Shelton Urban Growth Area Development Regulations 17.07

Chapter 17.07.100 NEIGHBORHOOD RESIDENTIAL (NR)

Sections:

17.07.110 Intent.
17.07.120 Permitted uses.
17.07.130 Special uses.
17.07.140 Prohibited uses.
17.07.150 Lot, yard, and open space requirements.
17.07.160 Off-street parking.
17.07.170 Landscaping and screening
17.07.180 Design Review
17.07.190 Stormwater runoff.
17.07.195 Appeals

17.07.110 Intent.

The neighborhood residential district (NR) is designed to provide for a variety of housing types throughout the Shelton UGA while maintaining neighborhood definition. The regulations are intended to permit flexibility in the arrangement of structures on the site in order to encourage good architectural design, ensure adequate light and air, and allow compatible development of uses.

17.07.120 Permitted uses.

Permitted uses for the neighborhood residential district are as follows:

A. Single-family dwellings at a density of not less than four units per net residential acre (net residential acre is defined as the total usable area excluding roads, critical areas and easements), except that density requirements shall not apply to lots platted prior to the adoption of the ordinance codified in this chapter.

B. Two duplexes or triplexes shall be allowed per "block" (block is defined as a rectangular piece of land enclosed in a grid of streets), provided the design standards of Section 17.07.900 of this title are satisfied; additional duplexes or triplexes shall require a special use permit as outlined in Chapter 17.05 of this title;

C. Secondary dwelling units, subject to the design requirements of Section 17.07.900 of this title, provided:

1. One secondary dwelling unit shall be allowed per legal building lot as a subordinate use in conjunction with any single-family structure;

D. Multifamily dwelling units developed in accordance with Chapter 17.70 Master Planned Developments of the Mason County Code. "Multifamily" is defined as a building containing

separate dwelling units arranged to be occupied by more than three families living independently of one another;

E. Parks, publicly owned and operated;

F. Family Day Care Provider;

G. Accessory uses and buildings including but not limited to the following:

1. Accessory buildings or structures, not including barns or agricultural structures, which are clearly incidental to the residential use of the lot, such as buildings or structures for storage of personal property (including boats, recreational vehicles, etc.), or for the pursuit of avocational interests; or structures designed for and related to recreational needs of the residents of a residential complex. Accessory buildings shall be complementary to the basic architectural character of the main building on the lot, and appropriate to the accessory use;
2. Agricultural uses and structures not involving retail sales on the premises and limited as follows:
    a. On lots or parcels of one acre or more, poultry and/or livestock may be kept provided that the number of head of livestock shall not exceed one for each half acre of lot area, and not more than twenty birds or fowl per acre. Barns or other structures for the housing or sheltering thereof shall be set back not less than thirty-five feet from all property lines and not less than 50 feet from any existing residential dwelling unit on adjoining property;
3. Home occupations which comply with all the conditions as set forth in Chapter 17.03 of the Mason County Code;
4. The keeping of common household animals or pets (excluding cats kept indoors) is limited to four. Other small animals kept indoors as household pets in aquariums, terrariums, cages, or similar containers are not limited in number.

17.07.130 Special uses.

Special uses as listed below require a special use permit as provided in Chapter 17.05 of this title, and subject to applicable conditions as found in that chapter. Special uses include but are not limited to:

A. Bed and breakfast inns;
B. Convalescent centers/care facilities;
C. Group Homes;
D. Cemeteries, including mausoleums;
E. Churches;
F. Community Clubs;
G. Library;
H. Schools, public or private.

17.07.140 Prohibited uses.

Uses other than those identified or described in Section 17.07.120 or 17.07.130 are prohibited.

17.07.150 Lot, yard, and open space requirements.

A. Yard setbacks, size and shape of lots shall be as provided in Table 17.07.150, except in the following cases:

1. Minimum front yard: when forty percent or more of lot coverage, on a front foot basis, of all property on one side of a street between two intersecting streets has been reached, the front yard required for new development shall be an average of the existing front yard setbacks, but shall not be less than that specified in Table 17.07.150;
2. Minimum side yards: a zero lot line concept may be approved if the site is part of a subdivision or Master Planned Development and seventy-five percent of units on the site use alleys for access;

Table 17.07.150		
Minimum Standards	**With Alleys**	**Without Alleys**
Lot area	4500 sq. ft.	6000 sq. ft.
Front yard	10 ft.	10 ft.
Side yard	5 ft.	5 ft.
Flanking street	7 ft.	7 ft.
Rear yard	15 ft. (3 for garage)	15 ft.
Building coverage	35%	35%
Building height	35 ft.	35 ft.
Development coverage	45%	45%
Lot width	45 ft.	50 ft.
Street frontage	25 ft.	25 ft.

17.07.160 Off-street parking.

Parking shall meet the requirements of Chapter 17.08 of this title.

17.07.170 Landscaping and screening

All applicable requirements of Chapter 17.07.800 Landscaping and Screening in the Shelton UGA shall be satisfied.

17.07.180 Design Review

All uses in this district shall comply with appropriate sections of Chapter 17.07.900, Design Standards in the Shelton UGA, if applicable.

17.07.190 Stormwater runoff.

All stormwater runoff shall meet County-wide stormwater regulations.

