

ORDINANCE NUMBER 126-06

**AN ORDINANCE AMENDING
MASON COUNTY DEVELOPMENT REGULATIONS
ADD TO SECTION 1.02.043 AND NEW SECTION 1.04.360 RURAL COMMERCIAL 5
ZONE PERMITTED USES AND DEVELOPMENT STANDARDS.**

AN ORDINANCE amending the Mason County Development Regulations, Ordinance No. 82-96, by adding to section 1.02.043 Rural Commercial zone definitions and adding a new Section 1.04.360 Rural Commercial 5 zone permitted uses and development standards, under the authority of Chapters 36.70 and 36.70A RCW.; Article 11, Section 11 of the State Constitution, the County's police power; and any other applicable authority.

WHEREAS, the Mason County Development Regulations (adopted as Ordinance No. 82-96) was last amended by Ordinance No. 108-05 on November 28, 2005;

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

WHEREAS, at the September 25, 2006 Mason County Planning Advisory Commission meeting, the Department of Community Development presented these Mason County Development Regulations revisions, the Planning Advisory Commission members discussed establishing the proposed Rural Commercial 5 zone and the review of five subject parcels with existing open display vehicle sales land uses, heard public comments, and then passed a motion to recommend approval of the new Rural Commercial 5 zone and the designation of two of these parcels in the Mason County as the Rural Commercial 5 zone;

WHEREAS, the Board of County Commissioners held a public hearing about the proposed revisions on December 12, 2006, to consider the recommendations of the Planning Advisory Commission, and the testimony of Mason County Department of Community Development staff and citizens on the proposed revisions to the Mason County Development Regulations; and

WHEREAS, based upon the staff report, the proposed addition of twelve of these parcels to the Table 1 in the Mason County Development Regulations, and public testimony, the Mason County Board of Commissioners has approved findings of fact to support its decision as ATTACHMENT A.

Ordinance No.126 06 (continued)

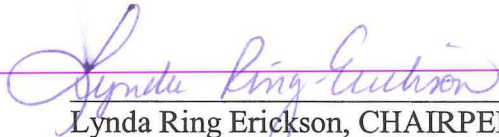
NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners adopts a motion to approve the presented revisions that would amend Mason County Development Regulations by adding to section 1.02.043 Rural Commercial zone definitions and adding a new Section 1.04.360 Rural Commercial 5 zone permitted uses and development standards, and to approve the rezone of two parcels to the Rural Commercial 5 zone (Assessor Office parcel numbers 22004-41-00090 and 31905-33-00000) as described by ATTACHMENT B.

DATED this 12th day of December 2006.

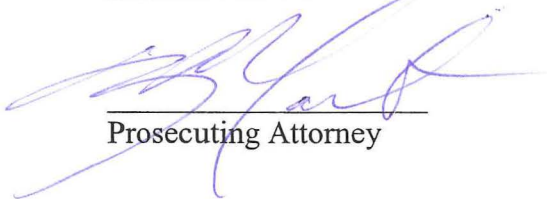
**BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON**

ATTEST:

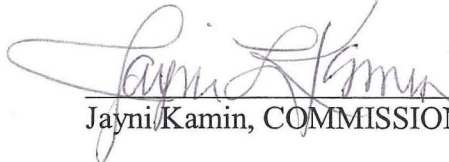

Clerk of the Board


Lynda Ring Erickson, CHAIRPERSON

APPROVED AS TO FORM:


Prosecuting Attorney


Tim Sheldon, COMMISSIONER


Jayni Kamin, COMMISSIONER

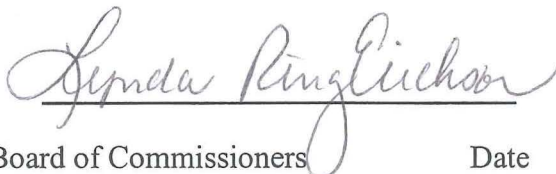
**AN ORDINANCE AMENDING
MASON COUNTY DEVELOPMENT REGULATIONS
ADD TO SECTION 1.02.043 AND NEW SECTION 1.04.360 RURAL COMMERCIAL 5
ZONE PERMITTED USES AND DEVELOPMENT STANDARDS.**

**MASON COUNTY BOARD OF COMMISSIONERS
December 12, 2006**

FINDINGS OF FACT

1. Under consideration are the proposed changes to the Mason County Development Regulations, by adding to section 1.02.043 Rural Commercial zone definitions and adding a new Section 1.04.360 Rural Commercial 5 zone permitted uses and development standards, under the authority of Chapters 36.70 and 36.70A RCW.
2. The Mason County Development Regulations sets forth clear development standards and procedures to evaluate and approve proposed development and land divisions in Mason County.
3. The Department of Community Development presented the revisions to establish a new Rural Commercial 5 zone permitted uses and development standards for open display vehicle sales land uses, and the review of certain parcels in the Rural Area of Mason County having such existing land uses.
4. At the November 20, 2006 Mason County Planning Advisory Commission meeting, the Planning Advisory Commission members discussed the establishment of the proposed Rural Commercial 5 zone and the review of five subject parcels with existing open display vehicle sales land uses, heard public comments, and then passed a motion to recommend approval of the new Rural Commercial 5 zone and designation of two of these parcels in the Mason County.
5. At the December 12, 2006 public hearing, the Board of County Commissioners considered the recommendations of the Planning Advisory Commission, and the testimony of Department of Community Development staff and citizens regarding the review of the new Rural Commercial 5 zone and designation of two parcels in that new zone.

FROM THE PRECEDING FINDINGS, and based upon the staff report, proposed revisions, and public testimony, the Mason County Board of Commissioners adopts a motion to approve the proposed changes to the Mason County Development Regulations, adding the Section 1.04.360 Rural Commercial 5 zone and designating two Rural Area parcels as Rural Commercial 5 zone.



Chair, Mason County Board of Commissioners

Date

TABLE 1: PROPERTIES WHERE THE RURAL COMMERCIAL 5 ZONE WOULD APPLY

	Owner / business name; site address	Parcel number	Type of land use	Start of land use	Present zone	Proposed zone
1	Washington Home Center 61 Ryan Rd.	31905-33-00000	Manufactured home sales	Constructed March 1996	Rural Residential 5	Rural Commercial 5
2	Pickering Marine 3400 Pickering Rd	22004-41-00090	Boat and motor sales and repair	Constructed July 1996	Rural Residential 5	Rural Commercial 5

ATTACHMENT B

MASON COUNTY DEVELOPMENT REGULATIONS

.....

1.02.043 Rural Commercial

There are four types of Rural Commercial districts. These districts provide for a variety of commercial areas reflecting the diversity of existing business areas. Parcels with this designation that are located within RACs, hamlets, ICIAs, and other areas designated under RCW 36.70A.070(5)(d)(i) ("D1 LAMIRDs") shall be principally designed to serve the existing and projected rural population. The County's primary method of such design is to limit building size, height, and floor to area ratios so that businesses of such size and intensity will ordinarily be oriented towards primarily serving the existing and projected rural population. Isolated LAMIRDs ("D2 and D3 LAMIRDs") of a commercial nature are not required to be principally designed to serve the rural population. These isolated commercial LAMIRDs, however, shall protect rural character, which is defined at RCW 36.70A.030(14), by containing and limiting rural development, by not being in conflict with surrounding uses and by assuring that such development is visually compatible with the surrounding area. The County's primary method of achieving such purpose is by providing for buffer yards, limiting the character of rezones, by limiting building size, height, and floor to area ratios in such a way as to be appropriate for the rural areas. Public services and facilities shall not be provided so as to permit low intensity sprawl.

- A. Rural Commercial 1 (RC 1) (See Section 1.04.320)
- B. Rural Commercial 2 (RC 2) (See Section 1.04.330)
- C. Rural Commercial 3 (RC 3) (See Section 1.04.340)
- D. Rural Commercial 4 (RC 4) (See Section 1.04.350)
- E. Rural Commercial 5 (RC 5) (See Section 1.04.360)

.....

MASON COUNTY DEVELOPMENT REGULATIONS

(New Section):

1.04.360 Rural Commercial 5 (RC 5)

1.04.361 Purpose. This district provides for existing commercial development that includes open display vehicle sales land uses. (See Section 1.02.043)

1.04.362 Uses Permitted.

- A. USES: Sales and service of automobiles and trucks, recreational vehicles, watercraft, and manufactured homes; retail sales; single-family residential accessory use or apartment.
- B. USES PERMITTED WITH SPECIAL USE PERMIT: Self storage.
- C. OTHER USES: Uses not explicitly enumerated in this section, but closely similar thereto, are determined by the Administrator.

1.04.363 Lot Requirements.

- A. Density. 1 residence per lot.
- B. Lot width and depth. All lots shall have a minimum average width of not less than one-third of the median length and a minimum width at any point of 50 feet; designate limited and safe access(es) to roads.
- C. Front yard setback. 30 feet.
- D. Side and rear yard setbacks. 15 feet for lots contiguous to lots zoned commercial or industrial use; otherwise, 25 feet. Buffer plantings required in the first 10 feet of this setback.

1.04.364 Building Regulations.

- A. Floor Area Ratio. 1:3, except for fire stations.
- B. Size. 7,500 sq. ft. maximum or reviewed through Special Use Permit.
- C. Height. Two floors not to exceed 35 feet maximum except for antennas or water tanks.

1.04.365 Signs.

Signs are limited to: 1) a sign attached to the building with an area not to exceed 10 percent of the area of the building face, and 2) a detached sign with an area size not to exceed 10 percent of the building face, that is free-standing, and with a height maximum of 25 feet or height of building, whichever is less. No flashing signs, or animated or moving signs are allowed.

1.04.366 Off-street parking.

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

1.04.367 Special Provisions.

- A. Retail land uses which were in existence prior to May 1, 2000 and without a prior special use permit, may expand up to 20% cumulatively from their building size at that date, without a special use permit. Expansions of building size over 20% will require a special use permit.
- B. When an existing land use on a subject parcel expands, buffer plantings in the area of expansion shall be required in the first 10 feet of the side and rear yard setbacks.