

ORDINANCE NUMBER 112-06

Master Development Plan Development Regulations

AN ORDINANCE of Mason County, Washington, establishing Master Development Plan Development Regulations

WHEREAS, the Mason County Comprehensive Plan includes policies pertaining to master development planning and fully contained communities, providing guidance in the adoption of Master Development Plan (MDP) regulations;

WHEREAS, the Mason County Development Regulations do not include standards for master development planning or criteria for establishing a fully contained community;

WHEREAS, Mason County would benefit from having regulations that facilitate the long-term planning and development of large properties within the County;

WHEREAS, MDP Development regulations will assist Mason County in furthering Growth Management Act (GMA) and Comprehensive Plan objectives to foster economic development, concentrate residential growth in urban areas, and discourage suburban sprawl in rural areas of Mason County;

WHEREAS, MDP development regulations will result in public benefits by promoting projects that incorporate innovative, quality design, provide additional or enhanced development standards for open space preservation, and require project development to integrate include low impact development standards;

WHEREAS, the public participation process for crafting the draft regulations included four (4) workshops sponsored by the Mason County Department of Community Development (DCD).

WHEREAS, the Planning Advisory Board (PAC) held three (3) public hearings on the draft MDP development regulations, and following timely and effective public notice and after considering public testimony, recommended adoption;

WHEREAS, on October 13, 2006, an Environmental Checklist and Determination of Non-Significance (DNS) under the Washington State Environmental Policy Act (SEPA) was issued by the Mason County DCD part of the environmental review;

WHEREAS, on November 7, 2006, the Mason County Board of County Commissioners held a public hearing to consider the recommendations of the Planning Advisory Commission, and the testimony and letters of Mason County staff and citizens on adoption of the draft MDP development regulations.

NOW THEREFORE, the Mason County Board of Commissioners do ordain as follows:

Amend Mason County Development Regulations as follows:

Chapter 17.60 Master Development Plans

17.60.010 Purpose

A Master Development Plan (MDP) allows the phased development of a specific tract of land over several years. By addressing public service impacts and development requirements at the time of approving an MDP, such impacts and requirements need not be readdressed in subsequent phases. This approach allows the developer to rely on the MDP approval to implement future development and results in certainty for neighboring property owners and residents. An MDP allows flexibility in standards through the modification of some development standards in the underlying zoning district(s) while still meeting the intent of the Comprehensive Plan, Sub-area Plans, and Development Code.

The primary purposes for an MDP are listed below:

1. To further the goals and policies of the Comprehensive Plan and any applicable sub-area plans.
2. To allow for greater flexibility and creativity in the design of large-scale developments.
3. To provide preliminary approval for the entire development area (tract) in relation to land uses, a range of minimum to maximum potential intensities and densities, arrangement of uses, and the location of public facilities and transportation systems when an area is proposed to be developed in phases.
4. To assure that individual phases of a development will be coordinated with each other.
5. To encourage the permanent preservation of open space, wildlife habitat, riparian corridors, and other critical areas, including aquifer recharge areas, geologically hazardous areas, wetlands, frequently flooded areas, watercourses, lakes, and cultural resources in a manner that is consistent with Mason County's Comprehensive Plan and Master Trail Plan.

6. To encourage a less sprawling and more efficient form of development that consumes less land and conforms to existing topography and natural features better than a conventional development.
7. To minimize the total amount of disturbance on the site.
8. To facilitate the implementation of low impact development techniques, which protect the community's natural, predevelopment water flow in order to minimize the ecological impacts of development.
9. To facilitate the construction and maintenance of housing, commercial development, streets, utilities, and public services in a more economic and efficient manner.
10. To preserve and enhance the community character.
11. To protect water quality and supplies.
12. To provide for a diversified housing stock.
13. To provide the owner/developer an assurance of the County's expectation for the overall development as a basis for detailed, long-range planning and investment by the owner/developer.

~~The approved MDP shall be the basis for the evaluation of all phases of development on any issues~~ that it addresses. Subject to prior approval of an MDP by the County, a separate Implementing Site Development Plan (MCC 17.61) application shall be submitted for each phase of development. Approval of Implementing Site Development Plans (ISD Plans) shall be granted subject to the terms and conditions of the approved MDP, including the associated Handbook but shall be subject to the most current applicable development code provisions and County ordinances on issues that the MDP does not address.

17.60.011 Eligibility

The MDP process may be initiated when the following criteria are met:

(1) Applicant.

The Master Development Plan application must include notarized signatures of ALL current property owners listed on the Title Report consenting in writing to the proposed Master Development Plan and review process. If the property owner is a corporation, trust, other holding legal interests in the land the authorized representative must attach proof of signing authority on behalf of the corporation, trust, etc.

(2) Minimum Size.

- (A) To be eligible for consideration as an MDP in an urban growth area, the area shall contain a minimum of 40 acres.
- (B) To be eligible for consideration as an MDP in an area not within a urban growth area, the area shall contain a minimum of 250 acres.
- (3) **Contiguous Parcels.** To be eligible for consideration as an MDP, the tract shall consist of a parcel or set of contiguous parcels under single ownership or control of one person or entity with the authority to develop the land within the proposed MDP.
- (4) **Zoning Classification.** Land proposed for an MDP may not be located in designated Resource Lands.
- (5) **Fully Contained Community (FCC).** Any proposed FCC shall submit an application for an MDP.

17.60.012 Limitations

The regulations of the underlying land use district remain in place and other provisions of the County's code and development regulations shall apply unless specifically modified as allowed for in Chapter 17.60.

(1) Codes and Regulations that may be modified.

- (A) In approving an MDP, the County may modify any of the standards associated with lot size, width, depth, yard setbacks, landscaping, building height, road standards, and parking, except as listed in subsection 17.60.012(2). All modifications shall be considered simultaneously as part of the Master Development Plan review.
- (B) The applicant may request additional modifications from the requirements of MCC Title 17 Zoning and Development Regulations 1.03, except those listed in subsection 17.60.012(2). Approval for modifications other than those specifically described in 17.60.012 (1)(A) shall be approved as allowed for in the code, prior to or concurrently with the submittal of the MDP application.

(2) Codes and Regulations that may not be modified.

- (A) **Permitted Uses.** An MDP may not authorize uses that are inconsistent with those allowed by the underlying zoning district(s), or other location restriction in the Mason County Development Regulations.
- (B) **Development Density.** The maximum density of a project is the sum of the maximum densities of the underlying parcels at the time of the MDP applications, except for the provisions of Section 17.60.015(3)(B)(iii) Bonus Density. For parcels within the MU Zoning District of the Belfair Urban Growth Area and the VC Zoning District of the Allyn Urban Growth Area, the MDP shall include a residential density ranging from three to fifteen (3-15) units per acre for these portions of the proposed development.
- (C) **Master Development Plan Regulations.** The applicant may not request modifications of the provisions of the MCC 17.60 Master Development Plans.
- (D) **Environmental Regulations.** The applicant may not request to modify any provisions of the Critical Area Regulations and/or Shoreline Master Program (SMP) Regulations, except such modifications as may be allowed by the application of criteria for exemptions, conditional use or variance applications contained in the Critical Area and/or SMP regulations. The applicant may request that the application for the MDP and applications ~~for critical area or SMP exemptions, conditional use, or variance be reviewed consistent~~ with RCW 36.70B & MCC 15.05.010 (A), which allows for the integrated review of development permits and the environmental review process to avoid duplication of the review processes.
- (E) **Health Department Regulations.** All development within an MDP shall be required to comply with Mason County Health Department regulations.

(3) County Responsibility.

- (A) The County is not obligated to provide public improvements affecting the implementation of the MDP if public funds are not available.
- (B) The County is not required to approve development of any phase described in the MDP if such approval violates applicable federal or State laws or administrative rules.
- (C) Approval of the MDP shall ensure the applicant the right to proceed with development in substantial conformity with the MDP, subject to changes as may be approved pursuant to Section 17.60.022. Changes to ordinances, policies, and standards adopted after the date of recording the approved MDP shall not apply to the development, unless preempted by state or federal laws, or if determined necessary by the County for protection of public health

and safety. The County reserves the right to address a serious threat to public health or safety.

17.60.013 Optional Community Outreach Meeting

Applicants for MDP are encouraged to hold at least one neighborhood meeting in preparation of submitting a formal application for a MPD. Meetings or correspondence with the surrounding community serve the purpose of informing the community of the project proposal prior to the formal notice provided by the county. The applicant should consider outreach to neighborhood association(s), abutting property owners and occupants.

The intention of a community outreach meeting is to (1) initiate neighbor communication to identify issues and concerns early on; and (2) provide the applicant the opportunity to provide conceptual plans and concepts on the development of the MDP and identify, address, and mitigate neighbors' concerns prior to submitting their MDP application. A meeting summary may be included as part of the MDP application.

17.60.014 Pre-application Conference

(1) Pre-application Conference.

Consistent with MCC 15.05.020, a pre-application conference shall be held with County staff in order for the applicant to become acquainted with the Master Development Planning procedures and related County requirements and schedules. County staff will give preliminary feedback to the potential applicant based on the level of information provided by the applicant at the pre-application conference and will inform the applicant of issues or special requirements that may result from the proposal. The more information provided by the applicant for the pre-application conference, the more effective the comments from staff will be on the components of the proposed MDP.

(2) Multiple Pre-application Meetings.

The applicant may choose to enter into a formal voluntary agreement with County staff on a work plan with a negotiated timeline that allows the applicant and County staff to work together on specific concerns and issues associated with the proposed MDP over a series of pre-application meetings. The County may charge for staff time associated with these additional meetings.

17.60.015 Submittal and Review Requirements

(1) Initial Submittal Requirements.

A MDP shall be prepared in a clear and legible manner necessary to demonstrate that the requirements of this code are being fulfilled and shall include but not be limited to the following:

(2) Plans and Maps.

All maps or plans submitted shall be presented on a sheet having a maximum size of 24 by 36 inches. All maps shall include the name of the proposal; north arrow; scale; date map was prepared and revisions when applicable; a vicinity map; and the name, address, and phone number of the applicant. If plans are presented on more than one sheet, match lines shall clearly indicate where the several sheets join. One 11 by 17-inch reduction of all plans and supporting graphics shall also be submitted. A plan or portion thereof involving engineering, architecture, landscape architecture, or land surveying shall be respectively certified by an engineer, architect, landscape architect, or land surveyor licensed by the State of Washington to practice as such.

The sheet size and scale of any plan may be modified by the Director, based on the nature and/or size of the application. In addition, the submission requirements for any modifications to an approved MDP shall be those requirements deemed necessary for a review of such modification, as determined by the Director.