17.07.195 Appeals

Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal

procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.200 LOW INTENSITY MIXED USE (MU)

Sections:

17.07.210 Intent
17.07.215 Definitions
17.07.220 Permitted uses.
17.07.225 Accessory uses.
17.07.230 Similar or related uses.
17.07.240 Special uses.
17.07.250 Prohibited uses.
17.07.260 Community environmental performance standards.
17.07.270 Lot, yard, and open space requirements.
17.07.280 Parking.
17.07.290 Landscaping.
17.07.295 Design review
17.07.298 Appeals

17.07.210 Intent.

The low-intensity mixed use (MU) designation is intended to provide for a mixture of residential and commercial uses in close proximity to or integrated within the same structure while maintaining a high degree of design standards. The designation is intended to maintain the historic and small town character of existing neighborhoods and gateway while allowing compatible commercial development to occur.

17.07.215 Definitions

A. "Common Open Space" means that portion of lot or parcel not developed, built_upon or occupied by buildings, parking areas, driveways and the like; other than minimal appurtenances such as walkways designed and intended to make such open space usable and accessible, and the use of which is intended for and accessible to all of the persons residing in the development of which the open space is a part.

B. "Cooperative Housing" means an arrangement in which an association or corporation owns a group of housing units and the common areas for the use of all the residents. The individual participants own a share in the cooperative, which entitles them to occupy an apartment or house as if they were owners, to have equal access to the common areas, and to vote for members of the Board of Directors which manages the cooperative.

17.07.220 Permitted uses.

Permitted uses listed below are intended as a guide to types of uses that are allowed in the low intensity mixed use zone. The community development director or his/her designee will make the determination as to whether a proposed use is permitted.

A. Commercial uses, including, but not limited to the following:

1. Bakeries
2. Business and professional offices

3. Assisted living and convalescent homes
4. Day care facilities
5. Drug stores
6. Grocery and hardware stores
7. Liquor stores
8. Medical and dental offices
9. Personal services
10. Retail stores
11. Restaurants without drive through windows
12. Social services
13. Auto repair and service.

B. Residential Uses. All residential uses are permitted with a density of between four and twelve units per acre;

C. Residential uses above commercial;

D. Cooperative housing;

E. Gas stations (retail sale of gasoline and related convenience items only, no service available) within three hundred feet of direct access (on- or off-ramp) to a Washington State or United States Highway.

F. Drive-thru restaurants, subject to site plan approval, and within three hundred feet of direct access (on- or off-ramp) to a Washington State or United States Highway.

17.07.225 Accessory uses.
The following accessory uses are permitted:

A. Light manufacture of consumer goods that is incidental to an on-premises retail use, provided that:

1. There shall be no unusual fire, explosion or safety hazards;
2. The applicant shall demonstrate to the Community Development Director or his/her designee that noise does not exceed the maximum permissible noise level set forth in WAC 173.60 or MCC 9.36.
3. There shall be no emissions in excess of any density prescribed by the air pollution control authority.

B. Storage, processing, or use of hazardous substances incidental to a permitted use in compliance with applicable county and state regulations.

C. Hazardous waste treatment and storage facilities incidental to a permitted use in compliance with applicable county and state regulations.

17.07.230 Similar or related uses.
Similar or related uses permitted and the criteria for determination of similarity or relatedness are as follows:

A. Uses similar to, or related to, those listed in Section 17.07.220A are permitted upon a finding of Community Development Director or his/her designee that a particular unlisted use does not conflict with the intent of this chapter or the policies of the comprehensive plan.

B. The criteria for such finding of similarity shall include but not be limited to the following:

1. The proposed use is appropriate in this zone given the emphasis on small-town character, mass transit and mixed use;
2. The development standards for permitted uses can be met by the proposed use;
3. The proposed use will be compatible with and complementary to adjacent uses and uses within the corridor in general.

17.07.240 Special uses.
Special uses, including, but not limited to the uses listed below, subject to the conditions set forth in Chapter 17.05 of this title.

A. Community clubs;
B. Hotels and motels;
C. Public utilities and facilities;
D. Recreational vehicle parks;
E. Churches

17.07.250 Prohibited uses.
Uses other than those identified or described in Sections 17.07.220, 17.07.225, 17.07.230, and 17.07.240 of this chapter are prohibited.

17.07.260 Community environmental performance standards.
A. Storage: Unscreened outside storage of any kind is prohibited.

B. Refuse:
1. Except when placed on an alley or at the rear of a single-family residence, refuse containers shall be screened with a material and design compatible with the overall architectural theme of the associated structure, shall be at least as high as the refuse container, shall in no case be less than six feet high, and shall comply with county public works standards for design and accessibility. Deposited refuse shall not be visible from outside the enclosure;
2. Except for those periodically placed on the right-of-way for curbside collection, no refuse container shall be permitted between a street and the front of a building.

17.07.270 Lot, yard, and open space requirements.

A. Minimum lot size: six thousand square feet. Lots may contain more than one use and will be a shape and design appropriate to the zone and intended uses as determined by the county.

B. Front yard: minimum fifteen feet.

C. Side yard: minimum ten feet.

D. Rear yard: zero feet, except when property adjoins a land use district with greater setbacks, the setback of the adjacent use shall apply.

E. Maximum building coverage: thirty-five percent, however, this may be increased up to a maximum of fifty-five percent if a corridor that facilitates pedestrian access through the block or along a creek, lake, or other natural amenity is provided.

Note: This bonus is to be added to the base allowable building coverage.

F. Maximum development coverage: Maximum coverage by impervious surfaces shall be sixty percent, unless a density bonus is granted. A maximum bonus of twenty percent is allowed. Projects that provide a corridor that facilitates pedestrian access through the block or along a creek, lake, or other natural amenity are eligible for this density bonus.

Note: This bonus is to be added to the base allowable impervious surface coverage. The provisions of the Mason County Code regarding stormwater runoff, parking, landscaping, and design requirements may further limit impervious surfaces.

