

ORDINANCE NUMBER 18 - 03

AN ORDINANCE ENACTING A INTERIM MEASURE PROVIDING FOR ADMINISTRATIVE VARIANCE REVIEW FOR DEVELOPMENT PROPOSED ON RURAL RESIDENTIAL DESIGNATED LANDS IN MASON COUNTY TO BE EFFECTIVE TO THE DATE OF MAY 5, 2003.

WHEREAS, when Mason County established rural residential development densities in May 2000, rural lands in the county were designated to Rural Residential 2.5, Rural Residential 5, Rural Residential 10, and Rural Residential 20 zones. These designations were done with available Assessor Office information by planning consultants involved in the Comprehensive Plan review process;

WHEREAS, development standards for these Rural Residential zones were established in the Mason County Development Regulations in March 2002, including standards for front yard, side yard, and rear yard setbacks;

WHEREAS, there have been numerous proposals for development on parcels which are designated Rural Residential 10 or 20 and are small in size (less than one acre), and where the owners are unable to site proposed residences and accessory structures on their property without first seeking a variance from the Development Regulations side yard setback standard;

WHEREAS, with the coming season of new construction, future requests for new development is anticipated on these small and narrow rural residential properties;

WHEREAS, securing a standard variance to the Development Regulations for a reduced side yard setback is a costly process in time and money and is a burden on the property owner;

WHEREAS, the Department of Community Development has not yet started a proposed revisions of the Development Regulations to establish the administrative variance review of proposed development on certain lots in Rural Lands in Mason County, where the proposed side yard setback is constrained under certain circumstances;

WHEREAS, Mason County should be afforded time to propose new development standards for Rural Residential properties in the county, to assess impacts on the community by revising these standards, and to undertake necessary public review of such development regulations; and

WHEREAS, the proposed administrative variance review to reduce side yard setbacks on Rural Residential 10 and Rural Residential 20 designated properties would have deminimus effect on the rural character of those areas of Mason County.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF MASON COUNTY DOES HEREBY ORDAIN as follows:

ORDINANCE # 18-03, Page Two

Section 1. There is established the following standards to be added to the Mason County Development Regulations:

A. revise Sec. 1.04.237 (Rural Residential 10) Special Provisions and Sec. 1.04.247 (Rural Residential 20) Special Provisions:

E. Front yard *and side yard* setback may be reduced as provided in Section 1.05.034.C or 1.05.034D.

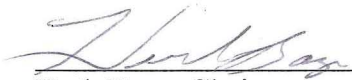
B. add the following subsection 1.05.034:

D. The Administrator may allow a reduction in the required side yard setback by administrative variance under the following circumstances: for existing lots of record as of March 5, 2003 that are parcels designated as Rural Residential 10 or Rural Residential 20; and where physical attributes of the lot (such as steep slopes, wetlands, streams, soils; lot width at the front yard line of no more than 50 feet or lot size of no more than one-half acre; and existing improvements of buildings, septic systems, and well areas) preclude a proposed development from meeting the 20 foot side yard setback standard. The variance to the side yard setback shall be the minimum necessary to accommodate a reasonable development proposal. This side yard setback shall not be less than 5 feet distance from the property line or any easement boundary. The Administrator shall document in the property file the rationale for said administrative variance decision.

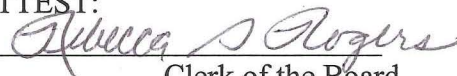
Section 2. The Board adopts this measure to be in effect to the date of May 5, 2003 to provide time for public review of these revisions by the Planning Advisory Commission and Board of County Commissioners.

DATED this 4 th day of March, 2003.

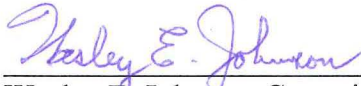
Board of Commissioners
Mason County, Washington




Herb Baze, Chair

ATTEST:


Clerk of the Board



Wesley E. Johnson, Commissioner

APPROVED AS TO FORM :


Deputy Prosecuting Attorney



Jayni Kamin, Commissioner