- (A) Title Report (issued no more than 30 days prior to formal application) for all land located within the boundaries of the proposed MDP. The title report shall show all persons having an ownership interest in the property included in the MDP and a legal description that describes the exterior boundary of the MDP and lists all encumbrances affecting land within the MDP.
- (B) A statement that confirms the ownership or control of the land within the boundaries of the proposed MDP and the nature of the applicant's interest in the same and the owners. If the development area has multiple owners, then all owners of record shall have consented in writing to the MDP review process.
- (C) Projected population and analysis of anticipated impact of the development upon existing utilities and community facilities and services including but not limited to water, electricity, sewer and solid waste disposal, schools, parks, open space, trails, and police and fire protection. The analysis shall include how and when these impacts are being addressed by the MDP.
- (D) Report assessing adequacy of water supply to serve the proposed development.
- (E) A traffic impact report, including projected trip generation for the entire development and by phase. If needed a traffic impact mitigation plan for the entire development and by phase.

- (F) Vicinity map showing boundaries of the proposed MDP, existing zoning, and comprehensive plan land use designation for the development area and surrounding properties.
- (G) A title-verified survey of record depicting the legal boundaries of the subject property. All easements and other encumbrances listed in the title report shall be shown and labeled with the applicable recoding number referenced in the title report.
- (H) Existing Conditions and Topography map (with a maximum contour interval of 5 feet) and narrative depicting present uses of the land, existing structures, roads, watercourses, significant vegetation, critical areas, wells, and other relevant natural and man-made features. On sites containing or abutting lakes or shorelines, the Ordinary High Water Mark (OHWM) shall be shown.
- (I) MDP based on a recorded survey, showing the proposed location and type of all land uses (this may include the layout of lots, tracts, rights-of-way, and easements), approximate acreage and approximate number of units or square footage of uses, adjacent property uses, and other relevant features. All easements and other encumbrances listed in the title report shall be shown and labeled with the applicable recoding number referenced in the title report. Any easement proposed to be extinguished shall be clearly identified on the MDP.
- (J) Separate but related public facilities plans showing: 1) existing and proposed streets, bicyclist and pedestrian ways, and transit locations. 2) utilities, sewer, natural and piped storm drainage systems, water service. Designation of responsibility for providing infrastructure and services shall be shown on the face of the plans. Conceptual plans shall address accessibility, circulation, and transportation impacts and needs. All related maps shall be of the same scale.
- (K) Conceptual grading and erosion control plans and provisions for restoration.
- (L) Preliminary design level maps and narrative showing off-site public improvements necessary to serve the proposed development and/or to mitigate impacts to adjacent property or public facilities. Where off-site or other infrastructure improvements are required, the applicant shall specify the timing and method of securing the improvements, including bond, letter of credit, or other security satisfactory for construction of said improvement.
- (M) A Conceptual Common Open Space Management Plan
- (N) A Conceptual Tree and Vegetation Retention Plan

- (O) A Conceptual Mitigation Plan (such as wetland compensation)
- (P) The Director may require additional information necessary to evaluate the proposed development including but not limited to geology, soils, stormwater, and sewer.

SUPPLEMENTAL APPLICATION REQUIREMENTS

MDP Handbook. The MDP shall be accompanied by a written report/handbook to be approved as part of the MDP addressing design guidelines and development standards demonstrating integration of low-impact development techniques, trails, open space, critical area protection, common areas, architectural design, building height, setbacks, lot coverage, construction materials, landscaping, screening, and buffering. The Handbook may incorporate information listed above, but at a minimum shall include the following information, unless waived in advance through the preapplication process. The Handbook should be organized in the sequence listed below unless a different organization and/or format is agreed to by the County during the preapplication process:

- (Q) **Timeline and Phasing of Development.** An overall schedule and description of phasing, and the development to occur in each phase. If phasing alternatives are contemplated, these alternatives shall be described. This information should be keyed to a concept map for easy reference.
- (R) **Planned Uses and Functions within the boundaries of the MDP.** Including the density or intensity of proposed uses and the maximum height and size of the proposed structures. This information shall be keyed to a supporting concept map for easy reference. A chart providing the following information shall include the following:
 - (i) Maximum number of dwelling units by type (e.g. single family attached, single family detached, cottage housing, duplex, townhouse).
 - (ii) Maximum total square feet of building floor area proposed for commercial, or industrial uses by general type of use.
 - (iii) Maximum total land area, expressed in acres or square feet and as a percent of the total development area, proposed to be devoted to residential, commercial, or industrial uses; minimum public and private open space; streets; and, off-street parking and loading areas. Land area and square feet may be expressed as a range (minimum and maximum ranges).
 - (iv) Maximum total land area expressed in acres and as a percent of the total development area (and by phase), proposed to be in pervious and impervious surface.
- (S) **Development Standards** that will be implemented in all phases of the MDP (e.g., architectural design; building height, location, [setbacks, yards and/or maximum lot coverage and orientation]; construction materials; common area development and

maintenance; landscape programs including streetscapes and entry statements; and the incorporation of native plants in all landscaping, screening, and buffering). These standards should include the following:

- (i) Site Planning Standards (e.g., street image, setbacks, lot coverage, lot width, building orientation and placement, and parking location).
 - (ii) Architectural standards for compatibility and context. These standards should allow new buildings within the MDP to achieve a measure of variety and individuality but at the same time include provisions on how new construction will be in-scale and in harmony with the existing and planned development and landscaping. Standards should address building height, volume and massing and roof shape. Standards should provide guidance on design elements (such as architectural detailing, building and roof material, eaves, fenestration (size, proportion and location of windows on a wall), building modulation, signage, lighting) that are of human scale to create variety, interest and texture on new buildings.
 - (iii) Provisions for Low Impact Development techniques throughout the MDP.
 - (iv) Landscaping standards including streetscapes, entrances, perimeter, parking lots, open space, recreation areas, and methods of screening and buffering, where incompatible land use configurations necessitates protection for the proposed development or surrounding development.
 - (v) Provisions for the creation, use, and maintenance of open space, recreation areas, and preservation of scenic features of the land.
 - (vi) Specifications on how amenities are to be provided (such as pedestrian and bicycle ways, trails, common and private open space, recreational facilities, street lighting, and landscaping), including how low-impact development techniques will be incorporated into these amenities, where these amenities shall be located, and the timing of their placement and development.
 - (vii) Pedestrian and non-motorized circulation standards.
 - (viii) Circulation and Parking Standards.
 - (ix) Signage Program, in conformance with underlying regulations.
 - (x) Miscellaneous. Including but not limited to provisions for the location and screening of trash and recycling enclosures, mailbox location(s), RV and boat storage, mechanical/electrical and storage areas, walls, recreation facilities, and other similar amenities.
- (T) Specify how roads, waste disposal, water supply, storm drainage, runoff control, fire protection, and utilities will be provided and the low impact development standards that will be implemented in their development, provide approximate timing and location. If

applicable, indicate the closest sewer and community waterlines and their capacity to serve this development.

(U) Circulation and access diagrams

- (i) Access and connectivity to adjacent public lands and trails.
- (ii) Provisions for pedestrian, bicycle and if applicable equestrian circulation throughout the development and connectivity with surrounding properties.

(V) Soil/geotechnical investigation report prepared by a professional licensed with Washington State to perform this type of analysis as necessary, including conclusions and recommendation regarding grading, foundation design, and seismic and other geological hazards on the property. Recommendations shall include grading and erosion control provisions and best management practices.

(W) Conceptual Grading and Erosion Control Plan, including a Stormwater Report consistent with the County's adopted Stormwater Management Ordinance.

~~(X) Provisions for water supply. Provide information on how new development will be served by an adequate public or private water supply system. Indicate the timing of installation of required water system improvements.~~

(Y) Sewer report.

(Z) Fire prevention measures and emergency vehicle access.

(AA) Optional Elements.

- (i) Concept Landscaping Plan
- (ii) Concept Lighting Plan.
- (iii) Project Signage Plan.
- (iv) Plans showing Building Orientation, Massing, and Footprints.
- (v) Features unique to commercial and industrial sites if applicable, such as security measures, loading, and material storage.

(3) **Review Criteria.** MDPs must demonstrate compliance with the applicable goals and policies of the Comprehensive Plan and detail the source and adequacy of water, wastewater treatment, stormwater treatment, surface and ground water protection, critical area protection, fire control,

transportation, and mitigation on adjacent properties to compensate for direct impacts from noise fugitive dust, odor, and runoff. Compliance with these review criteria shall entitle the applicant to a residential density bonus not to exceed the Maximum Residential Density allowed within the underlying zoning district. The burden of proof is on the applicant to demonstrate the proposed MDP is consistent with the following criteria.

(A) Land Suitability.

- (i) No land shall be developed that is held to be unsuitable for any proposed use or if identified as development not permitted in a critical area pursuant to MCC 17.01 (Mason County Resource Ordinance). Areas identified as being critical areas include but are not limited to wetlands, aquifer recharge areas, frequently flooded areas, landslide hazard areas, seismic hazard areas, erosion hazard areas, and fish and wildlife habitat conservation areas.
- (ii) Critical Areas should be located in a tract or other permanent designation that indicates the land is not available for development. In any MDP not located within an urban growth area, critical areas and any required buffer or vegetation area may be included as common open space in an MDP pursuant to 17.60.015(F)(ii)(b)

(B) Uses and Density.

- (i) A MDP may only contain uses that are permitted in the zone(s) in which it is located.
- (ii) When an MDP is located in more than one zoning district, uses and density may shift between zoning districts within the boundaries of the MDP if that transfer does not exceed the maximum density of the zone and results in a project that better meets the goals and policies of the Comprehensive Plan.
- (iii) **Bonus Density.** The County Board of Commissioners may approve a bonus in the number of dwelling units allowed up to the maximum residential density allowed in the Mason County Development Regulations, based on the gross land area of the property, if:
 - (a) **For Rural Areas.** The applicant may request a bonus in the number of dwelling units permitted by the underlying land use district (see Mason County Development Regulations 1.03.032A and 16.22).
 - (b) **For Urban Areas.** The applicant may request a density bonus of up to one unit/gross acre for each five (5) percent increase in the total minimum required open space.
 - (c) **Bonus Decision Criteria.** The County Board of Commissioners may approve a bonus in the number of dwelling units allowed up to the maximum residential density allowed in Mason County Development Regulations, based on the gross land area of the property, if:

- The design of the development offsets the impact of the increase in density due to provision of privacy, open space, landscaping, and other amenities; and
- The increase in density is compatible with existing uses in the immediate vicinity of the subject property.