G. Building height: not more than thirty-five feet.

H. Open Space: All development that contains four or more attached units must provide at least 200 square feet per unit of common open space usable for many activities. The amount of open space and recreational facilities should be proportional to the density of the development (i.e., as density increases and/or as lots become smaller, there is a greater need for common open space available to all of the residents, guests and visitors to the development.) This required common open space shall at a minimum meet the following criteria:

1. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.

2. For 21 units or more, a minimum of ten percent of the total space must be provided in usable open space. The open space must be in one or more pieces having a length and width of at least 40 feet.

3. The required common recreational open space may be reduced by 25% if amenities such as, but not limited to, the following are provided in the common open space:
    a. Commercial grade children's play structure
    b. Benches or other seating features
    c. Picnic shelter
    d. Sports court

Community Development staff shall determine if the proposed amenities provide comparable recreation opportunities as would the open space that is reduced.

4. The open space area may be located in any required setback area, except street setbacks, so long as the uses thereof are compatible and permissible.

5. Open spaces shall provide for uses/activities that appropriately serve the anticipated residents and users of the development;

6. Up to fifty percent of a development's open space requirement may be satisfied by wetland and/or critical area habitat and required critical areas buffers in consideration of the significant passive recreation opportunities provided by said lands.

17.07.280 Parking.
Off-street parking shall be provided in accordance with Chapter 17.08 of this title, provided:

A. On street parking shall be allowed to help satisfy parking requirements provided paved street widths provide adequate room pursuant to city standards for on street parking.

B. Except where lot shape or size dictates otherwise, off-street parking shall be located to the rear or the side of the building.

17.07.290 Landscaping.
Requirements of Chapter 17.07.800 of this title shall be satisfied. All development of more than six residential units per gross acre must be landscaped in accordance with Chapter 17.07.860.

17.07.295 Design review.
All applicable requirements of Section 17.07.900 of this title shall be satisfied. Conversions and rehabilitations of existing structures which do not alter the design and character of the original structure are exempt from the design requirements.

17.07.298 Appeals
Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.300 GENERAL COMMERCIAL (GC)

Sections:

17.07.310 Intent.
17.07.320 Permitted uses.
17.07.325 Accessory uses.
17.07.330 Special uses.
17.07.335 Prohibited Uses
17.07.340 Lot, yard, and open space requirements.
17.07.350 Maximum height.
17.07.360 Off-street parking.
17.07.370 Landscaping.
17.07.380 Design review.
17.07.390 Appeals

17.07.310 Intent.

The intent of the General Commercial (GC) zone is to provide for those commercial uses and activities which are dependent on convenient vehicular access and to provide development standards which enhance pedestrian and transit access. The regulations are intended to integrate new development with existing uses to achieve a better environment for users arriving by car or by foot and to maintain or enhance the livability of adjacent residential neighborhoods.

17.07.320 Permitted uses.

A. Permitted uses listed below are intended as a guide to types of uses that are allowed in the general commercial district. The community development director or his/her designee will make the determination as to whether a proposed use is permitted. Permitted uses include but are not limited to the following:

1. Automobile/RV/boat sales;
2. Bakery;
3. Banks, other financial institutions;
4. Barber/beauty shop;
5. Brewery, distillery, winery, on-site retail;
6. Business and professional offices;
7. Convenience stores;
8. Eating and drinking places, with or without drive-ins/thrus;
9. Enterprises providing indoor entertainment and recreation;
10. Gas stations and associated convenience stores;
11. Grocery Stores;
12. Health club, gym;
13. Hotel and lodging;
14. Instruction studio;
15. Medical and dental offices;
16. Personal services;
17. Repair services;

18. Retail;
19. Self storage facilities;
20. Social services;
21. Veterinary clinics.

B. Similar or related uses permitted:

1. Uses similar to, or related to, or compatible with those listed or described in Sections 17.07.320A are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:
    a. the intent of this chapter, or
    b. the policies of the Shelton Urban Growth Area Plan.

   The criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:
    a. The proposed use is appropriate in this area;
    b. The development standards for permitted uses can be met by the proposed use.

17.07.325 Accessory uses.
The following accessory uses are permitted:

A. Light manufacture of consumer goods that is incidental to an on-premises retail use, provided that:

1. Noise shall not exceed the maximum permissible noise levels set forth in WAC 173.60 or MCC 9.36.
2. There shall be no emissions in excess of any density prescribed by the Olympic Region Clean Air Authority (ORCAA).

B. Storage, processing, or use of hazardous substances incidental to a permitted use in compliance with applicable county and state regulations.

C. Hazardous waste treatment and storage facilities incidental to a permitted use in compliance with applicable county and state regulations.

17.07.330 Special uses.
The following uses require a special use permit as provided in Chapter 17.05 of this title, and subject to applicable conditions as found in that chapter:

A. Public utilities;

B. Public, private, and parochial schools and facilities;

C. Fraternal organizations;

D. Churches.

17.07.335 Prohibited Uses.
Uses that are not consistent with the intent of the zone are prohibited. These uses include, but are not limited to:

A. Kennels, except those associated with veterinary clinics;

B. Wrecking yards;

C. Contractors yards and storage of materials not for retail sale;

D. Concrete mixing facilities and asphalt plants.

17.07.340 Lot, yard, and open space requirements.
A. Minimum lot size: none required.

B. Front, rear and side yard: none, unless property adjoins a more restrictive district, when setbacks shall be the same as required of that more restrictive district.

C. Lot width: none required.

17.07.350 Maximum height.
Maximum height for the GC district shall be as follows: not to exceed forty-five feet for buildings, structures, and appurtenant facilities except when adjoining a zone with a lower height restriction, in which case any structure located within 100 feet of the more restrictive zone shall have a maximum height as imposed by the more restrictive zone.

