

**ORDINANCE NUMBER 40 - 04**

**AMENDMENTS TO THE  
MASON COUNTY DEVELOPMENT REGULATIONS (ORD. NO. 82-96)  
REGARDING SIDEYARD SET BACKS IN RURAL RESIDENTIAL ZONES**

AN ORDINANCE amending the Mason County Development Regulations (Ord. No. 82-96) Section 1.04.200, regarding side yard setbacks in all Rural Residential zones, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, the Mason County Development Regulations (Ord. No. 82-96) was adopted in June 25, 1996; and amendments have been made through the years of enactment, the last amended by Ordinance No. 32-04 on April 20, 2004.

WHEREAS, the Department of Community Development has prepared revisions to this implementing ordinance by which the Departments of Community Development can evaluate and approve a proposed development that is conforming with clear development standards and is not in conflict with existing land uses and property rights;

WHEREAS, at the April 26, 2004 Mason County Planning Advisory Commission meeting, the Department of Community Development presented revisions to Mason County Development Regulations regarding the existing provision for an exception to the default side yard setback in the Rural Residential zones based upon lot width but not lot size, and the Planning Advisory Commission members evaluated these changes and then passed a motion to recommend approval of the proposed revisions;

WHEREAS, the Board of County Commissioners held a public hearing about the proposed revisions on May 4, 2004, to consider the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens on these proposed revisions to the Mason County Development Regulations; and

WHEREAS, based upon the staff report, text of the proposed revisions, and public testimony, the Mason County Board of Commissioners has approved findings of fact to support its decision as ATTACHMENT A.

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners hereby approves and ADOPTS the revisions that amend the Mason County Development Regulations (Ord. No. 82-96) Section 1.04.200 regarding side yard setbacks in all Rural Residential zones, as described by ATTACHMENT B.

Ordinance No. 40 - 04 (continued)

DATED this 11th day of May 2004.

**BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON**

ATTEST:

Rebecca D. Rogers  
Clerk of the Board

Wesley E. Johnson  
Wesley E. Johnson, CHAIRPERSON

APPROVED AS TO FORM:

Darre Nereke DPA  
Prosecuting Attorney

Herb Baze  
Herb Baze, COMMISSIONER

Jayni Kamin  
Jayni Kamin, COMMISSIONER

**AN ORDINANCE AMENDING  
MASON COUNTY DEVELOPMENT REGULATIONS REGARDING  
SIDEYARD SET BACKS IN RURAL RESIDENTIAL ZONES**


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**MASON COUNTY BOARD OF COMMISSIONERS  
May 11, 2004**

**FINDINGS OF FACT**

1. Under consideration is the proposed ordinance to amend the Mason County Development Regulations (Ord. No. 82-96) regarding side yard setbacks in all Rural Residential zones.
2. The Mason County Development Regulations set forth land use designations and development standards for proposed projects in Mason County; these standards include zoning districts, permitted uses, and dimensional requirements for land divisions.
3. The Mason County Department of Community Development staff has presented revised development standards which change the existing provision for an exception to the default side yard setback in the Rural Residential zones based upon lot width but not lot size.
4. At the April 26, 2004 Mason County Planning Advisory Commission meetings, these revised side yard setback standards were presented, and the Planning Advisory Commission members evaluated the proposed text through discussions with staff and the public and, then passed a motion to recommend approval of the proposed revisions.
5. At the May 11, 2004 public hearing, the Board of County Commissioners considered the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens regarding side yard setbacks in all Rural Residential zones stated in the Mason County Development Regulations.

FROM THE PRECEDING FINDINGS, and based upon the staff report, the text of the proposed revisions, and public testimony, the Mason County Board of Commissioners adopts a motion to approve the proposed text revisions that amend the Mason County Development Regulations (Ord. No. 82-96) Section 1.04.200 regarding side yard setbacks in all Rural Residential zones.

  
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Chair, Mason County Board of Commissioners

Date

**MASON COUNTY DEVELOPMENT REGULATIONS (ORD. NO. 82-96)**

**1.04.200 RURAL RESIDENTIAL**

**1.04.210. Rural Residential 2.5 (RR 2.5)**

**1.04.213 Lot Requirements.**

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D. Side and rear yard setbacks. Side and rear yard setbacks for the residential dwelling and accessory building is 20 feet, and for accessory structures used for agricultural purposes or home occupations is 50 feet. Exception to the side yard standard is allowed on a parcel with a lot width up to 100 feet at the building site and a lot size up to 1 acre: the required side yard setback for a residential dwelling and accessory structures shall be equal to 10 percent of the lot width but in no case shall be less than 5 feet from the property line.

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**1.04.220. Rural Residential 5 (RR 5)**

**1.04.223 Lot Requirements.**

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D. Side and rear yard setbacks. Side and rear yard setbacks for the residential dwelling is 20 feet, for accessory buildings shall be 20 feet, for accessory structures used for agricultural purposes or home occupations shall be 50 feet, and for buildings of non-residential land uses shall be 25 feet. Exception to the side yard standard is allowed on a parcel with a lot width up to 100 feet at the building site and a lot size up to 1 acre: the required side yard setback for a residential dwelling and accessory structures shall be equal to 10 percent of the lot width but in no case shall be less than 5 feet from the property line.

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**1.04.230. Rural Residential 10 (RR 10)**

**1.04.233 Lot Requirements.**

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D. Side and rear yard setbacks. Side and rear yard setbacks for the residential dwelling is 20 feet, for accessory buildings shall be 20 feet, for accessory structures used for agricultural purposes or home occupations shall be 50 feet, and for buildings of non-residential land uses shall be 25 feet. Exception to the side yard standard is allowed on a parcel with a lot width up to 100 feet at the building site and a lot size up to 1 acre: the required side yard setback for a residential dwelling and accessory structures shall be equal to 10 percent of the lot width but in no case shall be less than 5 feet from the property line.

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**1.04.240. Rural Residential 20 (RR 20)**

**1.04.243 Lot Requirements.**

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D. Side and rear yard setbacks. Side and rear yard setbacks for the residential dwelling is 20 feet, for accessory buildings shall be 20 feet, for accessory structures used for agricultural purposes or home occupations shall be 50 feet, and for buildings of non-residential land uses shall be 25 feet. Exception to the side yard standard is allowed on a parcel with a lot width up to 100 feet at the building site ~~and a lot size up to 1 acre~~: the required side yard setback for a residential dwelling and accessory structures shall be equal to 10 percent of the lot width but in no case shall be less than 5 feet from the property line.

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