(C) **Public Benefit.** The Master Development Plan must demonstrate that the proposed development will provide specifically identified benefits that clearly outweigh any adverse impacts of undesirable effects of the proposed MDP. These public benefits include but are not limited to:

- (i) **Low Impact Development.** Development within the MDP shall utilize low-impact development (LID) techniques that protect water quality, reduce stormwater runoff, reduce impervious surfaces, and preserve open space.
- (ii) **Critical Area and Shoreline Protection.** The MDP protects critical areas and/or shoreline areas that would not be protected otherwise to the same degree as without the Master Development Plan.
- (iii) **Natural Features.** For projects outside an Urban Growth Area, the MDP preserves and enhances natural features of the subject property such as clusters of, madrona trees, rock outcroppings and non-critical area wildlife habitat not required under other County regulations.

(D) **Housing.** Clustering of residential structures and use of other innovative housing styles (e.g., zero lot line development, cottage housing, townhouses) is encouraged in order to preserve existing site amenities such as lakes, native vegetation, trees, critical areas, and scenic vistas. Residential development shall meet the following requirements:

- (i) The total residential density allowed may not exceed the allowed maximum residential density within the development area, pursuant to Mason County Development Regulations Section 1.03.032 & 1.04..

(E) **Site/Building Design.** Development shall demonstrate high quality architectural design and thoughtful placement of structures in relation to the natural and built environment.

- (i) Siting of all development shall avoid the following:
 - (a) Interruption of scenic views and vistas from public rights-of-way, parks, and other publicly owned lands;
 - (b) Construction on hill tops or ridgelines without consideration of building massing, visibility and the inclusion of public spaces;
 - (c) Direct access from individual parcels onto existing public ways

- (d) A predominant “linear” configuration of common open space (except when following a linear site feature such as a watercourse or shoreline).
 - (e) Creation of a “gated” community.
- (ii) Development standards within the MDP shall address the following:
- (a) When designing a new non-residential building, consider other buildings in the area to determine whether there are opportunities to ensure harmony in the texture, lines and masses of the buildings.
 - (b) Building setbacks along streets should consider the setbacks of neighboring structures to allow for continuity among buildings and ensure visibility from the street.
 - (c) The size, scale, mass, character, and architectural design along the perimeter of the MDP shall incorporate a suitable transition to adjacent or abutting lower density/intensity zones. New development should consider the predominant character of the surrounding area and reinforce the positive architectural attributes, siting patterns of buildings, massing arrangements, and streetscape of the surrounding development.
 - (d) The orientation of non-residential individual building sites shall maintain maximum natural topography and cover. Buildings should be oriented to enhance and protect views from within the site by considering topography, building location, mass, and style.
 - (e) Incorporation of appropriately sized landscape buffers that provide transition and screening between adjoining properties and uses of different intensity.
 - (f) Materials used shall reduce the potential for light and glare.
 - (g) Coordinate site and building design throughout the MDP. Building within phases should be related by coordinated materials and roof styles, but contrast should be allowed through the incorporation of varied materials, architectural detailing, building orientation or housing type (e.g., cottage housing, accessory dwelling units, single family detached and attached, townhouses).
 - (h) Incorporate well-designed open space and landscaping when clustering houses or separating building groupings to provide an appearance of openness and a reduction of impervious surfaces.
 - (i) Incorporate provision for internal privacy between dwelling units and external privacy for adjacent dwelling units. Each residential or mixed-use development should provide visual and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walkways, landscaping, and berms may be used as appropriate for the protection and aesthetic enhancement of the property; ensuring the privacy of the occupants and surrounding properties; and screening of storage, mechanical, garbage, recycling, and other appropriate areas; and for noise

reduction. Consider placement of windows at a height or location or placement of appropriate screening to provide sufficient privacy, light, and air for each unit.

- (j) The visual impact of garages should be reduced by the use of additional setbacks from the street, when garage doors must face the street or by the use of side facing or rear facing garages (accessed off an alley), when possible.
- (k) Any mixed-use development shall be located in consideration of the natural environment as well as the use, scale and architecture of the surrounding built environment. Uses shall be consistent with those permitted in the underlying zone and the location clearly identified in the MDP. Pedestrian and non-motorized access shall be incorporated into the design of the mixed-use development.
- (l) All new electrical distribution and communication lines necessary to furnish permanent service to new commercial and industrial buildings, multiple-occupancy buildings and new residential buildings are required to be underground. Undergrounding of all existing overhead electrical distribution and communication lines is required where there is a change in use or intensification of an existing use proposed as part of the MDP.

(F) **Common Open Space.** A common open space designated on the Master Development Plan is area permanently set aside for the common use of the residents of the development, or for the use of the community as a whole if so designated. The common open space may be landscaped and/or left with natural vegetative cover.

Common open space is land that meets the following standards:

- (i) **Urban Growth Areas.** Minimum Common Open Space for Master Development Plans located within an Urban Growth Area.
 - (a) Common open space shall be predominately located in large contiguous, undivided areas, with no dimensions less than 30 feet.
 - (b) Critical areas may be located within the common open space, provided no more than twenty (20) percent of the common open space areas are designated critical areas, and the critical areas and their buffers account for no more than forty (40) percent of the common open space. Signage and/or fencing may be required to protect and/or delineate the critical area.
 - (c) The minimum common open space shall be concentrated in large usable areas.
 - (d) Single Family Residential: Residential developments Shall provide a minimum area of common space or recreation area equal to two hundred (200) square feet per unit. Figure 17.60-1. Common Open Space Examples for Single Family Residential in an UGA

- (e) Attached Residential Units: Attached housing developments shall provide a minimum area of common space or recreation area equal to one hundred (100) square feet per unit.
- (ii) **Outside of an Urban Growth Area.** Minimum Common Open Space for Master Development Plans not located within an Urban Growth Area
 - (a) 65 % of the gross land area within the boundaries of the proposed MDP shall be designated as Common Open Space.
 - (b) Up to 65% of this designated common open space may consist of critical areas and their required buffers.
 - (c) Common open space shall be located in large contiguous, undivided areas, with no dimensions less than 50 feet.
- (iii) Standards for Common Open Space in both Urban and Rural Areas
 - (a) No more than 15% of the required common open space may be covered with impervious surfaces such as trails, community structures, and amenities (including swimming pools, sport courts, and accessory structures).
 - (b) Common open space must preserve important site features, such as existing trees and clusters of trees, unique geological features, and wildlife habitat
 - (c) Common open space must minimize the fragmentation of open space. To the greatest extent possible, the designated common open space shall be located in large, undivided areas.
 - (d) The following recreational and community utility uses may be allowed in common open space areas, unless prohibited by critical area or shoreline regulations:
 - Beaches, docks, swimming areas, picnic areas, trails/pedestrian walkways, equestrian trails, playgrounds, and any non-motorized passive recreational facilities.
 - Community wells, well houses, water lines, community drainfields, retention and detention ponds, water recharge and infiltration facilities, water system appurtenances, and biofiltration swales.
 - (e) Common open space shall be accessible by all residents and employees of the MDP for passive recreation and enjoyment.
 - (f) Common open space areas should be interconnected and access provided as appropriate.
 - (g) An open space management plan that addresses vegetation removal, planting, enhancement and maintenance shall be approved with the MDP.

(h) Permanent vegetation removal within common open space shall not be permitted, except that the following activities shall be allowed where vegetation removal is the minimum necessary to conduct the activity:

- Construction and maintenance of trails, playfields, community structures, sport courts, or other amenities as provided for in MCC 17.60.015(F)(iii).
- Removal of diseased or hazardous vegetation, such as invasive plant species, consistent with best management practices and a plan prepared by a landscape architect.
- Selective thinning and enhancement of native vegetation.

(i) Any proposed common open space, unless conveyed to a land trust, shall be subject to a recorded conservation easement¹ providing that such land shall be perpetually kept in an open state, and shall be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.

(G) **Private Open Space for Master Development Plans within Urban Growth Areas.** Each residential unit in the MDP shall have usable private open space (in addition to parking, storage space, lobbies, and corridors) for the exclusive use of the occupants of that unit. Each ground floor unit, whether attached or detached, shall have private open space, which is contiguous to the unit and shall be an area of at least twenty percent (20%) of the gross square footage of the dwelling units. The private open space shall be well demarcated and at least ten-feet in every dimension. Decks on upper floors can substitute for some of this required private open space. For dwelling units that are exclusively upper story units, there shall be deck areas totaling at least sixty square feet in size with no dimension less than five-feet.

(H) **Amenities.** Development shall address the incorporation of the following amenities as appropriate for the site and proposed uses:

- (i) Bike/pedestrian trail(s). Trails shall be developed in the MDP that will be linked to existing or proposed trails or otherwise provide linkage between local streets and destinations within and outside of the MDP such as parks, schools, open space, other streets, and commercial areas. When feasible developers are encouraged to connect to off-site trail facilities.
- (ii) Community facilities such as all season meeting facilities, parks, play lots, swimming pools, tennis courts, basketball courts, or other type of sports fields.

¹ Conservation easement. A grant of property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open, or wooded state, precluding future or additional development.

- (iii) In MDPs proposing 100 residential units or more, consideration should be given to provide storage lots/yards for boats, trailers, recreational vehicles, commercial vehicles, commercial truck and/or commercial trailer. Solutions (such as common storage buildings, yards lots and covenants) shall ensure that these are not parked and/or stored in streets, driveways, or residential front yards within the MDP. Storage yards/lots for boats, trailers and RVs must be screened from view.
- (iv) Educational features such as signage in association with natural features located within common open space.
- (v) Other. Trash and recycling receptacles, bike racks, transit stops, bus pullouts, bus shelters, or kiosks.

(I) Preservation and Restoration for MDPs Outside of UGAs.

- (i) Landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal.
- (ii) Any grade change shall be in keeping with the general appearance of the surrounding area. Areas that are cleared and graded should be restored in a manner appropriate based on the surrounding landscape.
- (iii) Treat natural topography, natural drainageways as fixed determinants of roadway and lot configuration rather than as elements that can be changed to follow a preferred development scheme.
- (iv) Streets and building pads shall be designed and located to maintain and preserve natural topography and clusters of trees, avoid critical areas, minimize cut and fill, and protect and enhance views within or outside of the MDP.

