfaces into the bioretention area. The travel path of sheet flow across a parking lot to a bioretention area should be limited to cross only one driving lane and across one set of parking stalls before arriving at the side slopes of the bioretention area.

- (J) Shared Parking. Utilizing shared parking can reduce the total amount of impervious area and reduce the total number of required parking spaces. This strategy is appropriate for land uses with noncompeting hours of operation, such as a church and a school or office. For proposals with shared parking, the following requirements must be met:
 - (i) The peak parking demand for the two uses must occur at different times of the day or week.
 - (ii) Properties must be in close proximity to each other.
 - (iii) Each establishment must have long-term, consistent parking needs.
 - (iv) Property owners must enter into a legally binding agreement that outlines the terms of shared parking arrangements, which shall be approved by the county.
- (K) On Street Parking. See MCC Chapter 17.72 for required LID techniques.
- (15) Alleys. Alleyways with garages located at the rear of lots provide more visually appealing streetscapes, effectively taking vehicle access emphasis from the front of homes. However, the use of alleys may increase the overall amount of impervious surface on the site. See MCC Chapter 17.72 for required LID techniques. The following standards apply to alleys:
 - (A) Alleys may not be used in lieu of roads due to access needs of emergency vehicles.
 - (B) No parking is allowed within an alley. Alleys shall be posted for no parking.
 - (C) Alleys shall be paved.
 - (D) Alleys should be constructed without curb, gutter, or sidewalks.
 - (E) Alleys shall be limited to a maximum of sixteen feet in width for two-way traffic and twelve feet for one-way traffic. A minimum five-foot setback from the rear property line is required for obstructions such as fences and walls for any alley constructed with widths between twelve to fourteen feet.
 - (F) Garages accessed from an alley shall be set back a minimum of thirteen feet from the centerline of the alley.
 - (G) Residential fences, walls or hedges along rear lot lines of interior lots abutting alleys shall contain an access gate to the alley.
- (16) Driveways. Driveways are typically constructed with impervious surfaces and may have a significant impact on stormwater quality and quantity. They also affect the

character of a neighborhood by providing large expanses of pavement, become storage areas or provide repetitive, closely spaced interruptions of walkways and paths. See MCC Chapter 17.72 for required LID techniques. The following guidelines should be used to limit the number and impact of driveways:

- (A) Driveways serving a single-family residence shall be a maximum width of twelve feet at the front property line. Driveways can be reduced to ten feet in width with a bulb-out at the garage.
- (B) Driveway length should be reduced as much as possible. This may be achieved by locating the house closer to the road or by using alley access directly into a garage. Garages accessed from a street, both attached and detached, should be set back from the front facade of the primary building. Driveway length shall be designed to accommodate the entire length of an average-sized passenger vehicle (e.g., SUVs, pick-up trucks, sedans, vans) for parking. A minimum length of twenty-two feet shall be provided as measured from the face of the garage to the back of the sidewalk, back of the concrete curb (no sidewalk), or back of the roadway vegetated open channel and or bioretention area or residential stormwater rain gardens.
- (C) Plans shall consider the incorporation of common/shared driveways.
- (D) Driveways serving two or more single-family residences shall be limited to a maximum of eighteen feet in width at the front property line or twenty-four feet for a three-car garage bay.
- (E) A shared driveway shall serve no more than four dwelling units unless a greater number of units are considered acceptable to the county.

(17) Sidewalks and Paths. See MCC Chapter 17.72 for required LID techniques.

- (A) Sidewalks and trails should be disconnected from the traveled way portion of the road, to the greatest extent possible. Every lot shall have pedestrian access to an abutting trail or to a sidewalk located on at least one side of the road. Sidewalks and trails may be separated from the roadway by placement of a vegetated open channel or planter strip.
- (B) At the end of cul-de-sacs, pedestrian and bicycle connections should be encouraged to provide direct access to nearby sidewalks/trails and/or common open space areas.

(18) Water Systems.

- (A) At the time of subdivision application, the applicant shall provide documentation of the following:
- (B) Applicant shall provide adequate evidence of water rights capable of providing sufficient quantity for identified service area and designated land use from the Department of Ecology.

- (i) Applicant shall obtain source approval from the Department of Health consistent with approved water rights certificate.
- (ii) An approved water system plan consistent with the Department of Health and WAC 246-290-100 shall be prepared by applicant and approved by the Department of Health.
- (iii) Master development planning and fully contained communities shall be serviced by a Class A water system and provide fire flow in accordance with Department of Health guidelines and appropriate District Fire Marshall.
- (iv) Level of service standards and concurrency requirements for water supply system shall be consistent with the most recent update of the Mason County comprehensive plan.
- (v) Future water system expansions and service extensions identified in the approved water system plan are provided in a manner consistent with proposed master development plan.

Conditions of approval shall require:

- (a) Applicant shall prepare and receive approval from the Department of Health of a project engineering report consistent with the DOH Water System Design Manual prior to proceeding with final construction drawings.
- (b) Construction drawings shall adhere to and incorporate the WSDOT/APWA standard plans and specifications for road, bridge, and municipal construction.
- (c) Applicant shall obtain Department of Health approval for construction drawings for all water system improvements.

(19) Sanitary Sewer.

- (A) All new improvements within master development planning and fully contained communities shall connect to existing or proposed public sewer systems when located within the county's urban growth areas. Public sewer systems are those owned and operated by any legally recognized municipal organization as a public utility.
- (B) Within urban areas, applicant shall provide evidence that the existing publicly owned treatment plant has adequate capacity or can be expanded to treat wastewater generated from master development plan service area and proposed land uses.
- (C) Within urban areas, applicant shall provide evidence that the existing publicly owned collection system has adequate capacity to convey wastewater generated from master development plan service area and proposed land uses to the publicly owned treatment plant.

- (D) At the time of subdivision application, the applicant shall provide information demonstrating the following:
 - (i) Applicant shall provide Mason County with sewer availability certificate for the proposed collection and treatment of wastewater generated from the master development plan from the recognized public utility purveyor.
 - (ii) Level of service standards and concurrency requirements for wastewater treatment and collections system shall be consistent with the most recent update of the Mason County comprehensive plan.
 - (iii) Within rural areas of the county, privately maintained large on-site community drainfields designed and constructed consistent with the Mason County health department for systems three thousand five hundred gallons per day and under, Washington State Health Department for systems greater than three thousand five hundred gallons per day up to fourteen thousand gallons per day, and the Department of Ecology for systems greater than fourteen thousand gallons per day will be allowed in lieu of publicly owned sewer systems.
 - (iv) All on-site systems must be designed by a licensed on-site wastewater designer or professional engineer.
 - (v) All private on-site systems require an ongoing operations and maintenance program consistent with the Mason County on-site standards.
 - (vi) All new wastewater collection system extensions shall adhere to the Department of Ecology Design Criteria for Sewage Works Design and Department of Health for on-site systems only.

Conditions of approval shall require:

- (a) Construction drawings shall adhere to and incorporate the WSDOT/APWA standard plans and specifications for road, bridge, and municipal construction.
 - (b) Applicant shall obtain Department of Ecology approval for construction drawings for all wastewater system improvements.
- (20) Stormwater Management. At the time of subdivision application, the applicant shall provide information demonstrating the following:
- (A) Applicant shall comply with Mason County stormwater management ordinance. The ordinance defines specific minimum requirements and other approval standards for development on all ranges of parcel size.
 - (B) Mason County has adopted a stormwater management ordinance located in Mason County Code Chapter 14.48, which outlines minimum requirements and best management practices (BMP's) for new development and other improvements.

- (C) Until Mason County develops a stormwater management plan or utility, stormwater will be managed primarily through on-site control measures consistent with the county's stormwater management ordinance (MCC Chapter 14.48).
- (D) Public facility development shall minimize impacts to shorelines, preserving the natural stream environments where possible.
- (E) The applicant shall implement practical and effective low impact development (LID) site design and management strategies to meet flow control objectives. See MCC Chapter 17.72 for LID techniques.