17.07.360 Off-street parking.
Parking shall meet the requirements of Chapter 17.08 of this title.

17.07.370 Landscaping.
Landscaping shall meet all requirements of Chapter 17.07.800 of this title.

17.07.380 Design review.
All uses in this district shall comply with appropriate sections of Chapter 17.07.900 Design Standards.

17.07.390 Appeals
Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.400 COMMERCIAL - INDUSTRIAL (CI)

Sections:

17.07.410 Intent.
17.07.415 Definitions
17.07.420 Permitted uses.
17.07.425 Accessory uses.
17.07.430 Special uses.
17.07.435 Prohibited uses.
17.07.440 Lot, yard, and open space requirements.
17.07.450 Maximum height.
17.07.455 Performance standards.
17.07.460 Off-street parking.
17.07.470 Landscaping.
17.07.480 Appeals

17.07.410 Intent.

This designation provides for light manufacturing, flex space, research and development, and limited retail and service uses that support the industrial uses in the zone. This Commercial—Industrial mixed area should be buffered from residential uses through the provision of adequate mitigation, including landscaping, as a part of site plans for these higher intensity uses. In addition, to lessen traffic congestion that may be created by these uses, the Commercial-Industrial District shall be located in areas directly accessible to the arterial and transportation systems of the county. This limitation is not intended to restrict access to local roads from private parcels.

17.07.415 Definitions

A. "Flex space" refers to buildings designed to accommodate a combination of office, wholesale, and warehousing functions, the exact proportions of each use being subject to user needs over time.

B. "Hazardous substance" means any dangerous or extremely hazardous waste as defined in RCW 70.105.010(5) and (6) or any dangerous or extremely dangerous waste as designated by rule under chapter 70.105 RCW; any hazardous substance as defined in RCW 70.105.01(14) or any hazardous substance as defined by rule under chapter 70.105 RCW; any substance that is a hazardous substance under section 101(14) of the federal cleanup law, 42 U.S.C., Sec. 9601(14); petroleum or petroleum products, and any substance or category of substances, including solid waste decomposition products, determined by the director by rule to present a threat to human health or the environment if released into the environment.

The term hazardous substance does not include any of the following when contained in an underground storage tank from which there is not a release: Crude oil or any fraction thereof or petroleum, if the tank is in compliance with all applicable federal, state, and local law.

17.07.420 Permitted uses.

Permitted uses listed below are intended as a guide to types of light industrial and commercial uses that are allowed. The community development director or his/her designee will make the determination as to whether a proposed use is permitted. Examples of permitted uses include, but are not limited to the following:

A. Auto repair and service, with towing impound yard up to one acre in size;
B. Auto, RV and boat sales;
C. Brewery, distillery, winery;
D. Contractors', loggers' or agricultural equipment storage yard, plant, repair, or rental and sales;
E. Eating and drinking places with drive-thru/in;
F. Furniture and home furnishings, manufacture and assembly;
G. Gas stations and associated convenience stores;
H. Hardware stores and lumber yards;
I. Heavy machinery, repair, storage and sales;
J. Kennels;
K. Manufacture and assembly;
L. Research and development;
M. Retail nurseries and garden stores;
N. Services to buildings such as janitorial, landscaping, carpet/upholstery cleaning, pest control;
O. Storage or sales yards, no salvage or junk;
P. Warehouse and wholesale establishments, excluding the storage of explosive and other dangerous or toxic substances as defined in RCW 70.105.
Q. Data centers, server farms;
R. Self storage facilities;
S. Similar or related uses permitted:
    1. Uses similar to, or related to, or compatible with those listed or described in Section 17.07.420.A-S are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:
        a. The intent of this chapter, or
        b. The policies of the Shelton Urban Growth Area Plan.
    2. Criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:
        a. The proposed use is appropriate in this area;
        b. The development standards for permitted uses can be met by the proposed use.

17.07.425 Permitted Accessory uses.

The following accessory uses are permitted:

A. Flammable material and liquid may be stored as an accessory use as restricted by the Fire Code of Mason County. Such tanks shall be located no less than twenty feet from

any building, property line or similar tank and at least one hundred feet from the boundary of any use district other than an industrial district.

B. No residential use shall be allowed except as an accessory use to provide quarters for a caretaker or security guard.

C. Storage, processing, or use of hazardous substances incidental to a permitted use in compliance with applicable county and state regulations are allowed.

D. Enameling or metal coating, galvanizing, electroplating, incidental to a permitted use, in compliance with applicable county and state regulations, is allowed.

E. Hazardous waste treatment and storage facilities incidental to the operation of a permitted use in compliance with applicable county and state regulations are allowed.

F. Deli and other food services located within a primary use, is allowed.

17.07.430 Special uses.
Uses that are determined by the community development director or his/her designee not to be outright permitted uses, but that have unique characteristics that may be consistent with the CI zone, require a special use permit as provided in Chapter 17.05 of this title, and are subject to applicable conditions as found in that chapter. Such uses include, but are not limited to:

A. Towing impound yard over one acre in size.

17.07.435 Prohibited uses.
The community development director or his/her designee will make the determination as to whether a proposed use is prohibited. Prohibited uses in the Commercial-Industrial Zone include, but are not limited to, the following:

A. Beauty shops, barber shops;

C. Convalescent centers/care facilities;

D. Residential uses, including residential above commercial, except as noted in 17.07.425.B;

E. Drug stores;

F. Motels and hotels;

G. Junk yard/car wreckage/salvage;

H. Retail stores, unless supporting the industrial uses within the zone;

H. Cemeteries, including mausoleums.

17.07.440 Lot, yard, and open space requirements.

A. Minimum lot size: none required.

B. Front, rear and side yard: none, unless property adjoins a more restrictive district, when setbacks shall be the same as required of that more restrictive district.