(J) Circulation Design. An MDP provides an opportunity to develop a circulation system that has consistent roadway design and layout and less impact on the natural environment. Access within and through the MPD shall be designed to complement existing roadways, while providing numerous transportation choices and routes. Narrow travel lanes, traffic calming devices, and alternative pavements for street parking may be utilized to reduce impervious area. The MDP shall have sufficient non-motorized and motorized access commensurate with the location, size, density and uses within the proposed development. The circulation system within the MDP shall be developed based on these criteria:

- (i) Provide a connected street pattern that affords multiple access points to neighborhoods.
- (ii) Provide an interconnected network of streets, pathways, and trails to disperse vehicular trips and to make non-motorized modes of travel (such as walking and biking) practical, safe, and attractive for short trips.

- (iii) Accommodate the traffic demand created by the development on all streets as documented in a traffic and circulation report approved by the County Engineer.
- (iv) Provide efficient fire and safety vehicle access.
- (v) Provide a street system that minimizes site disturbance, avoids critical areas, and reduces fragmentation of landscape.
- (vi) Incorporate street and parking designs that minimize impervious surfaces to reduce stormwater flows.

(K) **Road Layout.** There are a variety of street system layouts that may be employed to reduce impacts on the natural environment and provide connectivity to the County's road system. Alternative systems should be presented with an emphasis on a modified grid system. This modified system is characterized by interconnected roadways, large open spaces, and very few cul-de-sacs. A modified grid pattern provides curving and looping roadways to reduce vehicle speeds, add character and accommodate topography, natural features or existing development. All MDP's shall incorporate multiple points of access to the County road system.

Design - The following criteria shall be used in designing the street system:

- (i) Provide a minimum of 2 access points to the County road system and additional access points as required to reduce traffic congestion
- (ii) Discourage external traffic from short cutting through the development.
- (iii) Provide convenient internal circulation to avoid reliance on the arterial system.
- (iv) Ensure multiple pedestrian and bicycle routes are included utilizing road rights of way, easements, open space, and/or utility corridors.
- (v) Provide for future roadways identified in the County's Comprehensive Plan.
- (vi) Provide connection to adjacent parcels when directed by the County Engineer.
- (vii) Provide turnouts or intersections at a minimum of every 800 feet along a roadway when feasible to improve internal circulation.
- (viii) Follow the existing topographic contours to minimize cuts and fills.
- (ix) Avoid critical areas.
- (x) Minimize or avoid stream crossings.

- (xi) Locate open space areas or bioretention areas down gradient of roads, walkways or other impervious surfaces.
 - (xii) Minimizes the length of the overall roadway network.
- (L) **Road Sections.** Applicable existing road standards for the Allyn, Belfair and Shelton Urban Growth Areas and for the Rural Areas, MCC Chapter 16.48, shall apply except as modified in Appendix A.
- (i) The applicant may be permitted to develop to road standards other than those for the Allyn, Belfair and Shelton Urban Growth Areas and for the Rural Areas when a clear public benefit can be demonstrated.
- (M) **Pavement.** See Appendix A for required LID techniques.
- (N) **Parking Area Requirements.** The MDP shall site and design commercial, manufacturing and industrial development to minimize the visual impact of impervious areas dedicated to parking and/or reduce the effective imperviousness of parking areas, while still providing adequate parking for various land use classifications. See Appendix A for required LID techniques.
- (i) Parking areas shall be located to minimize their visibility from the street.
 - (ii) Parking areas shall be adequately landscaped along the perimeter and in the interior.
 - (iii) When surface parking areas are adjacent to a public right-of-way the parking area shall provide a planting strip between the parking area and right-of-ways. This perimeter screening shall provide year around visual screening of the parking area that meets or exceeds the minimum required by the underlying land use district designation. Screening may include low walls, opaque hedge walls.
 - (iv) At least 10 percent of the parking area, not including driveways and loading area, must be landscaped. The landscaping must be dispersed throughout the parking area. Landscaped areas shall be sufficiently large to provide on-site stormwater management. Filter strips can be designed as landscape features within parking lots or other areas, to collect flow from large impervious surfaces. Perimeter landscaping may not substitute for interior landscaping.
 - (v) One tree shall be planted for every four parking stalls provided. Existing trees may be used to meet this standard. If existing trees are retained, each tree 6 inches or less in diameter counts as one tree. Each tree more than 6 inches and up to 9 inches in diameter counts as two trees. Each additional 3-inch diameter increment above 9 inches counts as one tree.
 - (vi) Protective curbs shall be placed around landscaping. Where stormwater is intended to run off the parking area into a landscaped area, the curbs must be discontinuous (as

with tire stops) or perforated. Where landscaping is at higher grade than the parking area, the curbs must be continuous to prevent soil or other material from washing off the landscaped area onto the vehicle area.

- (vii) Minimum off-street parking requirements outlined in Chapter 17.28 for non-residential uses shall be used. The total number of parking spaces may exceed the minimums outlined in Chapter 17.28.
- (viii) The designer shall incorporate alternative paving surfaces into the parking lot to promote infiltration of the runoff without the need for conventional catch basins and pipe systems.
- (ix) Where underlying soils are not conducive to rapid infiltration, bioretention areas should be incorporated into the parking lot as concaved landscaped areas (i.e. situated lower than the height of the parking lot surface so that stormwater runoff is directed as sheet flow into the bioretention area.) Bioretention areas can be used in concert with alternative paving surfaces to maximize the attenuation of runoff. Spacing and layout of the bioretention area should be designed so runoff is maintained as sheet flow from the driving surfaces into the bioretention area. The travel path of sheet flow across a parking lot to a bioretention area should be limited to cross only one driving lane and across one set of parking stalls before arriving at the side slopes of the bioretention area.
- (x) **Shared Parking.** Utilizing shared parking can reduce the total amount of impervious area and reduce the total number of required parking spaces. This strategy is appropriate for land uses with non-competing hours of operation, such as a church and a school or office. For proposals with shared parking, the following requirements must be met:
 - (a) The peak parking demand for the two uses must occur at different times of the day or week.
 - (b) Properties must be in close proximity to each other.
 - (c) Each establishment must have long term, consistent parking needs.
 - (d) Property owners must enter into a legally binding agreement that outlines the terms of shared parking arrangements, which shall be approved by the County.
- (xi) **On Street Parking.** See Appendix A for required LID techniques.
- (O) **Alleys.** Alleyways with garages located at the rear of lots provide more visually appealing streetscapes, effectively taking vehicle access emphasis from the front of homes. However, the use of alleys may increase the overall amount of impervious surface on the site. See Appendix A for required LID techniques. The following standards apply to alleys:
 - (i) Alleys may not be used in lieu of roads due to access needs of emergency vehicles.

- (ii) No parking is allowed within an alley. Alleys shall be posted for no parking.
 - (iii) Alleys shall be paved.
 - (iv) Alleys should be constructed without curb, gutter, or sidewalks.
 - (v) Alleys shall be limited to a maximum of 16 feet in width for two-way traffic and 12 feet for one-way traffic. A minimum - 5-foot setback from the rear property line is required for obstructions such as fences and walls for any alley constructed with widths between 12 to 14-feet.
 - (vi) Garages accessed from an alley shall be setback a minimum of 13-feet from the centerline of the alley.
 - (vii) Residential fences, walls or hedges along rear lot lines of interior lots abutting alleys shall contain an access gate to the alley.
- (P) **Driveways.** Driveways are typically constructed with impervious surfaces and may have a significant impact on storm water quality and quantity. They also affect the character of a neighborhood by providing large expanses of pavement, become storage areas or provide repetitive, closely spaced interruptions of walkways and paths. See Appendix A for required LID techniques. The following guidelines should be used to limit the number and impact of driveways:
- (i) Driveways serving a single-family residence shall be a maximum width of 12 feet at the front property line. Driveways can be reduced to 10 feet in width with a bulb-out at the garage.
 - (ii) Driveway length should be reduced as much as possible. This may be achieved by locating the house closer to the road or by using alley access directly into a garage. Garages accessed from a street, both attached and detached, should be setback from the front facade of the primary building. Driveway length shall be designed to accommodate the entire length of an average sized passenger vehicle (e.g. SUVs, pick-up trucks, sedans, vans) for parking. A minimum length of 22 feet shall be provided as measured from the face of the garage to the back of the sidewalk, back of the concrete curb (no sidewalk), or back of the roadway vegetated open channel and or bioretention area or residential stormwater rain gardens.
 - (iii) Plans shall consider the incorporation of common/shared driveways.
 - (iv) Driveways serving two or more single family residences shall be limited to a maximum of 18 feet in width at the front property line or 24 feet for a three car garage bay.
 - (v) A shared driveway shall serve no more than four dwelling units unless a greater number of units are considered acceptable to the County.

(Q) **Sidewalks and Paths.** See Appendix A for required LID techniques.

- (i) Sidewalks and trails should be disconnected from the traveled way portion of the road, to the greatest extent possible. Every lot shall have pedestrian access to an abutting trail or to a sidewalk located on at least one side of the road. Sidewalks and trails may be separated from the roadway by placement of a vegetated open channel or planter strip.
- (ii) At the end of cul-de-sacs, pedestrian and bicycle connections should be encouraged to provide direct access to nearby sidewalks/trails and/or common open space areas.

(R) **Water Systems.**

- (i) Applicant shall provide adequate evidence of water rights capable of providing sufficient quantity for identified service area and designated land use from the Department of Ecology.
- ~~(ii) Applicant shall obtain source approval from the Department of Health consistent with approved water rights certificate.~~
- (iii) An approved Water System Plan consistent with the Department of Health and WAC 246-290-100 shall be prepared by applicant and approved by the Department of Health.
 - (a) Master Development Planning and Fully Contained Communities shall be serviced by a Class A water system and provide fire flow in accordance with Department of Health guidelines and appropriate District Fire Marshall.
 - (b) Level of Service standards and concurrency requirements for water supply system shall be consistent with the most recent update of the Mason County Comprehensive Plan.
 - (c) Future water system expansions and service extensions identified in the approved Water System Plan are provided in a manner consistent with proposed Master Development Plan.

Conditions of Approval shall require:

- (iv) Applicant shall prepare and receive approval from the Department of Health of a project engineering report consistent with the DOH Water System Design Manual prior to proceeding with final construction drawings.

- (v) Construction drawings shall adhere to and incorporate the WSDOT/APWA Standard Plans and Specifications for Road, Bridge, and Municipal Construction.
- (vi) Applicant shall obtain Department of Health approval for construction drawings for all water system improvements.

(S) Wastewater/Sanitary Sewer.

