

ORDINANCE NUMBER 34 - 04

**AMENDMENTS TO MASON COUNTY CODE
TITLE 16 PLATS & SUBDIVISIONS REGARDING
ROAD ACCESS STANDARDS FOR LARGE LOT SUBDIVISIONS**

AN ORDINANCE amending the Mason County Code Title 16 Plats and Subdivisions regarding the review of road access standards for large lot subdivisions, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, the Mason County Code Title 16 Plats and Subdivisions was adopted in August 1969; text on large lot subdivisions was added on March 26, 1991; and amendments have been made through the years of enactment, the last amended by Ordinance No. 65-03 on July 1, 2003.

WHEREAS, the Department of Community Development has prepared revisions to this implementing ordinance by which the Departments of Community Development and Public Works 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 19, 2004 Mason County Planning Advisory Commission meeting, the proposed ordinance revisions to Title 16 Plats and Subdivisions were presented, and the Planning Advisory Commission members evaluated these changes and passed motions 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 the proposed revisions to Mason County Code Title 16 Plats & Subdivisions; 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 Code Title 16 Plats and Subdivisions Section 16.38.022 Roads, regarding the review of road access standards for large lot subdivisions, as described by ATTACHMENT B.

Ordinance No. 34 - 04 (continued)

DATED this 4th day of May 2004.

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

ATTEST:

Adueca S Rogers
Clerk of the Board

APPROVED AS TO FORM:

Dann Mcieker DPA
Prosecuting Attorney

Wesley E. Johnson
Wesley E. Johnson, CHAIRPERSON

Herb Baze
Herb Baze, COMMISSIONER

Jaymi Kamin
Jaymi Kamin, COMMISSIONER

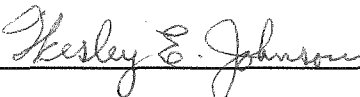
**AN ORDINANCE AMENDING
MASON COUNTY CODE TITLE 16 PLATS & SUBDIVISIONS
ROAD ACCESS STANDARDS FOR LARGE LOT SUBDIVISIONS**

**MASON COUNTY BOARD OF COMMISSIONERS
May 4, 2004**

FINDINGS OF FACT

1. Under consideration is the proposed ordinance to amend the Mason County Code Title 16 Plats and Subdivisions regarding road access standards for large lot subdivisions.
2. The Mason County Code Title 16 Plats and Subdivisions sets forth development standards to regulate the subdivision of land and make appropriate provisions for public health, safety, and general welfare; and for other services and design requirements in the division of land in Mason County.
3. The Mason County Department of Community Development staff has presented a set of revisions to this ordinance which establish evaluation standards for road access to county arterial roads as part of a proposed large lot subdivision.
4. At the April 19, 2004 Mason County Planning Advisory Commission meetings, these ordinance revisions to Title 16 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 these proposed ordinance changes.
5. At the May 4, 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 these proposed changes to the Mason County Code Title 16 Plats and Subdivisions.

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 Code Title 16 Plats and Subdivisions, Section 16.38.022 Roads, regarding the review of road access standards for large lot subdivisions.



Chair, Mason County Board of Commissioners

Date

MASON COUNTY CODE
TITLE 16 (PLATS AND SUBDIVISIONS)

CHAPTER 16.38 LARGE LOT SUBDIVISIONS

16.38.020 Design Standards.

16.38.021 Lots. The design, shape, size, and orientation of lots shall be appropriate to the use for which the lots are intended and the character of the area in which the lots are intended and the character of the area in which they are located. The lots shall be consistent with the policies of the county Comprehensive plan and other land control ordinances. Lot areas in excess of minimum standards may be required for reasons of sanitation, steep slopes, slide hazards, poor drainage, flood hazards, or other unique conditions or features which may warrant protection of the public interest.

16.38.022 Roads. (a) Roads shall be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and surface water drainage conditions, public convenience and safety, and the proposed uses of the land served.

(b) If the road is ever to be considered for County maintenance then it will need to be designed to County subdivision standards. When the County is petitioned to take over the road, it must be constructed to these standards.

(c) Because of the requirement that proposed lots shall not have direct access to any County arterial road, all lots shall be serviced with an internal roadway system when located adjacent to arterial and collector roads. When factors such as traffic, physical constraints, or location of critical area are present, this provision on access may be modified (more than one access point allowed) upon the approval of the Director.

(d) Road approach permit(s) for that access onto a County or State right-of-way shall be secured prior to approval of large lot subdivisions.

(e) Roads shall be constructed so as to minimize disruption of the natural water flow which occurred prior to the road construction. Where it is necessary to collect surface water, concentration and collection points and paths shall be located and constructed to restore the original drainage as nearly as possible.

(f) when there is a reasonable potential for future development within a large lot subdivision, or an easement through the property within the large lot subdivision accessing other unrelated property exists, the Public Works Director and/or Planning Department may, on a case by case basis, recommend to the Administrator that higher road classification standards be required as delineated in the requirements for subdivisions. The Administrator shall have final approval of such increased standards. Conversely, the Public Works Director and/or Planning Department may recommend lower road standards when such action would better serve the general public interest. The Administrator shall have final approval of such decreased standards.

Additionally, the developer may proposed roadway design standards that differ from those in Appendix A and B. These proposed standards shall be reviewed by the Public Works Department and the Planning Department, and appropriate recommendations shall be given to the Administrator. The Administrator shall have final approval of all developer proposed roadway design standards.

(g) Intersections shall be as nearly at right angles as is practicable, but in no case less than 75 degrees or more than 105 degrees.

(h) All work must be inspected and approved by the Public Works Director or designee before successive elements are begun. The Director shall be notified in advance of all operations so as to afford adequate opportunity to inspect each element. Any work accomplished without adequate advance notice to and approval by the Director may be rejected until proof satisfactory to the Director has been produced. All costs of determining the suitability of work so rejected and later submitted for approval shall be borne by the developer and shall be in addition to all other fees and inspection charges.

(i) All private roads constructed for any reason prior to the initiation of these procedures shall be subject to all the requirements herein when application for large lot subdivision is sought.

(j) The minimum width of public or private right-of-ways shall be sixty (60) feet, plus any other additional width needed to include all cut and fill slopes. The right-of-way width may be reduced to forty (40) feet upon recommendation of the Planning Department and/or Public Works Department and approval of the Administrator.

(k) The Administrator, upon recommendation of the Public Works Director and/or Planning Department, may on a case by case basis require that designed and engineered roads be constructed. This would be based upon the potential for problems occurring from under-designed, non-engineered roads in potentially unstable areas (i.e. steep slopes 17%+, unstable slopes, frequently flooded areas, wetlands, etc.).

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