

ORDINANCE NUMBER 03 -03

**INTERIM MASON COUNTY DEVELOPMENT REGULATION FOR
AUTO IMPOUND YARDS, AMENDING ORDINANCE 82-96 and
INTERIM ORDINANCE 134-02**

AN ORDINANCE adopting interim amendments to Mason County development regulations, 82-96, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, Mason County has received inquiries regarding the establishment of motor vehicle impound yard in the Urban Growth Area of Shelton;

WHEREAS, a motor vehicle impound yard in an enclosed building is identified as a permitted use in the Urban Area by the Matrix of Permitted Uses, Section 1.03.020 of the Mason County Development Regulations, but un-enclosed impound yards are not permitted prior to the adoption of Ordinance 134-02;

WHEREAS, Mason County adopted changes to the Mason County development regulations on an interim basis to allow an alternative to the requirement that impound facilities be enclosed in a building;

WHEREAS, in application of the provision, it has been found that the alternative provided may be unsuitable to some sites but that adequate buffering of the site using different vegetation and fencing options would be possible;

WHEREAS, Mason County will be amending its regulations for the Shelton urban growth area in cooperation with the City of Shelton, but this process will take several months before any action is taken; and

WHEREAS, there is an immediate need for locations for such impound yards which serve a vital public purpose for law enforcement and for the safety of the public by providing controlled temporary storage place for the vehicles seized by law enforcement or wrecked in accidents which can not wait until the planning processes currently underway in the urban areas is completed.

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby approves the attached findings of fact and ADOPTS an amendment to the Development Regulations, Ordinance 82-96, and Ordinance 134-02, as follows:

Section 1. Modify Section 1.03.105 as follows:

1.03.105 Motor vehicle impound yards

Motor vehicle impound yards and their accessory structures are permitted in designated Urban Growth Areas at sites where there is an existing industrial use, or at sites which are designated for industrial or commercial/industrial mix in the City of Shelton Comprehensive Plan Future Land Use Map.

Unless the adjacent uses are also industrial, the impound yard storage area shall be enclosed within a structure, or the operation shall be contained within one of the following buffers:

- 1) a minimum 20 foot wide buffer consisting of a type F4 fence on the project side of the buffer, together with type B1 Berm, and plants as specified in a Bufferyard E;
- 2) a minimum 20 foot wide buffer consisting of the security and sight obscuring fencing on the project side of the buffer, together with 4 canopy trees, 12 under story trees, 48 evergreen shrubs, 24 deciduous shrubs per 100 lineal feet of buffer; or
- 3) a minimum 20 foot wide buffer consisting of the security and sight obscuring fencing on the project side of the buffer, together with plantings as specified in an landscape plan prepared by a certified landscape architect to be approved by the Administrator, which shall have an arrangement of plantings to provide the maximum protection to adjacent properties and which shall be sufficiently large and planted in such a fashion that a year-round screen at least eight feet in height shall be produced within three growing seasons.

If the adjacent uses are industrial, then the standard Bufferyard C shall be required.

Guard dogs shall not be used.

Section 2. These interim amendments shall remain in effect through July 1, 2003.

DATED this 14th day of January, 2003.

Board of Commissioners, Mason County, Washington

Absent 1/14/03
Herb Baze, Commissioner

Wesley E. Johnson
Wesley E. Johnson, Commissioner

Jayni L. Kamih
Jayni Kamih, Commissioner

ATTEST:

Rebecca S. Rogers
Clerk of the Board

APPROVED AS TO FORM :

Pamela M. DPA
Deputy Prosecuting Attorney