- (i) All new improvements within Master Development Planning and Fully Contained Communities shall connect to existing or proposed public sewer systems when located within the County's urban growth areas. Public sewer systems are those owned and operated by any legally recognized municipal organization as a public utility.
- (ii) Within urban areas, applicant shall provide evidence that the existing publicly owned treatment plant has adequate capacity or can be expanded to treat wastewater generated from Master Development Plan service area and proposed land uses.
- (iii) Within urban areas, applicant shall provide evidence that the existing publicly owned collection system has adequate capacity to convey wastewater generated from Master Development Plan service area and proposed land uses to the publicly owned treatment plant.
- (iv) Applicant shall provide Mason County with sewer availability certificate for the proposed collection and treatment of wastewater generated from the Master Development Plan from the recognized public utility purveyor.
- (v) Level of Service standards and concurrency requirements for wastewater treatment and collections system shall be consistent with the most recent update of the Mason County Comprehensive Plan.
- (vi) Within rural areas of the County, privately maintained large onsite community drainfields designed and constructed consistent with the Mason County Health Department for systems 3500 gallons per day and under, Washington State Health Department for systems greater than 3500 gallons per day up to 14,000 gallons per day, and the Department of Ecology for systems greater than 14,000 gallons per day will be allowed in lieu of publicly owned sewer systems.
 - (a) All onsite systems must be designed by a Licensed Onsite Wastewater Designer or Professional Engineer.
 - (b) All private onsite systems require an ongoing Operations and Maintenance program consistent with the Mason County Onsite Standards.
 - (c) All new wastewater collection system extensions shall adhere to the Department of Ecology Design Criteria for Sewage Works Design and Department of Health for onsite systems only.

Conditions of Approval shall require:

- (vii) Construction drawings shall adhere to and incorporate the WSDOT/APWA Standard Plans and Specifications for Road, Bridge, and Municipal Construction.
- (viii) Applicant shall obtain Department of Ecology approval for construction drawings for all wastewater system improvements.

(T) Storm Water Management.

- (i) Applicant shall comply with Mason County Stormwater Management Ordinance. The ordinance defines specific minimum requirements and other approval standards for development on all ranges of parcel size.
- (ii) Mason County has adopted a Stormwater Management Ordinance located in County Code Section 14.48, which outlines minimum requirements and best management practices (BMP's) for new development and other improvements.
- (iii) Until Mason County develops a Stormwater Management Plan or utility, Stormwater will be managed primarily through onsite control measures consistent with the County's Stormwater Management Ordinance (MCC 14.48).
- (iv) Public facility development shall minimize impacts to shorelines, preserving the natural stream environments where possible.
- (v) The applicant shall implement practical and effective Low Impact Development (LID) site design and management strategies to meet flow control objectives. See Appendix A for LID techniques.

Conditions of Approval shall require:

- (vi) Construction drawings shall adhere to and incorporate the WSDOT/APWA Standard Plans and Specifications for Road, Bridge, and Municipal Construction.

(U) Flow Control.

- (i) Create a facility strategy, which preserves and supplements necessary natural drainage processes and other natural systems to minimize runoff impacts from development.
- (ii) Carefully control development in areas of steep slopes where surface water runoff can create unstable conditions. Maintain natural vegetation for slope stabilization.
- (iii) **Conservation Measures.**
 - (a) Maximize retention of native forest cover and restore disturbed vegetation to intercept, evaporate, and transpire precipitation.

(b) Preserve permeable, native soil and enhance disturbed soils to store and infiltrate stormwater.

(c) Retain and incorporate topographic site features that slow, store and infiltrate stormwater.

(d) Retain and incorporate natural drainage features and patterns.

(iv) Site Planning and Minimization Techniques.

(a) Utilize a multidisciplinary approach that includes planners, engineers, landscape architects and architects at the initial phases of the project.

(b) Locate buildings and roads away from critical areas and soils that provide effective infiltration.

(c) Minimize total impervious surface area and eliminate effective impervious surfaces

(v) Distributed and Integrated Management Practices.

(a) Manage stormwater as close to its origin as possible by utilizing small scale, distributed hydrologic controls.

(b) Maintain existing or create a hydrologically rough landscape that slows storm flows and increases time of concentration.

(c) Reduce the reliance on traditional conveyance and pond technologies.

(vi) Maintenance and Education.

(a) Develop reliable and long-term maintenance programs with clear and enforceable guidelines.

(V) Water Quality Treatment.

(i) Protect physical and biological integrity of wetlands, streams, wildlife habitat, and other identified critical areas.

(ii) Maintain water quality within all Shoreline Management Act waterfront areas through careful design, operation, construction, and placement of public facilities.

(iii) Comply with the National Pollutant Discharge Elimination System (NPDES) and state regulations.

(iv) Under no circumstances shall hazardous waste be allowed to contaminate groundwater, surface water, or sewer systems of Mason County. Dispose of hazardous wastes only in locations designated for that purpose.

(W) **Phasing.**

The Phasing Plan shall demonstrate how the project development will be sequenced, including the necessary infrastructure and required project amenities (i.e. parks, common space, open space). The Phasing Plan shall indicate milestones of development that mandate thresholds for completing associated infrastructure and amenities and shall ensure that a functioning, viable circulation system will exist during all phases.

- (X) **Cultural Resources.** The removal or disruption of historic uses, structures, or architectural elements or other cultural resources shall be minimized to the extent feasible in the development of the MDP, whether on the site or on adjacent properties.

17.60.016 Process

- (1) **Permit Process.** MDPs shall be reviewed under a Type IV permit procedure. A complete MDP application together with all required materials listed in 17.60.015(2) & (3) shall be submitted to the Director prior to review and after a pre-application meeting with County staff has been held.
- (2) **Complete Application.** An application is complete for purposes of this section when it meets the submittal requirements established by the County, is accompanied by payment of all required fees and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the County from requesting additional information or studies either at the time of the notice of completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.
- A valid and complete application for a MDP that is permitted under the zoning or other land use control ordinances in effect on the date of the application shall be considered under the land use regulations in effect on the date of such valid and complete MDP application.
- (3) **SEPA Threshold Determination.** An application for an MDP shall not be considered complete unless it is accompanied by the appropriate State Environmental Policy Act (SEPA) document in accordance with all procedural requirements of Chapter 43.21c RCW, SEPA, administrative regulations adopted to implement SEPA, and the Mason County Environmental Policy Ordinance 99-84, or as hereafter amended.

Applicants shall prepare SEPA analysis that addresses the MDP as a whole for the requested build out period, and may address to a greater detail one or more early phases. The SEPA document for a MDP shall analyze a range of uses and impacts within the project envelope, i.e. development assumptions and parameters including but not limited to areas of clearing and pavement, building heights, traffic trips, etc. As such, much of the development proposed in any subsequent ISD Plan application will most likely have been addressed in the MDP SEPA document.

(4) Referral and Comment

(A) **County Review.** Upon receipt of a complete application, the County will assign a planner to coordinate the review and processing of the MDP application. The complete application shall be circulated to the appropriate County staff and other agencies with jurisdiction as necessary.

(B) **Third-Party Review.** The County may require third-party review in cases where additional professional or technical expertise is required. The cost of any third-party review will be the responsibility of the applicant.

(5) **Development Agreement.** The applicant shall prepare a Development Agreement for county review and approval, in accordance with RCW 36.170B.170 through 210.

(6) **Public Notice and Hearing.** Upon receipt of a complete application for a master development plan or amendment, notice of application, public meetings, and hearings shall be given consistent with MCC 15.07.

(7) **Cancellation of Master Development Plan applications.** Applications for an MDP and approvals may be canceled for inactivity if an applicant fails to respond to the County's written request for revisions, corrections, or additional information within 90 days of the request. The Director may extend the response period beyond 90 days if within that extended time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections, or other information needed by the County.

(8) **Planning Advisory Committee Review.** The Planning Advisory Committee shall hold a public meeting to hear public testimony and make a written recommendation on the proposed MDP to the County Board of Commissioners, whether to approve, approve in modified form, or deny the proposed MDP or amendment, based on the findings in Section 17.60.017.

(9) **Board of County Commissioner Review and Action.** Pursuant to MCC 15.09.060, the County Board of Commissioners will hold a public hearing to hear public testimony and consider the recommendation of the Planning Advisory Committee. The Board of County Commissioners

may approve, approve with modifications or deny the proposed MDP or amendment, based on findings contained in Section 17.60.017. The approved plan shall be recorded and may be amended more than once if the applicant, developer and/or successor in interest and the Board of County Commissioners agree.

17.60.017 Decision

- (1) **Findings.** The Board of County Commissioners may approve an MDP or amendment only if all of the following findings of fact can be made in a positive manner:
- (A) The MDP is consistent with and promotes the goals and policies of the Comprehensive Plan and any applicable sub-area plan.
 - (B) The proposed MDP adequately addresses the applicable review criteria in Section 17.60.015(4).
 - (C) The MDP and Handbook provide adequate guidance for the design, development and coordination of future phases. ~~The development standards contained in the MDP Handbook~~ serve to protect the public health, safety and general welfare.
 - (D) The MDP adequately addresses the physical development characteristics of the proposed development area.
 - (E) Proposed on- and off-site public and private improvements shall be sufficient to accommodate the proposed phased development and any capacity requirements of public facilities plans; provisions shall be made to assure that construction of off-site improvements occur in conjunction with a schedule of the phasing.
 - (F) The MDP is consistent with all applicable requirements of State and federal law.
 - (G) Physical features, including but not limited to, critical areas, surface and groundwater, significant clusters of trees and shrubs, riparian areas, open spaces, and areas of historic and archaeological significance are protected as specified by Mason County Code or in State or federal law.
 - (H) Local public facility plans and transportation plans shall not be adversely impacted by the proposed development and mitigation is provided to ensure attainment of County or service provider standards.

(2) **Rural Lands.** In addition to the finding listed above in MCC 17.60.017(1), in Rural Areas the County must make the following findings:

- (A) MDPs in rural areas shall not require the provision of municipal sewers.
- (B) In rural areas, on-site public services or facilities are limited to the land area within the MDP and are not available to spur growth outside the MDP.

(3) **Fully Contained Communities (FCCs).** In addition to the findings listed above MCC 17.60.017(1), findings for new, fully contained communities are as outlined in RCW 36.70A.350.

