

PLANNING ADVISORY COMMISSION

MEETING AGENDA

March 20, 2017

Mason County Building 1

411 N 5th St. Shelton, Wa 98584

Commissioners Chambers

6:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Regular Business**
 - a. Adoption of Agenda
 - b. Approval of minutes
 - c. Public Comment
4. **Public Hearing** – Ordinance amending Chapter 17.07 – Development Regulations, Shelton Urban Growth Area, Article 6 – Industrial, Section 17.07.650 – Prohibited Uses To Remove **Self-Storage Facilities**
Presenter: Dave Windom, Department of Community Services
5. **Public Hearing** – Ordinance amending Mason County code Title 14, Building and Construction, Chapter 14.08, Building Code Amendments, Amending section 14.08.030 with respect to Boathouses and adding Section 14.08.031 to allow exemptions for Agricultural and Storage Structures.
Presenter: Dave Windom, Department of Community Services
6. **New Business**
7. **Adjournment**



DEPARTMENT OF COMMUNITY SERVICES

BUILDING ~ Planning ~ FIRE MARSHAL ~ Public Health
Planning Advisory Commission – Code Amendment

February 27, 2017

Page 1 of 3

DDR2016-00132

REMOVE SELF STORAGE PROHIBITION IN INDUSTRIAL ZONING

SHELTON URBAN GROWTH AREA
CHAPTER 17.07 – INDUSTRIAL ZONE
PROHIBITED USES, §17.07.650

STAFF CONTACT

Barbara A. Adkins, AICP
Ext #286

APPLICANT

Mr. Kerry Ritland
Freedom SS, LLC
6013 Rocky Mountain Drive, SW
Olympia, WA 98512

SUMMARY OF PROPOSAL

Applicant is requesting the Planning Advisory Commission to consider amending the development regulations for the Shelton Urban Growth Area to remove the prohibition of self storage from the Industrial zoning district.

ANALYSIS

The provision of self storage facilities continues to fall into the spotlight as a popular request Commissioner action. Recent interests in self storage entrepreneurship have sparked activity to either amend the County's code to allow it in certain zoning districts or to change the zoning district to one that already allows it. Either way, it is clear that there is both the necessity and the desire for changes within the County that address residential and commercial storage needs.

The applicant has an interest in a single property that already has an established self storage business on it predating the adoption of Shelton's urban growth area regulations. This zoning, however, now prohibits the use and the business is unable to expand under the County's non-conforming use laws. Attachment A to this Report is the Applicant's written testimony in support of his application.

INDUSTRIAL ZONING

The Shelton Urban Growth Area's subarea plan has a very limited discussion of zoning districts giving no specific guidance as to intent, purpose, and implementation strategies. This likely due to



DEPARTMENT OF COMMUNITY SERVICES

BUILDING~ Planning~ FIRE MARSHAL ~ Public Health
Planning Advisory Commission – Code Amendment

February 27, 2017

Page 2 of 3

DDR2016-00132

the fact that regulations for the UGA are nearly a mirror image of those for the City of Shelton and any desired explanation can be found in the City's Plan. Shelton's urban growth area was sized specifically to accommodate the City's future growth and is intended for annexation over the long term. That being the case, utilizing the City's regulations in an area that may at some point fall under the City's jurisdiction makes the most sense.

Looking to their Comprehensives Plan, Industrial zoning "provides for moderate to heavy industrial development ... in order to provide needed goods, materials, and services to ensure the economic..." The provision, of course, is to accommodate future populations as projected in both the City's and the County's Plans. Mason County has approximately 1,680 acres of industrially zoned land with 68% being vacant, underdeveloped, or re-developable. Of that total, 96% of the vacant industrial land is located within the Shelton UGA. Opening up the land use possibilities within that UGA may spur development activities that help realize the area's economic potential.

PROPOSED AMENDMENTS

The amendments below represent the proposed code revisions reflected in the Draft Ordinance, a copy of which is attached.

