

ORDINANCE NUMBER 18 - 05

AMENDMENTS TO THE MASON COUNTY DEVELOPMENT REGULATIONS

AN ORDINANCE amending the Mason County Development Regulations, Ordinance No. 82-96, Chapter 1.03.032 Development Densities and Dimensional Requirements, adding provision (3)(c.)(7) that includes the review of special cases of boundary line adjustment between two or more adjacent properties, 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. 128-04 on December 14, 2004;

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 December 14, 2004 and February 17, 2005 Mason County Planning Advisory Commission meetings, the proposed ordinance revisions in the Development Regulations were presented, and the Planning Advisory Commission members evaluated and passed motions to recommend approval of these proposed revisions;

WHEREAS, the Board of County Commissioners held public hearings about the proposed revisions on March 15, 2005, to consider the recommendations of the Planning Advisory Commission, and the testimony and letters of the Mason County Department of Community Development and citizens on the 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.

Ordinance No. 18 - 05 (continued)

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners hereby approves and ADOPTS the revisions amending the Mason County Development Regulations, Ordinance No. 82-96, Chapter 1.03.032 Development Densities and Dimensional Requirements, adding provision (3)(c).(7) that includes the review of special cases of boundary line adjustment between two or more adjacent properties, as described by ATTACHMENT B.

DATED this 15^h day of March 2005.

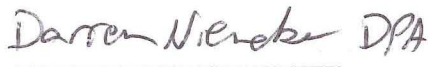
**BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON**

ATTEST:


Clerk of the Board


Jayni L. Kamin, Chairperson

APPROVED AS TO FORM:


Prosecuting Attorney


Lynda Ring Erickson, Commissioner

Absent 3/15/05
Tim Sheldon, Commissioner

AN ORDINANCE AMENDING
MASON COUNTY DEVELOPMENT REGULATIONS

MASON COUNTY BOARD OF COMMISSIONERS
March 15, 2005

FINDINGS OF FACT

1. Under consideration is the ordinance amending the Mason County Development Regulations, Ordinance No. 82-96, Chapter 1.03.032 Development Densities and Dimensional Requirements, adding provision (3)(c)(7) that includes the review of special cases of boundary line adjustment between two or more adjacent properties.
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 a proposed set of revisions to this ordinance, which establish or clarify evaluation standards for proposed development and land division.
4. At the December 14, 2004 and February 17, 2005 Mason County Planning Advisory Commission meetings, the proposed ordinance revisions in the Development Regulations were presented, and the Planning Advisory Commission members evaluated through discussions with staff and the public and, then passed motions to recommend approval of this proposed ordinance change.
5. At the March 15, 2005 public hearing, the Board of County Commissioners considered the recommendations of the Planning Advisory Commission, and the letters and testimony of the Mason County Department of Community Development and citizens regarding the proposed revisions to the Mason County Development Regulations standards.

FROM THE PRECEDING FINDINGS, and based upon the staff report, text of the proposed revisions, and public testimony, the Mason County Board of Commissioners adopts a motion to approve these revisions amending the Mason County Development Regulations, Ordinance No. 82-96, Chapter 1.03.032 Development Densities and Dimensional Requirements, adding provision (3)(c)(7) that includes the review of special cases of boundary line adjustment between two or more adjacent properties.

 3-15-05

Chair, Mason County Board of Commissioners

Date

MASON COUNTY DEVELOPMENT REGULATIONS

1.03.032 Development Densities and Dimensional Requirements

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B. This chapter regulates residential lot development through the use of Standard Residential Density limits and Maximum Residential Density limits, as contained in Figure 1.03.032 and Chapter 1.04. The Standard Residential Density shall be applied as follows:

3.c Boundary line adjustments.
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- (6) When land is transferred from an existing lot that does not meet the density requirement to another lot under this provision, no rights to increase density are transferred with the land.
- (7) Where one or more property owner(s) own two or more adjacent lots which are all deemed buildable by Mason County, and of which at least one is conforming in size, Mason County may approve a boundary line adjustment that results in the same number of conforming lots and does not create any lot less than the size of any original non-conforming lot.