- (A) Infrastructure, including transportation, waste water disposal, water service, school, fire, and public safety must be capable of meeting demand, as it occurs in the FCC. A voluntary agreement may substitute for construction of necessary improvements to meet adequacy requirements, if local service providers approve in writing and the program is adopted into the approved MDP as a condition of approval.
- (B) The MDP identifies and provides for internal and external links to implement transit-oriented site planning and traffic demand management programs. The MDP shall identify how such programs are implemented and conform to regional transportation plans.
- (C) The MDP shall identify and develop buffers to separate the MDP community from potentially incompatible but lawful uses, and from adjoining urban development, if any, or rural development.
- (D) The MDP shall provide a phasing plan to include a mix of uses within the community to provide jobs, housing, and services to the residents of the new community. The phasing plan shall provide assurance that the community will develop with a balance of residential, commercial, and other uses.
- (E) The MDP shall provide affordable housing for a broad range of income levels, which may include a mix of residential uses such as attached and detached single-family units; accessory dwelling units; duplexes, triplexes, and fourplexes; townhouses; cottages; and multifamily; as well as senior housing, including assisted living, congregate, and long-term care facilities.
- (F) The environmental documents shall identify and designate on site, and off site to the extent necessary, all environmental considerations, and specifically but not limited to all critical areas that may be affected by the proposed development, and the steps taken to avoid or minimize the impact to the extent possible, and to mitigate the potential impacts where such impacts are unavoidable. The MDP shall contain a specific section addressing critical

areas and shall provide covenants within the community assuring critical area protection as required by the county critical area regulations.

- (G) The water and wastewater facilities developed for the MDP shall not be used or available outside the boundaries of the fully contained community to assure that the new community will not foster urban growth outside the boundaries of the approved site. The County may establish other specific limitations through the MDP review process to assure that such urban development does not occur.
- (H) The MDP shall identify resource lands in the vicinity of the community that may be affected by the community and identify mechanisms by which such resource lands, and the activities thereon, are to be protected so as not to diminish the productivity of the resource land, nor render more difficult or expensive the resource activity, including planting, maintaining, harvesting, extraction processing, and transportation, as appropriate on designated resource lands.
- (I) Development in proposed fully planned communities shall be limited to uses permitted in remote rural lands until the MDP is approved as provided in this section.

- (4) **For MDP amendments only:** In a case of an MDP amendment, the following additional finding shall be made before its approval: The proposed amendment to the MDP is consistent with the purpose and intent of the MDP it is amending.
- (5) **Approval.** In making a decision to approve an MDP, the Board of County Commissioners may add conditions of approval as may be necessary to assure that the proposal will comply with the criteria for approval. Upon approval, the MDP as conditioned must be recorded, and all future development must show consistency with or be found to exceed those in the approved MDP.
- (6) **Denial.** If the Board of County Commissioners finds that the proposed MDP does not substantially comply with the criteria for approval, it may deny the proposal.

17.60.018 Recording

The approved MDP and Handbook as modified or conditioned by the County Board of Commissioners shall be recorded at the Mason County Auditor's Office within 15 days after the appeal period has ended. Cost of recording is the applicant's responsibility. The original documents shall be returned to the Community Development Department.

17.60.019 Parties Bound

Once the MDP is approved, all persons and parties, their successors, heirs or assigns, who own, or have or will have by virtue of purchase, inheritance, assignment or otherwise, any interest in the real property within the MDP area, shall be bound by the terms and conditions of the approved and recorded MDP and subsequent approved Implementing Site Development Plans, and the provisions of this Chapter.

17.60.020 Map Designation

- (1) **General.** Upon approval of the Master Development Plan, the County will place the County Recording Number(s) of the MDP on the location of the subject property on the County Land Use Map.
- (2) **Effect.** Development of property for which a Master Development Plan has been approved must be consistent with the Master Development plan and any amendments to that plan.

17.60.021 Periodic Review

The Director shall review the status of development pursuant to the MDP in accordance with a review schedule adopted as a condition of the MDP. Review shall occur as necessary to ensure compliance by the applicant or the successor(s) in interest. If a review schedule is not adopted with the MDP approval, the review shall occur not less than once every 5 years until the MDP is substantially completed. During this review, the applicant or the successor(s) in interest shall demonstrate compliance with the terms of the MDP to the full satisfaction of the Director of the Community Development Department. The burden of proof on this issue is upon the applicant or successors(s).

17.60.022 Amendments/Modifications to the MDP & Schedule

Once the Board of County Commissioners has approved an MDP, it shall not be altered except by approved amendments. Amendments or modifications to the approved MDP must be processed under the applicable procedures described below:

- (1) **Minor Departures.** Modifications that do not affect the basic underlying assumptions of the adopted MDP and which are not determined to be similar to (2) or (3) below shall be processed as ministerial decisions (Type I) decisions by the Director. This determination is made after consulting with the appropriate staff from the Community Development and Public Works to confirm that the proposed modification is not substantial enough to constitute a change to the purpose and intent of the MDP.

(2) **Minor Modifications.** Modifications that are significant but do not affect the basic underlying assumptions of the approved MDP shall be processed under a Type II – With Notice procedure. Changes may include the following:

- (A) Request by applicant for a change of density allocation within the density range allowed within the approved MDP or consistent with subsequently-adopted land use decisions or rezones that have undergone State Environmental Policy Act review.
- (B) Request by the applicant for a change to the alignment or design features of local street right-of-way.
- (C) Request by the applicant, County, or other public agency to the sizes or location of public facilities.
- (D) Request by the applicant for change of scheduled phasing beyond the approved time limit for the phased development when the proposed change affects the construction of scheduled public improvements.
- (E) ~~Requests for MDP amendments initiated by the County based on the requirement to implement newly adopted State or federal regulations.~~
- (F) Other changes to the final approved MDP as requested by the applicant that the Director determines to be similar to the modifications set forth in this subsection.

(3) **Major Modifications.** Modifications which affect the underlying basic assumptions of the approved MDP or that prohibit, restrict or significantly affect its implementation shall be processed as a Type IV and include:

- (A) Requests for realignment or redesignation of arterial or collector streets initiated by the applicant.
- (B) Inability of the County or the applicant to provide essential public infrastructure, upon which approval of the MDP was granted.
- (C) Requests for MDP amendments initiated by the County, based on the requirement to implement new adopted State or federal regulations, or if determined necessary by the County for protection of public health and safety.

- (D) A request by the applicant to alter critical areas, natural features, open space areas, and cultural resources beyond the scope of the approved MDP and Handbook in a manner that would adversely impact critical area functions and values.
- (E) A request by the applicant for the extension of the time limit of the MDP beyond the approved time limit specified in Section 17.60.023, but in no case shall the extension exceed 30 years from the original MDP approval date.
- (F) Other changes to the final approved MDP as requested by the applicant that the Director determines to be similar to the modifications set forth in this subsection.

17.60.023 Length of Approval

- (1) **Duration of the Master Development Plan.** Approval of an MDP shall be effective for up to 15 years; however, the Board may extend the approved MDP time limit at the time of approving the MDP if an agreement is entered into with the applicant approving the MDP for a period longer than 15 years.
- (2) **Exception to time limit for phased projects.** This section will recognize that in some circumstances the time limit specified above is not adequate and provide a means for the applicant to request and the County to grant a longer time limit that initially approved to allow the MDP to be completed. In determining whether to enter into an agreement to extend the time period of the MDP approval, the Board shall consider, among other things, the size and phasing of the development, economic cycles, market conditions, contributing infrastructure that will provide a communitywide benefit, and other relevant circumstances that warrant such an agreement.

17.60.024 Appeal Procedure

A final decision by the Board of County Commissioners shall be final unless appealed. The action of the Board of County Commissioners on an MDP proposal may be appealed pursuant to the requirements set forth in RCW 36.70C.

Chapter 17.61 Implementing Site Plan Development Review

17.61.025 Purpose

Implementing Site Plan Development Review is an administrative review by the by staff (Type II) with notice, whereby the applicant submits a site plan for all or a portion of the area within an approved MDP, consistent with the approved phasing schedule. Using the approved MDP and associated Handbook as the guiding document, the Implementing Site Plan Development Review allows a more refined examination of the details of the proposed development, including, but not limited to, building location, design, height, form, uses, parking, access, pedestrian connections, environmental considerations, open space, landscaping, and infrastructure improvements. This review is intended to occur concurrent with the preliminary plat application and approval process for MCC 16.16. The submittal requirements for this review are supplemental to the information required under 16.16.040.

17.61.026 Applicability

An Implementing Site Development Plan (ISD Plan) is required to implement all or any phase of an approved MDP. Review and approval of an ISD Plan is subject to the approved MDP and the provisions of the approved Handbook. Subjects not covered by the MDP approval are subject to the rules and regulations in place at the time the ISD Plan is submitted.

ISD Plan review is required for all development within an approved Master Development Plan area. The applicant may submit an application for ISD Plan review for all or portions of the area covered by the approved Master Development Plan.

Approval of an ISD Plan is required prior to filing a final plat, or issuance of any building permit on land that is subject to an approved Master Development Plan. The ISD Plan must be consistent with the MDP.

17.61.027 Pre-application Conference

Prior to submittal of an ISD Plan, the applicant shall participate in a pre-application conference with County staff. The pre-application conference is an opportunity for the applicant and County staff to review the level of detail in the approved MDP and review the information required for the ISD Plan. The applicant and staff shall examine a proposed ISD Plan to determine whether it is consistent with the approved MDP and Handbook, identifying issues that create opportunities or pose significant constraints for the proposed development.

17.61.028 Submittal and Review Requirements

(1) Submittal Requirements.

The contents of the ISD Plan shall be determined based on the conditions of approval for the MDP. At a minimum, the detailed ISD Plan shall identify the final proposed location of all lots, tracts, parcels, open space, rights-of-way, building envelopes, and other features. The ISD Plan shall be prepared in a clear and legible manner necessary to demonstrate it is consistent with the approved MDP and any applicable local, state and federal regulations. All plans shall be presented on a sheet having a maximum size of 24 by 36 inches. All plans shall include the name of the Master Development Plan and phase or ISD Plan; north arrow; scale; date of plan and revisions when applicable; a vicinity map showing the location of the phase within the MDP; and the name, address, and phone number of the applicant. One reduced set of the Site Plans, Architectural Drawings and Landscape Plan (reduced to 11 by 17 inches or smaller) shall also be submitted.

An engineer, architect, landscape architect, or land surveyor authorized by the State of Washington to practice as such shall respectively certify a plan or portion thereof involving engineering, architecture, landscape architecture or land surveying.

The Director, based on the nature and/or size of the application, may modify the sheet size and scale of any plan.

- (A) **Project Narrative.** Provide a general description of the proposed development, including development size, uses, number of housing units, employees, parking, lot coverage, setbacks and buffers, location of open space and amenities, and other information relevant to the development or identified by County staff.