SHELTON URBAN GROWTH AREA

CHAPTER 17.07 – Development Regulations

ARTICLE 6 – INDUSTRIAL

§17.07.650 - Prohibited uses.

*Uses other than those identified or described in Sections 17.07.620, 17.07.630 and 17.07.640 in this chapter are prohibited. Prohibited uses are generally those uses that convert industrial land to a non-industrial purpose, have the potential to be disrupted by the noise and activity commonly associated with industrial development. **Prohibited uses in the Industrial zone include, but are not limited to, the following:***

A. — Self-storage facilities.

STATE ENVIRONMENT PROTECTION ACT (SEPA)

This proposed amendment is categorically exempt from SEPA review under WAC 197-11-800(19) "Procedural Actions".

PUBLIC NOTIFICATION

All public meeting notices will be mailed to all parties of interest and posted in accordance with MCC 15.07.030.



DEPARTMENT OF COMMUNITY SERVICES

BUILDING ~ Planning ~ FIRE MARSHAL ~ Public Health
Planning Advisory Commission – Code Amendment

February 27, 2017

Page 3 of 3

DDR2016-00132

SUMMARY AND RECOMMENDATION

Staff would ask that the Planning Advisory Commission recommend approval of this code amendment to the Mason County Board of Commissioners.

TITLE 17 - ZONING

**AMENDMENTS TO CHAPTER 17.07 – DEVELOPMENT REGULATIONS,
SHELTON URBAN GROWTH AREA, ARTICLE 6 – INDUSTRIAL, SECTION
17.07.650 – PROHIBITED USES TO REMOVE SELF-STORAGE FACILITIES**

ORDINANCE amending Title 17, Zoning, Chapter 17.07, Article 6, Industrial, of the Mason County Code with respect to the Shelton Urban Growth Area.

WHEREAS, amendments to Title 17 of the Mason County Code fall under the authority of Chapter 36.70 and 36.70A RCW;

WHEREAS, Section 17.07.650 outlines the prohibited uses for the Industrial zoning district of the Shelton Urban Growth Areas;

WHEREAS, the current code specifically prohibits “self-storage facilities” as a permitted use, an accessory use, or a use allowed under a special use permit within that zoning district; and

WHEREAS, this Ordinance amends Section 17.07.650 to remove “self-storage facilities”, as a prohibited use within the Industrial district of the Shelton Urban Growth Area; and

WHEREAS, the Mason County Planning Advisory Commission conducted a public hearing on _____ and recommend adoption of amendments by the Commissioners; and

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby amends the Mason County Code Title 17 (Zoning), to remove “self-storage facilities” as a prohibited use in Section 17.07.650. (See Attachment A)

DATED this ____ day of _____ 2016.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Clerk of the Board

Terri Jeffreys, Chair

APPROVED AS TO FORM:

Tim Sheldon, Commissioner

Tim Whitehead, Chief DPA

Randy Neatherlin, Commissioner

ATTACHMENT A

TITLE 17 - ZONING

CHAPTER 17.07 – DEVELOPMENT REGULATIONS

ARTICLE 2 – INDUSTRIAL

SECTION 17.07.650 – PROHIBITED USES

Article 6. – Industrial (I)

17.07.650 – Prohibited Uses

Uses other than those identified or described in Sections 17.07.620, 17.07.630 and 17.07.640 in this chapter are prohibited. Prohibited uses are generally those uses that convert industrial land to a non-industrial purpose, have the potential to be disrupted by the noise and activity commonly associated with industrial development.

ATTACHMENT A

Background

The applicant is the owner of an existing self storage property on E. Johns Prairie Road within the Shelton UGA (Freedom Self Storage, parcel 32004-43-00010). The applicant desires to add new buildings to this facility within the existing property boundary, which is fully fenced and gated for self storage use.