Conditions of approval shall require:

- (F) Construction drawings shall adhere to and incorporate the WSDOT/APWA standard plans and specifications for road, bridge, and municipal construction.
- (21) Flow Control. At the time of subdivision application, the applicant shall provide information demonstrating the following:
- (A) Create a facility strategy, which preserves and supplements necessary natural drainage processes and other natural systems to minimize runoff impacts from development.
 - (B) Carefully control development in areas of steep slopes where surface water runoff can create unstable conditions. Maintain natural vegetation for slope stabilization.
 - (C) Conservation Measures.
 - (i) Maximize retention of native forest cover and restore disturbed vegetation to intercept, evaporate, and transpire precipitation.
 - (ii) Preserve permeable, native soil and enhance disturbed soils to store and infiltrate stormwater.
 - (iii) Retain and incorporate topographic site features that slow, store and infiltrate stormwater.
 - (iv) Retain and incorporate natural drainage features and patterns.
 - (D) Site Planning and Minimization Techniques.
 - (i) Utilize a multidisciplinary approach that includes planners, engineers, landscape architects and architects at the initial phases of the project.
 - (ii) Locate buildings and roads away from critical areas and soils that provide effective infiltration.
 - (iii) Minimize total impervious surface area and eliminate effective impervious surfaces.
 - (E) Distributed and Integrated Management Practices.

- (i) Manage stormwater as close to its origin as possible by utilizing small scale, distributed hydrologic controls.
 - (ii) Maintain existing or create a hydrologically rough landscape that slows storm flows and increases time of concentration.
 - (iii) Reduce the reliance on traditional conveyance and pond technologies.
- (F) Maintenance and Education.
- (i) Develop reliable and long-term maintenance programs with clear and enforceable guidelines.
- (22) Water Quality Treatment. At the time of subdivision application, the applicant shall provide information demonstrating the following:
- (A) Protect physical and biological integrity of wetlands, streams, wildlife habitat, and other identified critical areas.
 - (B) Maintain water quality within all Shoreline Management Act waterfront areas through careful design, operation, construction, and placement of public facilities.
 - (C) Comply with the National Pollutant Discharge Elimination System (NPDES) and state regulations.
 - (D) Under no circumstances shall hazardous waste be allowed to contaminate groundwater, surface water, or sewer systems of Mason County. Dispose of hazardous wastes only in locations designated for that purpose.
- (23) Phasing. The phasing plan shall demonstrate how the project development will be sequenced, including the necessary infrastructure and required project amenities (i.e., parks, common space, open space). The phasing plan shall indicate milestones of development that mandate thresholds for completing associated infrastructure and amenities and shall ensure that a functioning, viable circulation system will exist during all phases.
- (24) Cultural Resources. The removal or disruption of historic uses, structures, or architectural elements or other cultural resources shall be minimized to the extent feasible in the development of the MDP, whether on the site or on adjacent properties.

CHAPTER 17.06 – DEFINITIONS
SECTION 17.06.010

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:

- (a) Is subordinated to, and serves a principal building or principal use; and
- (b) Is subordinate in area, extent or purpose to the principal building or principal use served; and
- (c) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- (d) 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 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.²

"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.

² "What is Cottage Housing?" MRSC.Org, 30 November 2016, <http://mrsc.org/Home/Explore-Topics/Planning/Specific-Planning-Subjects,-Plan-Elements/Cottage-Housing.aspx>

"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.

"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 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 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 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" 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.³

"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 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

³ Moskowitz, Harvey S. (2004) The latest illustrated book of development definitions (new expanded ed.) Rutgers, the State University of New Jersey

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.

"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 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 removed within ten days when the event or activity ends.

"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 swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland 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 nonwetland areas created to mitigate conversion of wetlands. (RCW 36.70A.030)