- (B) **Consistency Report.** Address how the ISD Plan complies with the Master Development Plan and Handbook and applicable review criteria.
- (C) **Current Title Report.** Title Report (issued no more than 30 days prior to formal application) for all land located within the boundaries of the proposed ISD Plan.
- (D) **Vicinity Map.** Map showing the limits of the ISD Plan within the approved Master Development Plan, as well as the current zoning classification of the property, including the exact zoning boundary if located in more than one zoning district.
- (E) **Implementing Site Development Plan.** Site plans consistent with the approved Master Development Plan, including the following:
- (i) All property lines, streets (with centerlines), and easements (existing and proposed).
 - (ii) All proposed frontage improvements including elevations.
 - (iii) All structures to be removed.
 - (iv) Location of all existing and proposed impervious areas and all structural controls addressing low-impact development techniques in the approved MDP to mitigate stormwater runoff as required by the Stormwater Control Plan (see P below), including all overland drainage releases.
 - (v) Locations and outside dimensions of all buildings and structures.
 - (vi) Locations and sizes of all parking spaces, including striping, curbing, and structural support or enclosures that may affect vehicular movements.
 - (vii) Locations of all driveways, walkways, trails, and outside stairs and landings.
 - (viii) Loading and storage areas.
 - (ix) Locations and types of all exterior lighting.
 - (x) Locations of mailboxes, trash, and recycling areas.
 - (xi) Locations and sizes of all mechanical and utility equipment, including power and telephone equipment, meters, and transformers.
 - (xii) Location of all common open space areas.
 - (xiii) Statements calling out:
 - (a) Unit count (for residential project)

- (b) Parking calculations related to each type of use involved and a total count.
- (xiv) Any other element of the project appropriate for inclusion in site plan (e.g., signs, pool, patio, play areas, tennis courts).
- (F) **Tree and Vegetation Retention Plans.** For areas not located in a designated Common Open Space Tract with an approved management plan, the applicant must provide tree and vegetation retention plans that include the following information:
- (i) Location, diameter, and dripline of all significant trees or clusters of trees to be preserved on site.
 - (ii) Tree and native vegetation retention and protection measures
 - (iii) Specific tree and critical area preservation activities that will occur to maximize survivability of trees identified to be preserved critical areas required to be preserved shall be included in the plan
- (G) **Sewer System Plan.** Preliminary plans prepared by a registered professional engineer, indicating the size and general location of sewer collection piping and connection or ~~extensions of existing facilities, lift station plan, manhole locations, and onsite treatment plan, if applicable..~~ Plans shall propose volume of wastewater, system capacity, and if necessary a report on the new or existing treatment plant capacity.
- (H) **Water System Plan.** Preliminary plans prepared by a registered professional engineer, indicating the size and general location of proposed water system indicating distribution piping, well and booster pump station plan, connections, loops, or interties with existing systems, , and reservoir plan, if applicable..
- (I) **Landscaping Plans.** Concept landscape plans showing the location, type (both scientific and common name of each species), and size of plant materials; estimated height and spread at maturity;;, planting area separators, and fencing; area lighting; and all other improvements related to work within the ISD Plan. Proposed landscaping shall incorporate native plants or species appropriate for the site and Northwest climate.
- (J) **Clearing and Grading Plans.** Plans showing existing and proposed grades at 2-foot minimum contour intervals shall be provided unless other sufficient contour intervals is approved by the County through the preapplication process. Contour should be at sufficient intervals to show height and angle of all cut-and-fill slopes, and the basic topographic features of the site including street frontage improvements. Grades of all driveways and streets shall be shown.
- (K) **Architectural drawings** (scaled, drawn, and dimensioned) to accurately show:

- (i) Elevations showing height and width of all exterior walls including outside finished grade lines labeled north, south, east, and west.
 - (ii) Height, configuration, slope, and overhangs of roof.
 - (iii) All rooftop equipment, including proposed enclosures or screening.
 - (iv) Type of exterior treatment, including trim. Indicate size of trim and siding if applicable. Size and location of doors, windows, or similar openings.
 - (v) Stairs, landings, railings, chimneys, decks, balconies, or similar attachments or projections.
 - (vi) Enclosure design for utility meters, trash, and recycling area.
 - (vii) Design of fencing and all exposed retaining walls.
 - (viii) Type and character of all public amenities, such as benches and waste and recycling receptacles.
 - (ix) Finished floor elevations.
 - (x) Type, size, appearance, and location of all signing.
 - (xi) Floor plans.
- (L) **Sign Plan.** Show the location, size, and color of all outdoor signs.
- (M) **Elevation.** If applicable, elevations showing relationship of proposed building(s) to adjacent structure(s). Photographs with the proposal superimposed may be substituted.
- (N) **Sample Board.** A material sample board no larger than 2 by 2-foot mounted with samples of exterior materials to be used showing type and texture.
- (O) **Stormwater Control Plan.** Preliminary Stormwater Control Plan addressing all requirements outlined in the MDP.
- (P) **Miscellaneous.** Other such data as may be required to permit the Director to make the required finding for approval of the ISD Plan, including, but not limited to Drainage Control Plan and Report; Trip Generation Analysis, Utilities Plan, Geotechnical Report, and Construction Mitigation Plan/Description.

- (1) **General Criteria.** All ISD Plan applications shall be reviewed in accordance with the following criteria. When two or more of the criteria listed below conflict, the Director shall evaluate the applicability and importance of each based on the intent of the approved MDP and make a reasonable attempt to balance any conflicting criteria in reaching a site plan development review decision.

(A) **Conformity.**

- (i) Substantial conformance with the approved Master Development Plan. Including but not limited all applicable mitigation measures identified in the associated EIS or other SEPA documents.
- (ii) Substantial conformance with the provisions of any applicable Development Agreement.

(B) **Consistent Design.**

- (i) Development maintains a visually consistent design concept compatible with surrounding development.
- (ii) Complies with applicable development regulations and design guidelines contained in the approved MDP Handbook.
- (iii) Provides effective screening from public streets and residential uses for all permitted outdoor storage areas for surface mounted utility equipment, rooftop equipment, and for refuse, garbage, and recycling containers.
- (iv) Perimeter architectural design and landscaping along the perimeter provide a suitable transition to adjacent lower density/intensity uses and districts, in terms of size, scale, mass, and character.
- (v) Considers placement and design of exterior lighting in order to avoid excessive brightness or glare.

- (C) **Public Services and Facilities.** Adequate public services and facilities necessary to accommodate the proposed use and density are or can be made available.

- (D) **Transportation and Accessibility.** Provides safe, efficient, and coordinated vehicle and pedestrian access and circulation within the existing and future development phases.

- (i) Provision of adequate and safe vehicular access to and from all properties.

- (ii) Arrangement of the circulation pattern so that all ingress and egress movements may occur at as few points as possible along the public street, with those points being capable of channelization for turning movements.
 - (iii) Consolidation and coordination of access points with adjacent properties, when feasible.
 - (iv) Promotion of the safety and efficiency of the internal circulation system, including the location, design and dimensions of vehicular and pedestrian access points; drives; parking; turnarounds; walkways; bike paths; and emergency access ways.
 - (v) Separation of loading and delivery areas from parking and pedestrian areas.
 - (vi) Provisions for transit and carpool facilities and access where appropriate.
 - (vii) Promotion of the efficient function of parking and service areas by effective location, design, and screening. Promotes use of shared facilities, where feasible.
- (E) **Signage.** High quality and consistent with MDP Handbook.
- (i) Management of sign elements, such as size, location and arrangement so that signs complement the visual character of the surrounding area and appear in proportion to the building and site to which they pertain.
 - (ii) Moderation of surface brightness or lighting intensity except for that necessary for sign visibility.
 - (iii) Provision of a wayfinding system to allow for quick location of buildings and addresses.
- (F) **Phasing.** Development phasing, as applicable, with sufficient detail to ensure the required parking spaces, open space, landscaping, and utilities necessary for creating and sustaining desirable and stable environment, will be provided.

17.61.030 Process

- (1) **Permit Process.** An ISD Plan shall be reviewed under a Type II-with notice procedure. A complete ISD Plan together with all required application materials shall be submitted to the Director prior to review and a determination.
- (2) **SEPA Threshold Determination.** An application for an ISD Plan shall not be considered complete unless it is accompanied by the appropriate SEPA document in accordance with all procedural requirements of Chapter 43.21c RCW, SEPA, administrative regulations adopted to

implement SEPA, and the Mason County Environmental Policy Ordinance 99-84, or as hereafter amended.

If the County determines that the impacts of the proposed ISD Plan are within the project envelope as described in the MDP SEPA document and any subsequent addenda or SEPA documents which may be issued, no further environmental review is required (WAC 197-11-600(4)(a)). The County may request that an applicant provide reasonable information to the extent needed to determine the requested ISD Plan is within the project envelope.

If the adverse impacts of the proposed development are, as mitigated, significant and not addressed in the MDP SEPA document, then an addendum or threshold determination may be required. If the significant impacts of the proposed development, as mitigated, exceed those disclosed in the MDP SEPA document or applicable local, State or federal regulations the County will prepare a threshold determination, taking into account the existing MDP SEPA Document and any development agreement provisions or other legal agreement that address significant environmental mitigation for the MDP. Any new studies or requests for additional information by the County from the applicant shall relate to those potential significant impacts not adequately covered by the existing MDP SEPA document and other applicable SEPA documents and local, State and federal regulations. As appropriate, the County may issue a determination of significance, (DS), determination of nonsignificance (DNS), or a mitigated DNS (MDNS) incorporating the prior SEPA document to the extent possible.

- (3) **Referral and Comment.** Once the County has received a complete ISD Plan application, the County will circulate it to appropriate staff. Other agencies with jurisdiction will be provided with a notice of application, consistent with MCC 15.07.
- (4) **Public Notice.** Once a complete ISD Plan has been received, the County will be responsible for providing public notice of the application pursuant to MCC 15.07.030.
- (5) **Platting.** Any division of property within the MDP for sale, lease, or transfer shall comply with the requirements of Title 16 Plats and Subdivisions.

17.61.031 Decision

The Director may approve an ISD Plan or amendment with or without conditions only if all of the following findings of fact can be made in a positive manner:

- (1) The ISD Plan is consistent with the intent and purpose of the Master Development Plan.
- (2) The ISD Plan will result in development that is equal to or superior to the quality to that approved in the Master Development Plan.

- (3) The ISD Plan is compatible with the existing and anticipated land uses in the vicinity.
- (4) Adequate utilities, roadway improvements, sanitation, water supply, and drainage are available.
- (5) Approval of the ISD Plan will not be significantly detrimental to the public health, safety or welfare, or be injurious to the property or improvements of adjacent properties.