The property was originally permitted in 2005, anticipating a phased development. About one-third of the project was constructed between 2006 and 2008. Shortly thereafter the property was rezoned by the 2009 Shelton UGA zoning ordinance. This rezoning prohibits self storage, making Freedom Self Storage a non-conforming use without any possibility of expansion. The rezone also put a “cloud” over the legitimacy of a business that was legally developed just a few years earlier.

Proposal

MCC 17.07, which addresses industrial zoning regulations within the Shelton UGA. MCC 17.07.650 currently identifies self storage as the only outright prohibited use in this zoning class. This application is requesting elimination of this prohibited use. County staff recommended that a development regulation amendment to change allowable use be proposed instead of a rezone of the parcel to general commercial (which allows self storage). However, a rezone to commercial is a perfectly acceptable alternative.

Rationale

In MCC 17.07.650 prohibited uses in the industrial zoning district are stated as “generally those uses that convert industrial land to a non-industrial purpose, have the potential to be disrupted by the noise and activity commonly associated with industrial development”. Singling out self storage appears to be arbitrary, as other allowed uses such as warehousing and open storage could result in the same outcome.

Self storage is similarly restricted in many other zoning classes, creating a situation where available land in Mason County to develop self storage is very limited even though public demand is very high. All self storage facilities in the Shelton area are full, and one facility in the Shelton UGA on Highway 101 is near the airport is proposing to close by the end of 2016 when that commercial property is redeveloped. In a recent request to Mason County to amend the permitted uses in the Low Density Mixed Use zoning in the Shelton UGA, DDR2016-00096, County staff stated that “the County’s current regulations afford very few opportunities for personal storage businesses”.

In addition, the County's zoning code in the UGA should closely match the City of Shelton's code because the Shelton UGA would eventually be annexed to the City. The Shelton Municipal Code Title 20.30, Industrial District, does not prohibit self storage. Therefore, it follows that the County's UGA zoning should also not prohibit it.

There is substantial and positive public interest in self storage in the Shelton UGA and also in the rest of Mason County as demonstrated by a high but unmet demand. This demand comes from both residential and commercial, particularly as the economy improves and residents and businesses move into the area and the need for short term storage space increases. Zoning regulation should not overly restrict a use when it can be demonstrated that such demand is present, development is compatible with other uses in the zoning district, and development is consistent with land use goals of the comprehensive plan. In the Shelton UGA, zoning should also be consistent with City of Shelton zoning.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING MASON COUNTY CODE TITLE 14, BUILDING AND CONSTRUCTION, CHAPTER 14.08, BUILDING CODE AMENDMENTS, AMENDING SECTION 14.08.030 WITH RESPECT TO BOATHOUSES AND ADDING SECTION 14.08.031 TO ALLOW EXEMPTIONS FOR AGRICULTURAL AND STORAGE STRUCTURES

AN ORDINANCE amending Title 14, Chapter 14.08, Building Code Amendments, amending Section 14.08.030 with respect the maintenance of boathouses and adding new Section 14.08.031 providing exemptions for agricultural and storage structures under the authority of RCW 19.27.040.

WHEREAS, this Ordinance amends Chapter 14.08 by amending Section 14.08.030 to exclude the normal maintenance and repair of boathouses from building permit requirements; and

WHEREAS, Sections 14.08.030 and 14.08.031 supplement Section 105.2 of the International Building Code and International Residential Code to include certain and specific agricultural and storage structures and boathouse maintenance from building permit requirements.

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby amends the Mason County Code Title 14 (Building and Construction) revising Chapter 14.08. (See Attachment A)

DATED this _____ day of _____ 2017.

ATTEST:

APPROVED AS TO FORM:

Melissa Drewry, Clerk of the Board

Tim Whitehead, Chief Deputy Prosecuting Attorney_

Randy Neatherlin
Commissioner

Kevin Shutty
Chair

Terri Jeffreys
Commissioner

ATTACHMENT A

TITLE 14 – BUILDING AND CONSTRUCTION

AMENDING CHAPTER 14.08, SECTION 14.08.030 AND ADDING NEW SECTION 14.08.031

14.08.030 - IBC/IRC SECTION 105.1, PERMITS REQUIRED.