C. Lot width: none required.

17.07.450 Maximum height.

Maximum height for the CI district shall be as follows: 45 feet, except when adjoining a zone with a lower height restriction, in which case any structure located within 100 feet of the more restrictive zone shall have a maximum height as imposed by the more restrictive zone. Height may be further restricted by airport overlay zoning, where applicable. Deviation from this standard will be processed as a special use permit.

17.07.455 Performance standards.

The following provisions shall apply to all uses within the district:

A. There shall be no unusual fire, explosion or safety hazards.

B. When adjacent to a residential zone, the applicant shall demonstrate to the Community Development Director or his/her designee that noise does not exceed the maximum permissible noise levels set forth in WAC 173.60 or MCC 9.36.

C. There shall be no emissions in excess of any density prescribed by the air pollution control authority.

17.07.460 Off-street parking.

Parking shall meet the requirements of Chapter 17.08 of this title.

17.07.470 Landscaping.

Landscaping shall meet all requirements of Chapter 17.07.800 of this title.

17.07.480 Appeals

Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.500 AIRPORT INDUSTRIAL (AI)

Sections:

17.07.510 Intent
17.07.520 Definitions
17.07.530 Permitted uses
17.07.550 Setback and open space requirements
17.07.560 Building size and height
17.07.570 Design review
17.07.580 Sign requirements
17.07.590 Parking requirements
17.07.595 Landscaping
17.07.598 Appeals

17.07.510 Intent.

The airport industrial designation is intended to provide a land use classification that accommodates the industrial, commercial, and aviation-oriented uses that exist and are envisioned for Sanderson Field. This land use promotes flexibility while addressing changes in market demands, and ensures sensitive design practices are utilized within the city of Shelton gateway corridor. Development along U.S. 101 should strive to be consistent with guidance provided in "The Washington Coastal Corridor: U.S. 101 Corridor Master Plan."

17.07.520 Definitions.

A. "The city of Shelton gateway corridor" describes the gateway corridor generally along U.S. 101, being one of the three distinct gateways in Shelton described in the land use element of the city of Shelton comprehensive plan. As defined herein, the gateway corridor shall include the area as indicated on the city of Shelton future land use map extending two hundred feet from the edge of the U.S. 101 right-of-way.

17.07.530 Permitted uses.

All uses shall act in accordance with "Chapter IV Port of Shelton Comprehensive Plan (dated November 6, 2006 or as amended) and be consistent with the activities, purposes, and land uses intended within the specific zoning district where the use is proposed.

17.07.550 Setback and open space requirements.

This land use does not require building and development coverage requirements, minimum lot sizes and lot widths except when required by the Port of Shelton, or to address project-specific environmental or design issues. Building setbacks that provide minimum required fire access, noise separation, and areas for landscaping between buildings and driveways, public or private roads, parking areas, adjacent buildings, or other improvements shall be developed as part of the leased space provided by the Port of Shelton. Development may be further restricted by airport overlay zoning where applicable.

17.07.560 Building size and height.
Except for structures deemed necessary for airport operations and allowed under the provisions of the airport overlay zoning airspace protection areas, no structures shall exceed thirty-six feet in height unless further restricted by the FAA. Deviation from this standard will be processed in accordance with Chapter 17.05.

17.07.570 Design review.
Uses proposed within the gateway and neighborhood commercial districts of the Sanderson Field master plan shall conform to the standards set forth in Chapter IV Port of Shelton Comprehensive Plan (dated November 6, 2006 or as amended). Development adjacent to Highway 101 must comply with the US 101 Coastal Corridor Plan as referenced in the Sanderson Field Master Plan.

17.07.580 Sign requirements.
Signage shall conform to the Port of Shelton "Signage Master Plan & Tenant Signage Guidelines" dated May 27, 2003 or as amended.

17.07.590 Parking requirements.
New development shall provide a minimum required number of parking stalls in compliance with Section 17.08 Mason County Parking Standards.

17.07.595 Landscaping.
Landscaping shall meet all requirements of Chapter 17.07.800 Landscaping and Screening in the Shelton UGA.

17.07.598 Appeals
Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.600 INDUSTRIAL (I)

Sections:

17.07.610 Intent
17.07.620 Definitions
17.07.630 Permitted uses
17.07.640 Special use permit required uses
17.07.650 Prohibited uses
17.07.660 Environmental performance standards
17.07.670 Minimum site requirements
17.07.680 Off-street parking
17.07.690 Landscaping
17.07.695 Site plan approval
17.07.698 Appeals

17.07.610 Intent

The intent of the Industrial Zoning District in the Shelton UGA is to:

A. Provide for moderate to heavy industrial development in order to provide needed goods, materials, and services to ensure the economic vitality of the City of Shelton and Mason County.

B. Protect the industrial land base for industrial economic development and employment opportunities by limiting uses that may interfere with the purpose and efficient functioning of the area except those necessary for the convenience and support of the industries within the zone.

17.07.620 Definitions

A. "Advanced materials" means the development and use of materials or applications that represent advances and technological advantages over traditional approaches for a broad range of applications.

17.07.630 Permitted Uses

A. Specific types of uses permitted are those types of industrial activities, which can be accomplished within the performance standards established by this title. Any industrial activity for which performance standards are not included in this title shall comply with the standards established by recognized public or quasi-public agencies with jurisdiction over the activity for the protection of industrial or environmental health. The standards shall be those in effect at the time of a complete building permit application.

The Industrial zone allows those uses that are traditionally considered to be industrial in nature. Uses listed below are intended as a guide to types of uses that are allowed, but the list is not all-inclusive. As technologies and industries change new business types

emerge, and to the extent they are industrial in nature are encouraged in this zone. The community development director or his/her designee will make the determination as to whether a proposed use is permitted. Examples of permitted uses include, but are not limited to the following:

1. Industrial activities involving the manufacture, assembly, processing, repair, or servicing;
2. The production, sale or bulk storage of materials or products;
3. Warehousing, distribution and open storage;
4. Food processing, including shellfish;
5. Fabrication;
6. Value-added forest products;
7. Data Centers
8. Public utilities and facilities (buildings);
9. Advanced materials;
10. Research and development;
11. Commercial mail processing;
12. Sale of goods or products that serve industrial property;
13. Junk yard, car wreckage, salvage;
14. Enameling or metal coating, galvanizing, electroplating;
15. Mineral extraction.

B. Similar or related uses permitted:

1. Uses similar to, or related to, or compatible with those listed or described in Section 17.07.630A of the Mason County Code (MCC) are permitted upon a finding by the community development director or his/her designee that a proposed use does not conflict with:
    a. the intent of this chapter, or
    b. the policies of the Shelton Urban Growth Area Plan.

    The criteria for such a finding of similarity for uses other than those listed herein shall include, but not be limited to, the following:
    a. The proposed use is appropriate in this area;
    b. The development standards for permitted uses can be met by the proposed use.
2. Eating and drinking places within an industrial building or as an accessory use, and catering primarily to the people working in the area;
3. Living or residential quarters such as guards' quarters in large establishments where such quarters are customarily provided for security and/or insurability of the premises; and other residential uses directly related to the operation of the primary permitted use;
4. Storage, processing, or use of hazardous substances incidental to a permitted use in compliance with applicable, county and state regulations;
5. Hazardous waste treatment and storage facilities incidental to the operation of a permitted use in compliance with applicable county and state regulations.

17.07.640 Special use permit required uses

Uses that are determined by the community development director or his/her designee not to be outright permitted uses, but that have unique characteristics that may be consistent with the industrial zone and existing adjacent uses within the zone require a special use permit as provided in Chapter 17.05 of this title, and are subject to applicable conditions as found in that chapter.

17.07.650 Prohibited uses

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

A. Self-storage facilities.

17.07.660 Environmental performance standards

A. All uses shall comply with state and federal pollution abatement standards both prior to commencement of operations, and at all times thereafter;

B. Maximum permissible noise levels shall be as determined by Chapter 173-60 WAC, as amended, and applicable provisions of Subtitle 40.3.

17.07.670 Minimum site requirements

A. Minimum lot size: None; except adequate space must be provided for required parking, yards and landscaping;

B. Lot coverage: No maximum, except adequate space must be provided for required parking, yards and landscaping;

C. Front yard: None;

D. Side yard: None, except 50 feet if abutting a residential or mixed use zone;

E. Rear yard: None, except 50 feet if abutting a residential or mixed use zone;

F. Lot width: None required;

G. Maximum height in the Industrial District shall be as follows: 45 feet, except when adjoining a zone with a lower height restriction, in which case any structure located within 100 feet of the more restrictive zone shall have a maximum height as imposed by the more restrictive zone. Industrial equipment such as cranes or communication towers or appurtenant structures is exempt. A height limit shall be imposed if necessary, to prevent detrimental effects on the surrounding properties and may be

further restricted by airport overlay zoning. Deviations from this standard will be processed as a special use permit.

H. Relationship to adjacent parcels in the same classification: Setbacks between buildings in separate ownership are exempt from the side and rear setback requirements cited in this section, but shall comply with the side and rear setback requirements of the fire and building codes.

17.07.680 Off-street parking

Off-street parking shall be provided in accordance with Chapter 17.08 of this title, Off-street parking in the Shelton UGA.

17.07.690 Landscaping

Landscaping shall meet all requirements of Chapter 17.07.800 of this title, Landscaping and Screening in the Shelton UGA.

17.07.695 Site plan approval

Development within the Industrial zoning district is subject to site plan approval to ensure that new development is planned in a manner consistent with this Chapter and to assure it will be compatible with adjoining development.

17.07.698 Appeals

Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.700 PUBLIC INSTITUTIONAL (PI)

Sections:

17.07.710 Intent
17.07.720 Permitted uses
17.07.725 Accessory uses
17.07.730 Special uses
17.07.740 Prohibited uses
17.07.750 Setback and open space requirements
17.07.755 Maximum height
17.07.760 Parking requirements
17.07.770 Landscaping
17.07.780 Site plan approval
17.07.790 Appeals

17.07.710 Intent.
The public institutional designation is intended to:

A. Provide an area for activities relating to the purpose of state and local governmental entities and semi-public institutions providing necessary public services; and

B. Provide for continued operation and facilitate managed growth of existing major institutions within the Shelton UGA;

C. Provide and protect parks, open space and other natural, physical assets of the community to improve the aesthetic and functional features of the community.

17.07.720 Permitted Uses
A. Specific types of permitted uses are those, which provide a public service or fill a public need as described in the statement of intent. Any proposed use, whether new or an expansion or change of an existing use, shall be evaluated individually to determine whether it will be treated as an administrative or special use, based on its size, overall functions, and anticipated level of impact, including, but not limited to, such factors as hours of operation, relationship to adjacent land uses, trip generation and parking needs, storage needs, and environmental impact. Permitted uses include but are not limited to the following:

1. Continuation of uses already legally existing within the zone at the time of adoption of this title;

2. Parks, greenbelts and open space for active or passive recreation or enjoyment;

3. Government buildings or offices such as fire stations, schools and colleges, hospitals, community meeting or recreation halls;

4. Libraries, museums, or similar cultural facilities;

5. Churches;

6. Public Utilities, such as electrical, sewer, water, natural gas, stormwater, telecom facilities and other similar uses;

B. Similar or related uses permitted, and criteria for determination of similarity or relatedness, are as follows:

1. Uses similar to, or related to, those listed in Section 17.07.720A are permitted upon a finding of the Community Development Director or his/her designee that a particular unlisted use does not conflict with the intent of this chapter or the policies of the land development plan.

2. The criteria for such finding of similarity shall include but not be limited to the following:
    a. The proposed use is appropriate in this area,
    b. The development standards for permitted uses can be met by the proposed use,
    c. The public need is served by the proposed use.

C. Child day care centers shall be allowed as an accessory use to those uses permitted by section 17.07.720.

17.07.725 Accessory Uses
The following accessory uses are permitted:

A. Storage of supplies and equipment associated with a primary use, and other activities incidental to the primary use such as:
1. Storage yards;
2. Fleet parking;
3. Maintenance buildings and activities;
4. Residential uses as an incidental use to the permitted use, such as caretaker's quarters, or as an accessory use to institutional facilities such as housing for students, staff or faculty of colleges, hospitals and the like.

17.07.730 Special Uses
Special uses may be permitted as provided for in Chapter 17.05 of the Mason County Code, and subject to applicable conditions as found in that chapter. Any use that, in the opinion of the Community Development Director, constitutes an essential public facility as defined in 17.06 shall require a Special Use Permit.

17.07.740 Prohibited Uses
Uses other than those identified or described in Section 17.07.720 and 17.07.730 are prohibited.

17.07.750 Setback and Open Space Requirements

A. Site Area: The minimum size and shape of the site shall be appropriate to the proposed use of said site and its relationship to abutting properties and traffic patterns in the vicinity of the site.

B. Building Height: Maximum height of buildings shall be 45 feet.

C. Building setback requirements:

1. If adjacent properties are in the same or in a less restrictive land use district:
    a. Side yard minimum 15 feet;
    b. Rear yard minimum 15 feet.

2. If adjacent properties are in any residential district:
    a. Side yard minimum 25 feet;
    b. Rear yard minimum 25 feet.

3. Setbacks from right-of-way:
    a. If property fronts on a private street or drive, 25 feet;
    b. If property fronts on public street, 35 feet.

17.07.755 Maximum Height

Maximum height in the Public Institutional district shall be as follows: 45 feet, except when adjoining a zone with a lower height restriction, in which case any structure located within 100 feet of the more restrictive zone shall have a maximum height as imposed by the more restrictive zone. Height may be further restricted by airport overlay zoning, where applicable. Deviation from this standard will be processed as a special use permit.

17.07.760 Parking Requirements

Parking shall meet the requirements of Chapter 17.08 of this title.

17.07.770 Landscaping

Landscaping shall meet all requirements of Chapter 17.07.800 of this title.

17.07.780 Site plan approval

Development within the Public Institutional Zoning District is subject to site plan approval to ensure that new development is planned in a manner consistent with this Chapter and to assure it will be compatible with adjoining development.

17.07.790 Appeals

Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

Chapter 17.07.800 LANDSCAPING AND SCREENING

Sections:

17.07.810 Statement of purpose and intent
17.07.820 Definitions
17.07.830 Applicability
17.07.840 Landscape and screening plans
17.07.850 General requirements
17.07.860 Landscape and screening requirements for new development: commercial, industrial, and multifamily residential
17.07.870 Parking lot landscaping and screening
17.07.880 Additional landscaping requirements specific to gateway corridor
17.07.890 Alternative landscaping plans
17.07.891 Administrative Variance
17.07.892 Overlapping requirements and conflict
17.07.893 Performance assurance
17.07.894 Maintenance
17.07.895 Continuance
17.07.896 Exceptions and appeal
17.07.897 Enforcement

17.07.810 Statement of purpose and intent.

The protection and enhancement of the natural beauty, environment and greenspace within the UGA is an important aspect of the economic base of the community in that it is instrumental in attracting residents, and nonresidents who come to trade or vacation, and creating a community conducive to the location of new business and industry. When grown in the right place and of proper varieties, landscaping enhances the value and marketability of property and promotes the stability of desirable neighborhoods and commercial uses.

The purpose and intent of this chapter is as follows:

A. To aid in stabilizing the local environment's ecological balance by contributing to the process of air purification, oxygen regeneration, ground water recharge, and storm water runoff retention, while at the same time aiding in noise, glare, and heat abatement;

B. To provide visual buffering and enhance the beautification of the Shelton UGA;

C. To safeguard and enhance property values and to protect public and private investment;

D. To preserve and protect the identity and identification of the city of Shelton and its UGA as an attractive city and preserve the economic base attracted to the city by such factors;

E. To conserve energy;

F. To protect the public health, safety and general welfare.

17.07.820 Definitions.
For the purpose of this chapter, the following words or phrases have a meaning set forth herein, unless the context indicates otherwise.

"Multifamily residence" means a building containing separate dwelling units arranged to be occupied by more than three families living independently of one another.

"Vision clearance zone" means an area, typically triangular in shape, formed by a point arising at the intersection of right-of-way boundary lines of intersecting streets and points located thirty feet away from said intersection point along each right-of-way boundary line.