17.61.032 Recording

ISD Plans are not required to be recorded. The applicant may choose to record the approved ISD Plan, findings of fact, and conditions of approval by the Director, depending on the timeline and scope of approval.

17.61.033 Performance Guarantee

The County may not issue a Certificate of Occupancy until all improvements included in the approved ISD Plan have been installed and approved, with the following exceptions:

- (1) A performance guarantee has been posted for the improvements not yet completed.
- (2) The phasing of improvements has been accounted for in an infrastructure phasing agreement, a condition of approval or a development agreement.

17.61.034 Amendments

There are two ways in which to amend or modify an approved ISD Plan. They include process as a new decision using Type II with notice, or process as a Type II without notice. The Director may impose conditions upon any administrative amendment to ensure that the proposal complies with the decision criteria and the purpose and intent of the original approval and the Master Development Plan.

(1) Major Amendment (Type II with notice)

A major amendment is a substantial change or modification to the elements of the approved ISD Plan, including changes that require additional environmental review. Except as provided in Subsection 17.61.034(2) of this section, an amendment of a previously approved ISD Plan or decision is treated as a major amendment and processed as a Type II with notice.

(2) **Minor Amendment** (Type II – No Notice).

- (A) The proposal does not result in any significant adverse impact beyond the site.
- (B) The proposal is within the general scope of the purpose and intent of the original approval.
- (C) The proposal complies with all applicable Master Development Plan requirements and all applicable development standards, and is compatible with all applicable design criteria.
- (D) The change is necessary because of natural features of the subject property not foreseen by the applicant or the County prior to the approval of the ISD Plan.
- (E) The change will not have the effect of significantly reducing any area of landscaping, open space, or parking.
- (F) The change will not have the effect of increasing the density or intensity.
- (G) The change will not result in any structure, circulation or parking area being moved significantly in any direction.
- (H) The change will not reduce any approved setback by more than 10%.
- (I) The change will not result in an increase in the height of any structure by more than 5%.

17.61.035 Duration of the Implementing Site Development Plan

Upon approval of an ISD Plan, the applicant shall be vested as to the layout provided in the Site Development Plan, including building location, size and shape of open space, traffic circulation patterns, and specific conditions contained in the approved ISD Plan.

At the time of approving an ISD Plan, a time limit will be set within which all building construction must be completed based on the size and amount of development. Typically, an ISP Plan will be valid for 5 years, but this period may be extended if prior to the end of the designated period, the property owner submits a written request to the County for an extension. An extension can be granted, at the discretion of the Community Development Director, for up to an additional 5 years. Depending on its scope, the approved ISD Plan may have phasing or timing requirements set forth to limit the impact of the development.

17.61.036 Simultaneous Processing

- (1) **Merger with Other Permits.** When the proposed development includes a combination of land use applications, the applications should be reviewed in combination unless otherwise requested by the applicant.
- (2) **Platting Requirements.** Any division of property within the ISD Plan for sale, lease or transfer shall comply with the platting requirements of the Title 16 Plats and Subdivisions. The subdivisions within approved MDP areas are not bound to the subdivision design standards as provided for in the Title 16 Plats and Subdivisions approval process.
- (3) **Timing of Building Permits.**
 - (A) The applicant may choose to submit associated building permits at the same time as applying for the ISD Plan review or anytime after ISD Plan application has been submitted and prior to receiving approval of a ISD Plan.
 - (B) No building permit will be issued prior to that approval of the associated site plan.
 - (C) The applicant is responsible for making any changes or modifications to a building permit application that are necessary to ensure that it complies with the approved ISD Plan.

17.61.037 Appeal Procedure

Type II decisions are appealable to the Hearing Examiner, pursuant to MCC 15.03.050.

Low Impact Development standards that reduce water quality impacts, reduce stormwater runoff, reduce impervious surfaces, and preserve open space shall be integrated in the project design to the full extent practical. The following minimum Low Impact Development (LID) standards shall be incorporated where appropriate into the MDP Handbook that shall accompany all Master Development Plan applications.

Road Sections (LID techniques associated with 17.60.015(3)(L)) The MDP shall, to the extent practical, incorporate reduced roadway widths to the minimum amount of impervious surface necessary, while still accommodating emergency vehicle access, and utilizing pervious pavements where most applicable. (Note: Existing applicable County road standards, Chapter 16.48, shall apply except as modified below.)

- (i) Lane widths for access streets, secondary collectors within a MDP of a maximum of 10 feet for each traveled way, with a minimum 2-foot wide gravel shoulders on both sides.
- (ii) Curbs and gutters are discouraged for use as stormwater collection systems in conjunction with catch basins and pipes on major collection and arterial roads. Vegetated swales can replace curb and gutter systems that convey runoff.
- (iii) Example road sections appropriate for use in an MDP are shown in "Low Impact Development, Technical Guidance Manual for Puget Sound" January 2005. The Director of Public Works may allow the use of an equivalent manual for LID techniques.

(iv) **Pavement** (LID techniques associated with 17.60.015(3)(M))

- (i) Paving surfaces for LID road designs may utilize alternative paving surfaces, such as porous pavement, porous concrete, grid or lattice rigid plastic or paving blocks where the holes are filled with soil, sand, or gravel, and cast-in-place paver systems. However, use of porous surfaces within the traveled lane areas is not allowed. Porous paving surfaces adjacent to the traveled lane (e.g. in pull out parking, shoulders, sidewalks, trails or for pathways) is allowed provided the subgrade of the traveled lane will not become saturated by infiltrating runoff through the porous surfaces.
- (ii) Cement/concrete pavement strips (2-foot wide strips of concrete that act as a transition between the traveled lane and non-rigid porous pavement surfaces or shoulders adjacent to the traveled way) may be utilized to delineate the traveled lane areas. These delineator strips may be included as a portion of the traveled way and shall be at least 6-inches thick with expansion joints every 10 feet.

Parking Area Requirements (LID techniques associated with 17.60.015(3)(N))

(i) Any parking lot space above the required minimum amount shall be constructed of pervious materials or accommodated in a multi-storied or underground parking structure.

(ii) On-street Parking:

(a) The use of roadside parking can reduce the need for wide or long private driveways to accommodate additional vehicles or guest parking. The minimum width of the guest on-street parking stall shall be seven feet for parallel parking stalls, and eight and one-half feet (8 ½') for angled parking stalls.

(c) On street parking may either be parallel or angled to the roadway.

Alleys (LID techniques associated with 17.60.015(3)(O))

(i) Alleys may be constructed with alternative paving surfaces, such as porous pavement, porous concrete, grid or lattice rigid plastic or paving blocks where the holes are filled with soil, sand or gravel and cast-in-place paver systems. These porous surface shall be designed to accommodate pedestrian, bicycle, truck and auto traffic while allowing infiltration and storage of stormwater.

Driveways (LID techniques associated with 17.60.015(3)(P)) Following are methods to reduce the amount of impervious surface associated with driveways and enhance the neighborhood character:

(i) Residential driveways may be constructed using alternative paving surfaces and graded in such a manner to prevent stormwater runoff from saturating the subgrade of the traveled lane portion of the roadway. Infiltrated stormwater runoff should drain either to a raingarden, vegetated open channel, or vertically in adequately porous soils. Alternative paving surfaces include porous pavement, porous concrete, grid or lattice rigid plastic or paving blocks where the holes are filled with soil, sand or gravel and cast-in-place paver systems. Design, installation and maintenance of alternative paving surfaces shall be according to manufacturer recommendations.

(ii) When driveways serving single family residential uses that exceed 18 feet of width shall be constructed with a pervious material.

(iii) Runoff from driveways constructed of impervious surfaces should be directed to vegetated infiltration areas such as soil amended lawns, rain gardens, or bioretention areas, if practical.

Curbs (LID techniques associated with 17.60.015(3)(Q))

(i) Promote the use of curbs when the sidewalk is adjacent and connected to the traveled way provided they are used only on one side of the road and the road cross slope is away from the curb or if curb cuts are utilized, as shown in the standard drawings, and drain to a vegetated open channel or bioretention area behind the curb.

Sidewalks and Paths ((LID techniques associated with 17.60.015(3)(R))

(i) Sidewalks and trails may be constructed of porous materials provided the runoff through the material will not be directed towards the subgrade of the traveled lane portion of a roadway. Porous materials for sidewalks and trails, which abut lots, in lieu of a roadside sidewalk, shall be ADA compliant. Porous asphalt and porous concrete will be considered ADA compliant in regards to surface texture.

Stormwater Flow Control ((LID techniques associated with 17.60.015(3)(V))

(i) To the extent practical, implement LID site design and management strategies to meet flow control objectives identified in the Department of Ecology Stormwater Management Manual for Western Washington. Table I identifies approved LID techniques recommended for implementation in the site design for MDP and FCC's. Please refer to Low Impact Development Technical Guidance Manual for Puget Sound, January 2005 for further details on implementation. The Director of Public Works may allow the use of an equivalent manual for LID techniques.

(ii) Distributed and Integrated Management Practices.

(a) Increase reliability of the stormwater management system by providing multiple or redundant LID flow control practices.

(b) Integrate LID stormwater controls into the development design and utilize the controls as amenities – create a multifunctional landscape.

Table I. LID Techniques

X	Site assessment	X	Maintenance	X	Downspout dispersion
X	Site planning and design	X	Amending construction site soils	X	Roof stormwater harvesting system.
X	Site phasing and fingerprinting	X	Permeable asphalt	X	Filter strips
X	Preserving native soils and vegetation	X	Permeable concrete	X	Media filtration
X	Clearing and grading	X	Permeable gravel pave systems		
X	Bioretention cells	X	Permeable pavers		
X	Sloped bioretention	X	Vegetated roofs		
X	Bioretention swales	X	Minimal excavation foundations		
X	Tree box filters	X	Homeowner education		

Water Quality Treatment. (LID techniques associated with 17.60.015(3)(W))

(i) The use of LID techniques such as bioretention areas should be implemented and to the extent practical integrated with other LID practices to achieve best performance.

Effective date: This ordinance shall take effect immediately.

Severability: If any provision of this ordinance or its application to any person, entity, or circumstance is for any reason held invalid, the remainder of the ordinance or the application of the provisions to other persons, entities, or circumstances is not affected.

DATED this 7th day of November 2006.

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

ATTEST:



Lynda Ring Erickson, Chairperson


Clerk of the Board


Tim Sheldon, Commissioner

APPROVED AS TO FORM:


Jayne L. Kamin, Commissioner


Prosecuting Attorney