Section 105.1 is adopted, and supplemented with the following:

- (1) Permits shall be required for all docks, piers, and floats, excluding: the normal maintenance and repair of boathouses; and floats which are less than 120 square feet, are detached and chain anchored. Permits shall also be required for seawalls, bulkheads, or other similar structures, regardless of type of construction, including, but not limited to, rock, rip rap, pilings, wood and concrete block.
- (2) Permits shall be required for park trailers, recreational park trailers, manufactured housing, commercial structures, commercial coaches, factory built housing.
- (3) Permits shall be required for the construction of vehicular and/or pedestrian bridges. Submittal documents such as plans, calculations and specifications must be stamped and approved by an engineer licensed in the State of Washington is required.

The Building Official may review and approve small private foot bridges not for vehicular use.

- (4) Tenant Review Applications, Commercial (COM) Permits shall be required for commercial use buildings when there is a change in tenant prior to occupancy whether or not construction or alterations are performed or proposed and regardless of the use or occupancy classification. When a building is constructed with future tenant spaces intended to be finished or occupied at a later date, a separate permit is required for each tenant space prior to any tenant occupancy. The permit fee shall be as adopted under the current building permit fee schedule.

14.08.031 - IBC/IRC SECTION 105.2, WORK EXEMPT FROM PERMIT.

The International Building Code is clear on one important fact when it comes to exemptions. "Exemptions from *permit* requirements ... shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of th[e] International Building Code or any other laws or ordinances of [its] jurisdiction."¹ Even though a building permit may not be required, provisions of the state code are still in force and effect. In this Section, Sections [A]105.2 and R 105.2 of the International Building Code and International Residential Code are adopted herein by reference and supplemented with the following:

- (1) **Agricultural buildings:** A single-story building or structure directly related to an agricultural activity defined to include: farming; forestry; ranching; algaculture; aquaculture; apiculture (beekeeping); horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry

¹ IBC [A] 105.2

ATTACHMENT A

husbandry and the production of poultry and poultry products; dairy production; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, flowers, sod, or mushrooms; timber and pasturage. **Agricultural buildings shall be exempt when 864 square feet or less with a wall height not to exceed 16 feet, and setback ten feet from all other structures.** This exemption does not apply to buildings used for the purpose of growing or producing medical or recreational cannabis which shall remain subject to the authority and restrictions of Mason County Code Chapters 17.09 (Collective Gardens) and 17.17 (Recreational Marijuana).

- (2) **Storage (Non-Agricultural) Buildings:** Single-story buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public. **Storage buildings shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.**
- (3) **Cargo containers, also known as intermodal freight containers, are standardized, reusable portable vessels that were originally designed for use in intercontinental traffic of freight and designed to be mounted on a rail car, truck or ship. When such containers are used as a building or structure, they are subject to the provisions of the building code as adopted and modified by Mason County. Accordingly, a building permit is required to locate and use such structures. The site and building construction plans shall be adequate to demonstrate compliance with building, fire and site regulatory standards. Structural calculations are required for altered or structurally connected containers.**

As with other prefabricated structures such as portables or manufactured homes, building code approval of cargo containers may be obtained through the Washington State's Factory Built Structure Agency. Cargo Containers shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.

- (4) Agricultural, Storage Buildings and Cargo Storage Containers shall be exempt from the permitting requirements of Title 14 only when:
 - a. The property owner must obtain a Affidavit of Exemption and certify through the use of an affidavit recorded on title:
 - i. That the exempt structure will meet the definitions in 14.08.031(1) or (2);and
 - ii. That the structure is not located within a critical area unless it complies with Chapter 8.52 MCC, Resource Management; and

ATTACHMENT A

- iii. That it complies with setback requirements in accordance with Title 17 MCC, Zoning; and
 - iv. That it is built to the latest version of the International Residential Code and International Building and Fire Code; and
 - v. That it exceeds 120 square feet in accordance with the 2015 International Building Code or 200 square feet in accordance with the 2015 Residential Code; and
 - vi. That if required, construction documents prepared by a registered design professional be submitted with each Affidavit of Exemption.
 - vii. Buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public.**
 - viii.
- b. Plumbing and mechanical permits are still required.
 - c. The maximum height of the structure not to exceed those described in 14.08.031(1) or (2).
 - d. The exemption does not apply to structures located within a floodway.
 - e. The proposed structure must adhere to other applicable Mason County, State, and Federal regulations or ordinances.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING MASON COUNTY CODE TITLE 14, BUILDING AND CONSTRUCTION, CHAPTER 14.08, BUILDING CODE AMENDMENTS, AMENDING SECTION 14.08.030 WITH RESPECT TO BOATHOUSES AND ADDING SECTION 14.08.031 TO ALLOW EXEMPTIONS FOR AGRICULTURAL AND STORAGE STRUCTURES

AN ORDINANCE amending Title 14, Chapter 14.08, Building Code Amendments, amending Section 14.08.030 with respect the maintenance of boathouses and adding new Section 14.08.031 providing exemptions for agricultural and storage structures under the authority of RCW 19.27.040.

WHEREAS, this Ordinance amends Chapter 14.08 by amending Section 14.08.030 to exclude the normal maintenance and repair of boathouses from building permit requirements; and

Randy Neatherlin Tim Sheldon Terri Jeffreys
Chair Commissioner Commissioner

~~WHEREAS, this Ordinance amends Chapter 14.08 to create a new Section 14.08.031—Work Exempt from Permit, and~~

Randy Neatherlin Tim Sheldon Terri Jeffreys
Chair Commissioner Commissioner

WHEREAS, Sections 14.08.030 and 14.08.031 supplement Section 105.2 of the International Building Code and International Residential Code to include certain and specific agricultural and storage structures and boathouse maintenance from building permit requirements.

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby amends the Mason County Code Title 14 (Building and Construction) revising Chapter 14.08. (See Attachment A)

DATED this ____ day of _____ 2017~~5~~.

ATTEST:

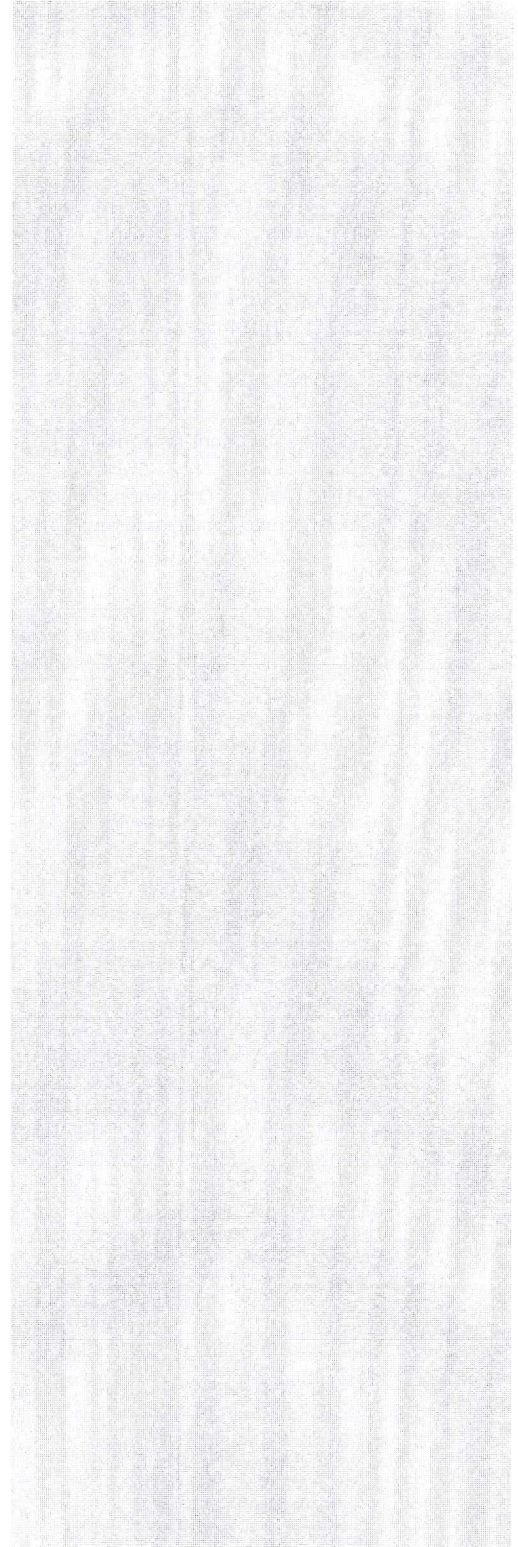
APPROVED AS TO FORM:

Julie Almanzo/Melissa Drewry, Clerk of the Board
Prosecuting Attorney_

Tim Whitehead, Chief Deputy

ATTACHMENT A

<u>Randy Neatherlin</u>	<u>Kevin Shutty</u>	<u>Terri Jeffreys</u>
<u>Commissioner</u>	<u>Chair</u>	<u>Commissioner</u>



ATTACHMENT A

TITLE 14 – BUILDING AND CONSTRUCTION
AMENDING CHAPTER 14.08, SECTION 14.08.030 AND ADDING
NEW SECTION 14.08.031

14.08.030 - IBC/IRC SECTION 105.1, PERMITS REQUIRED.

Section 105.1 is adopted, and supplemented with the following:

- (1) Permits shall be required for all docks, piers, and floats, excluding: the normal maintenance and repair of boathouses; and floats which are less than 120 square feet, are detached and chain anchored. Permits shall also be required for seawalls, bulkheads, or other similar structures, regardless of type of construction, including, but not limited to, rock, rip rap, pilings, wood and concrete block.
- (2) Permits shall be required for park trailers, recreational park trailers, manufactured housing, commercial structures, commercial coaches, factory built housing.
- (3) Permits shall be required for the construction of vehicular and/or pedestrian bridges. Submittal documents such as plans, calculations and specifications must be stamped and approved by an engineer licensed in the State of Washington is required.

The Building Official may review and approve small private foot bridges not for vehicular use.

- (4) Tenant Review Applications, Commercial (COM) Permits shall be required for commercial use buildings when there is a change in tenant prior to occupancy whether or not construction or alterations are performed or proposed and regardless of the use or occupancy classification. When a building is constructed with future tenant spaces intended to be finished or occupied at a later date, a separate permit is required for each tenant space prior to any tenant occupancy. The permit fee shall be as adopted under the current building permit fee schedule.

14.08.031 - IBC/IRC SECTION 105.2, WORK EXEMPT FROM PERMIT.

The International Building Code is clear on one important fact when it comes to exemptions. "Exemptions from *permit* requirements ... shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of th[e] International Building Code or any other laws or ordinances of [its] jurisdiction."¹ Even though a building permit may not be required, provisions of the state code are still in force and effect. In this Section, Sections [A]105.2 and R 105.2 of the International Building Code and International Residential Code are adopted herein by reference and supplemented with the following:

- (1) **Agricultural buildings:** A single-story building or structure directly related to an agricultural activity defined to include: farming; forestry; ranching; algaculture; aquaculture; apiculture (beekeeping); horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry

¹ IBC [A] 105.2

ATTACHMENT A

husbandry and the production of poultry and poultry products; dairy production; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, flowers, sod, or mushrooms; timber and pasturage. **Agricultural buildings shall be exempt when 864 square feet or less with a wall height not to exceed 16 feet, and setback ten feet from all other structures. This exemption does not apply to buildings used for the purpose of growing or producing medical or recreational cannabis which shall remain subject to the authority and restrictions of Mason County Code Chapters 17.09 (Collective Gardens) and 17.17 (Recreational Marijuana).**

- (2) **Storage (Non-Agricultural) Buildings:** Single-story buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public. **Storage buildings shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.**
- (3) **Cargo containers, also known as intermodal freight containers, are standardized, reusable portable vessels that were originally designed for use in intercontinental traffic of freight and designed to be mounted on a rail car, truck or ship. When such containers are used as a building or structure, they are subject to the provisions of the building code as adopted and modified by Mason County. Accordingly, a building permit is required to locate and use such structures. The site and building construction plans shall be adequate to demonstrate compliance with building, fire and site regulatory standards. Structural calculations are required for altered or structurally connected containers.**

As with other prefabricated structures such as portables or manufactured homes, building code approval of cargo containers may be obtained through the Washington State's Factory Built Structure Agency. Cargo Containers shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.

(2)

- (3)(4) ~~Agricultural~~ **and Storage Buildings and Cargo Storage Containers** shall be exempt from the permitting requirements of Title 14 only when:
- a. The property owner must obtain a Affidavit of Exemption and certify through the use of an affidavit recorded on title:
 - i. That the exempt structure will meet the definitions in 14.08.031(1) or (2);and
 - ii. That the structure is not located within a critical area unless it complies with Chapter 8.52 MCC, Resource Management; and

Formatted: Indent: Left: 0.5", No bullets or numbering

ATTACHMENT A

- iii. That it complies with setback requirements in accordance with Title 17 MCC, Zoning; and
- iv. That it is built to the latest version of the International Residential Code and International Building and Fire Code; and
- v. That it exceeds 120 square feet in accordance with the 2015~~2~~ International Building Code or 200 square feet in accordance with the 2015~~2~~ Residential Code; and
- vi. That if required, construction documents prepared by a registered design professional be submitted with each Affidavit of Exemption.

vii. Buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public.

vi-viii.

- b. Plumbing and mechanical permits are still required.
- c. The maximum height of the structure not to exceed those described in 14.08.031(1) or (2).
- d. The exemption does not apply to structures located within a floodway.
- e. The proposed structure must adhere to other applicable Mason County, State, and Federal regulations or ordinances.

AFFIDAVIT OF EXEMPTION

AGRICULTURAL AND STORAGE BUILDINGS

- _____ Does proposed building meeting either of the definitions?
- _____ Does applicant have a copy of zoning regulations for building site?
- _____ Does applicant need a copy of SMP or Resource Ordinance?
- _____ Does applicant have a copy of Auditor's recording requirements?
- _____ Does applicant have a Site Plan Checklist?
- _____ Does applicant have a copy of the Affidavit of Exemption?
- _____ Does applicant have a copy of the Ordinance?
- _____ Does applicant know how to access the International Building/Residential Code?

Agricultural buildings: A single-story building or structure directly related to an agricultural activity defined to include: farming; forestry; ranching; algaculture; aquaculture; apiculture (beekeeping); horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, flowers, sod, or mushrooms; timber and pasturage. ***Agricultural buildings shall be exempt when 864 square feet or less with a wall height not to exceed 16 feet, and setback ten feet from all other structures. This exemption does not apply to buildings used for the purpose of growing or producing medical or recreational cannabis which shall remain subject to the authority and restrictions of Mason County Code Chapters 17.09 (Collective Gardens) and 17.17 (Recreational Marijuana).***

Storage (Non-Agricultural) Buildings: Single-story buildings or structures used for the storage of belongings not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public. ***Storage buildings shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.***

Cargo containers, also known as intermodal freight containers, are standardized, reusable portable vessels that were originally designed for use in intercontinental traffic of freight and designed to be mounted on a rail car, truck or ship. When such containers are used as a building or structure, they are subject to the provisions of the building code as adopted and modified by Mason County. Accordingly, a building permit is required to locate and use such structures. The site and building construction plans shall be adequate to demonstrate compliance with building, fire and site regulatory standards. Structural calculations are required for altered or structurally connected containers.

DRAFT

AFFIDAVIT OF EXEMPTION

The property owner must certify, through this Affidavit as recorded on property title, that the exempt structure meets the listed criteria in Section 14.08.031(1) or (2) and that the building meets the requirements of an agricultural building or storage structure as defined therein. A scaled site plan must be included and recorded with this Affidavit.

I/We _____, being the legal owner(s) of the property located at: Address: _____, parcel no.: _____, acknowledge the following:

I. Building Use: Limitations of use of this structure shall be either agricultural or storage s defined by Mason County Code.

Agricultural buildings: A single-story building or structure directly related to an agricultural activity defined to include: farming; forestry; ranching; algaculture; aquaculture; apiculture (beekeeping); horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, flowers, sod, or mushrooms; timber and pasturage. **Agricultural buildings shall be exempt when 864 square feet or less with a wall height not to exceed 16 feet, and setback ten feet from all other structures.** This exemption does not apply to buildings used for the purpose of growing or producing medical or recreational cannabis which shall remain subject to the authority and restrictions of Mason County Code Chapters 17.09 (Collective Gardens) and 17.17 (Recreational Marijuana).

Storage (Non-Agricultural) Buildings: Single-story buildings or structures used for the storage of belongings not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public. **Storage buildings shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.**

Cargo containers, also known as intermodal freight containers, are standardized, reusable portable vessels that were originally designed for use in intercontinental traffic of freight and designed to be mounted on a rail car, truck or ship. When such containers are used as a building or structure, they are subject to the provisions of the building code as adopted and modified by Mason County. Accordingly, a building permit is required to locate and use such structures. The site and building construction plans shall be adequate to demonstrate compliance with building, fire and site regulatory standards. Structural calculations are required for altered or structurally connected containers. Cargo Containers shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.

II. Building Exemption: Agricultural and Storage Buildings shall be exempt from the permitting requirements of Title 14 only when:

- (a) That the exempt structure will meet the definitions in 14.08.031(1) or (2); and
- (b) That the structure is not located within a critical area unless it complies with Chapter 8.52 MCC, Resource Management; and
- (c) That it complies with setback requirements in accordance with Title 17 MCC, Zoning; and
- (d) That it is built to the latest version of the International Residential Code and International Building and Fire Code; and
- (e) That it exceeds 120 square feet in accordance with the 2012 International Building Code or 200 square feet in accordance with the 2012 Residential Code; and
- (f) That if required, construction documents prepared by a registered design professional be submitted with each Affidavit of Exemption; and
- (g) Plumbing and mechanical permits may still be required; and
- (h) The maximum height of the structure not to exceed those described in 14.08.031(1) or (2); and
- (i) The exemption does not apply to structures located within a floodway; and
- (j) The proposed structure must adhere to other applicable Mason County, State, and Federal regulations or ordinances.

Property Owner signature	Property Owner Signature
Date Signed	Date Signed

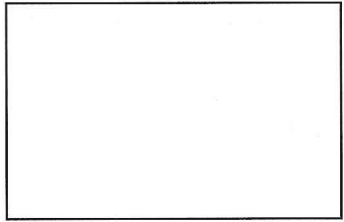
NOTARY:

STATE OF WASHINGTON)
) ss
 COUNTY OF MASON)

On this _____ day of _____, 20___, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he/she/they signed and sealed the said instrument as a free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this _____ day of _____, 20___.

 Notary Public in and for the State of Washington
 Residing at: _____
 My commission expires: _____



AFFIDAVIT OF EXEMPTION
SITE PLAN (SCALED)