"Visual screening" or "screening" means planting of living ground cover as well as shrubs or small trees which will form a sight obscuring vegetative screen, or construction of a barrier fence or wall combined with trees and low plantings or wall-clinging plant materials. Materials should be complementary to building design, and to a height required by applicable sections of this chapter. Earth mounding or berms covered with shrubs or trees may be considered as part of a visual screen design.

17.07.830 Applicability.
The standards set forth in this chapter shall apply to all new commercial, industrial and multifamily development within the Shelton UGA, with the exception of those lands governed by the Port of Shelton Comprehensive Plan. All changes in the use of a property or remodel of a structure that requires improvements equal to or greater than fifty (50) percent of the assessed property valuation shall comply with the requirements of this Chapter.

17.07.840 Landscape and screening plans.
A. Landscaping and screening plans shall be provided as an adjunct to or incorporated into plans submitted for county permits.

B. The landscaping and screening plan shall be drawn to scale, including dimensions and distances, and clearly show:

1. Existing trees and vegetation to remain;
2. Existing and proposed parking and vehicle use areas, driveways and walkways;
3. Building(s) or structure(s) (existing and proposed), and setback lines;
4. Soil mix and amendments (existing and future);
5. New landscaping and/or screening: location, species, size of materials using both botanical and common names. Drawings shall reflect the ultimate size of plant materials;
6. Location of existing and/or proposed utilities including septic systems, water and sewer lines, underground or overhead electric lines, and fire hydrants;
7. Topographic elevations and other landscape features.

17.07.850 General requirements.

In addition to any specific requirements provided for in other sections of this chapter, the following general requirements shall pertain to any landscaping and/or screening mandated by this chapter:

A. Vision Clearance. In order to protect vision clearances, the plant selection and placement shall be designated such that there is at every street intersection a clear view between heights of three and six feet in a triangle formed by the corner and points on the curb thirty feet from the intersection or entranceway.

B. Crime Prevention. Principles and strategies of Crime Prevention Through Environmental Design (International CPTED Association) should be considered in landscape design plans.

C. Maintenance. Maintenance of landscape areas, trees, and other plantings shall be as per Section 17.07.894.

17.07.860 Landscaping and screening requirements for new development: commercial, industrial, and multifamily residential

In addition to any other requirements provided for in other sections of this chapter, the following requirements shall be required:

A. Perimeter Areas. All cleared areas not covered with buildings, driveways, parking, outside storage, staging and loading areas shall be landscaped. Areas to be landscaped shall be covered with live plant materials which will ultimately cover seventy-five percent of the ground area within three years. In the selection of trees and shrubs, consideration should be given to overall aesthetic impacts at maturity. Deciduous trees must be one and one half inch caliper at the time of planting and evergreen trees must be a minimum of four feet in height. Trees should be of a variety expected to reach a minimum of twenty feet in height at maturity.

1. Commercial: One deciduous or evergreen tree shall be provided for every three hundred square feet of the area to be landscaped.

2. Industrial: One deciduous or evergreen tree shall be provided for every 800 square feet of the area to be landscaped.

3. Multifamily: One deciduous or evergreen tree shall be provided for every five hundred square feet of the area to be landscaped.

B. Buffer Areas. Where a development is contiguous to a zoning district of less intensive land uses, then the adjacent perimeter area shall include visual screening at least six feet high. Where landscaping is used to provide a buffer the minimum width of the planting area shall be fifteen feet. The screening may be achieved through any one or a combination of the methods described in the definitions section.

C. Landscaping adjacent to street frontages:

1. Industrial:
    a. Screening and Buffering Along Travel Corridors. All industrial uses which contain property frontage on John's Prairie Road, US 101 or SR 102 shall provide a visual screen on the property between the parking lot and the right-of-way. The landscaped strip may not include any paved area except driveways or pedestrian sidewalks or trails which cross the landscaped strip, or paving necessary for utilities, maintenance, signs or other similar uses. Any of the following landscaped strip treatments may be used singly or in combination:

        i. Provide a minimum 10-foot wide visual screen landscape strip between the right-of-way and the parking, excluding driveway openings.
        ii. Provide a berm, the top of which is at least 2.5 feet higher than the elevation of the adjacent parking lot pavement. Plant with visual screening, excluding driveway openings.
        iii. Provide a minimum twenty-foot wide strip of existing native vegetation, unless the creation of such a strip creates a hazard.
2. Commercial: See 17.07.860.A, Perimeter Landscaping.
3. Multifamily: See 17.07.860.A, Perimeter Landscaping

D. Grassy Swales. Grassy swales approved as treatment structures for storm water treatment and retention/detention by the county, may be used to satisfy a portion of the requirement for coverage of seventy-five percent of the ground area of a site by landscaping as listed above in subsection A of this section.

17.07.870 Parking lot landscaping and screening.

The intent of requirements for parking lot landscaping and screening is to provide for screening of views of parked vehicles from the street and to break-up paved areas with landscaping. The following requirements shall apply to public and private parking lots, and residential parking areas providing spaces for five or more cars:

A. Landscaping along street frontages.

1. The minimum perimeter landscape area width shall be equal to the required yard or a strip ten feet wide, whichever is greater. On all other perimeters, the depth shall be a minimum of five feet. In no case shall the right-of-way be included when calculating minimum perimeter landscaping, but only to exceed the landscaping requirements. Perimeter areas shall include one tree per twenty frontage foot, arranged either by equal spacing or groupings. Plantings shall occur at each lot line or at the edge of any vision clear zone related to views at intersections and driveways;
2. Parking lots not fronting on a street nor visible from any land use of lesser intensity must landscape the minimum setback area, or a minimum of five feet between the edge of the pavement and property line.

B. Interior parking lot landscaping. Trees shall be provided within the interior areas of the parking lot as described below. