

ORDINANCE NUMBER 58-08

**ORDINANCE AMENDING Ordinance number 45-08, WHICH AMENDS  
MASON COUNTY CODE AND DEVELOPMENT REGULATIONS  
TITLE 17, CHAPTERS 17.20 THROUGH 17.35 AND TO  
INCLUDE REVISIONS TO THE BELFAIR URBAN GROWTH AREA ZONING MAP**

**AN ORDINANCE** amending Ordinance number 45-08 to comply with notice requirements per RCW 36.70A.106 to the Department of Community Trade and Economic Development (CTED) and to include revisions to the Belfair Urban Growth Area Zoning Map.

**WHEREAS**, Ordinance number 45-08 amends Mason County Code and Development Regulations Title 17, chapters 17.20 through 17.35 under the authority of Chapter 36.70 and 36.70A RCW; and

**WHEREAS**, on April 8, 2008 the Mason County Board of County Commissioners adopted revisions to Mason County Code and Development Regulations Sections 17.03.030 & 17.03.031 pertaining to on-site sewage disposal systems, and

**WHEREAS**, the revisions to Sections 17.03.030 and 17.03.031 provide for a minimum residential development density of four (4) dwelling units per net acre; and

**WHEREAS**, current zoning within the Belfair Urban Growth Area under the R-3 classification is restricted to a maximum of three (3) dwelling units per net acre; and

**WHEREAS**, the zoning districts designated as R-3 within the Belfair Urban Growth Area will be affected by the revisions to Sections 17.03.030 and 17.03.031 that allow a minimum of four (4) dwelling units per net acre and will therefore be incompatible with the new regulations; and

**WHEREAS**, the zoning districts of the Belfair Urban Growth Area classified as R-3 will herein be reclassified as R-4 to be compatible with the density minimums for the revised Chapters 17.03.030 and 17.03.031 as adopted; and

**WHEREAS**, all Chapters (including but not limited to Chapters 17.20 and 17.22) of the Mason County Code referencing, defining, and providing regulations for R-3 zoning with the Belfair Urban Growth Area are herein revised and designated as R-4 with an allowable and restricted development density of four (4) dwelling units per net acre (attachment A); and

**WHEREAS**, upon adoption of this Ordinance the zoning designation of R-3 within the Belfair Urban Growth Area shall hereinafter be designated as R-4 as defined above; and

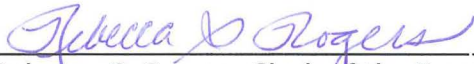
**WHEREAS**, the zoning districts shown as R-3 on the Belfair Urban Growth Area Zoning Map have been amended to R-4 (attachment B).


**NOW THEREFORE**, the Mason County Board of County Commissioners hereby adopt this Ordinance amending Title 17, Chapters 17.20 through 17.35 of the Mason County Code and Development Regulations to re-designate R-3 zoning in the Belfair Urban Growth Area as R-4 with a minimum development density of 4 dwelling units per net acre.

**DATED** this 20<sup>th</sup> day of May 2008.  
Board of Commissioners  
Mason County, Washington

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

ATTEST:

  
\_\_\_\_\_  
Rebecca S. Rogers, Clerk of the Board

  
\_\_\_\_\_  
Tim Sheldon, Chair

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Prosecuting Attorney

  
\_\_\_\_\_  
Ross Gallagher, Commissioner

*Absent*  
\_\_\_\_\_  
Lynda Ring Erickson, Commissioner

**TITLE 17  
CHAPTERS 17.20 THROUGH 17.35  
BELFAIR URBAN GROWTH AREA  
ZONING AND DEVELOPMENT REGULATIONS**

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fondles the breasts, buttocks, anus, genitals or pubic region of themselves or a patron, or permits the touching, caressing, or fondling of their own breasts, buttocks, anus, genitals or pubic region by a patron, another employee or anyone else with the intent to sexually arouse or excite.

- Façade: The front of a building facing a street. It may also be referred to as the apparent width of the structure facing the street.
- Fenestration: The design, proportioning, and disposition of windows and other exterior openings of a building.
- Foot-candle: A unit equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.
- Foot-lambert: A unit of luminance equal to the luminance of a surface emitting a luminous flux of one lumen per square foot.
- Gabled Roof: A triangular wall enclosed by the sloping ends of a ridged roof.
- Hipped Roof: A roof with sloping ends and sides.
- Light Manufacturing: Manufacturing where there is no out-door storage of raw materials or products, the manufacturing and assembly processes are entirely contained within closed structures, and there no discernable noise, odor, vibration, glare, dust, or other sensory effect from the manufacturing processes.
- Lumen: The unit of luminous flux equal to the luminous flux emitted in a unit solid angle by a point source of one candle intensity.
- Lux: A unit of illumination equivalent to 0.0929 foot candle and equal to the illumination produced by luminous flux of one lumen falling perpendicularly on a surface one meter square.
- Modulation: Stepping back or projecting forward portions of the building face with specified intervals of building width and depth, as a means of breaking up the apparent bulk of the structure's continuous exterior walls and to some extent, helping to identify individual residential units.
- Multi-Family Dwelling Units: Includes any structure that contains more than three dwelling units.
- Pedestrian Oriented Façade: Ground floor facades facing a public street or pedestrian-oriented space containing transparent window area or window displays along a minimum of 50 percent of their length and featuring no blank walls.
- Pedestrian-Oriented Space: An area that provides pedestrian-oriented amenities and landscaping to enhance the pedestrian use of the space for passive recreational activities such as: resting, reading, picnicking, and socializing. Requirements for pedestrian-oriented space are contained in Chapter 17.25.
- Recycling Center: A drop off station for recycling of household goods such as paper, plastic, cardboard, glass, and cans, but not intended to include permanent storage of recycled materials, processing of materials, or larger scale items such as appliances or construction debris.
- Stepped Roofs: Different levels of roofs that are created by stepping back all or a portion of the façade.
- Townhouse: A dwelling unit, typically two or more stories tall, that exists as part of a set of attached units, each having a unique publicly-accessible entrance.
- Triplex: A single building that contains three dwelling units.
- Weather Protection: Architectural features such as an awning, marquee, or canopy that protects pedestrians from rain and sunlight. To qualify as weather protection, the feature must be at least 8 feet above the walking surface and project at least 6 feet horizontally from the structure.

**17.20.300 Districts Established:** Zoning districts are established as follows:

- “LTA” LONG TERM AGRICULTURAL (LTA)
- “R-4~~3~~” LOW DENSITY RESIDENTIAL DISTRICT (R-4~~3~~)
- “R-5” MEDIUM DENSITY RESIDENTIAL DISTRICT (R-5)
- “R-10” HIGH DENSITY RESIDENTIAL DISTRICT (R-10)

## Chapter 17.22 RESIDENTIAL DISTRICTS IN THE BELFAIR UGA

### 17.22.100 "R-43" LOW DENSITY RESIDENTIAL DISTRICT

#### Sections:

**17.22.110 Purpose:** The purpose of the R-43 District is to provide a lower density housing option in the UGA. Locations are restricted to sites containing critical areas and slopes as development is expected to be clustered into the more suitable building areas. Locations should also be away from development nodes and commercially zoned areas but with the intensity of development still relatively low, beyond a normal walking distance of ½ to ¾ mile. The district allows for a density of ~~three~~ four dwelling units per acre, except where "critical lands" are present – which reduce the permitted density. Clustering of the dwelling units and properties is encouraged to protect open space and water quality, reduce infrastructure needs, and enhance energy efficiency. Multi family dwelling units are conditionally permitted as long as they do not exceed the density requirement and minimize impacts to adjacent single family dwelling units.

**17.22.120 Allowed uses:** Uses allowed in the R-34 District shall be as follows:

- One detached dwelling per lot
- Duplexes
- Public parks
- Public utility service lines

**17.22.130 Accessory uses:** The following uses are permitted only as they are ancillary to the primary allowed uses and may or may not require a special license or permit in addition to holding a building permits:

- Home Occupations
- Accessory Structures
- Accessory Dwelling Units
- Family Child Care Centers
- Group Homes
- Outdoor Vehicle Parking
- Well heads and water treatment facilities
- Community drain fields

**17.22.140 Special uses:**

- Churches
- Schools
- Commercial Child Care Centers
- Bed and Breakfast Inns
- Multi Family Dwelling Units
- Other Essential Public Facilities
- Townhouses
- Triplexes

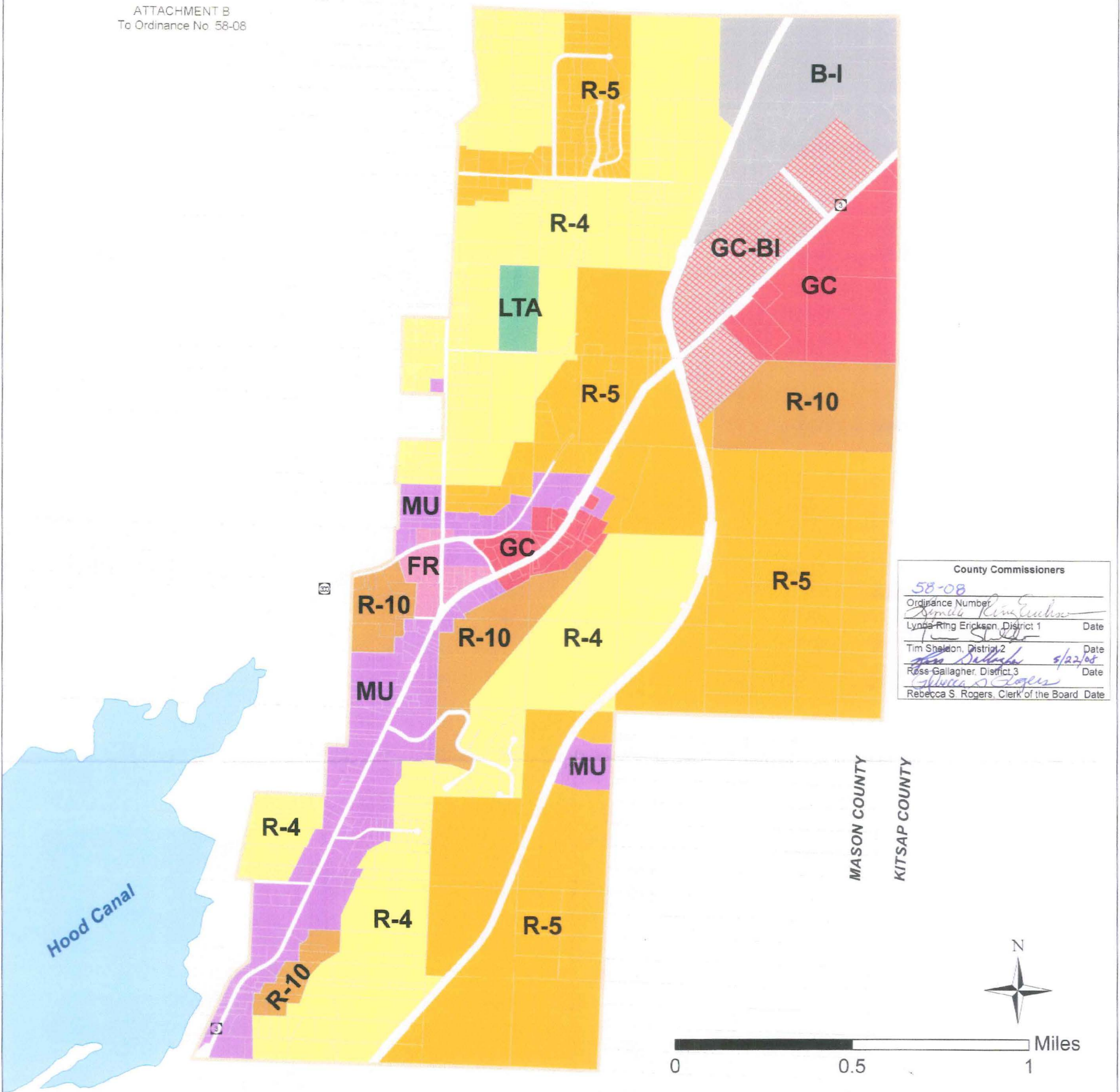
**17.22.145 Prohibited uses:** The following uses are prohibited:

- Adult entertainment

**17.22.150 Bulk and dimensional standards:**

Density: Maximum average of ~~three~~ four dwelling units per acre excluding the area of designated wetlands, designated landslide hazard areas (note: building may be allowed in LHA), lakes, ponds, or marine waters.

Intensity: 35% lot coverage on individual lots.



County Commissioners	
58-08	
Ordinance Number	
<i>Lynne Ring Erickson</i>	Date
Lynne Ring Erickson, District 1	
<i>Tim Sheldon</i>	Date
Tim Sheldon, District 2	5/22/08
<i>Rose Gallagher</i>	Date
Rose Gallagher, District 3	
<i>Rebecca S. Rogers</i>	Date
Rebecca S. Rogers, Clerk of the Board	



Map produced by: Mason County GIS Department  
Project file name: Belfair\_UGA\_Zoning\_04-2008.mxd  
Publication Date: 4/16/2008  
Map created with ArcGIS 9.2

Zoning information from the Mason County Planning Department.  
Belfair UGA and Parcel information from the Mason County GIS Department  
Water bodies from WA Department of Natural Resources

- Legend**
- Belfair UGA Boundary
  - Belfair Zoning**
  - Business - Industrial (B-I)
  - Festival Retail (FR)
  - General Commercial (GC)
  - Gen Commercial - Business Industrial (GC-BI)
  - Long Term Agriculture (LTA)
  - Mixed Use (MU)
  - Single Family Residence (R-4)
  - Medium Density Residential (R-5)
  - Multi-Family Residential (R-10)

## Belfair Urban Growth Area Zoning Map

**DISCLAIMER AND LIMITATION OF LIABILITY**

The data used to make this map have been tested for accuracy, and every effort has been made to ensure that these data are timely, accurate and reliable. However, Mason County makes no guarantee or warranty to its accuracy as to labeling, dimensions, or placement or location of any map features contained herein. The boundaries depicted by these data are approximate, and are not necessarily accurate to surveying or engineering standards. These data are intended for informational purposes and should not be considered authoritative for engineering, navigational, legal and other site-specific uses. Mason County does not assume any legal liability or responsibility arising from the use of this map in a manner not intended by Mason County. In no event shall Mason County be liable for direct, indirect, incidental, consequential, special, or tort damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising from use of or reliance on the information contained herein. The burden for determining fitness for use lies entirely with the user and the user is solely responsible for understanding the accuracy limitation of the information contained in this map.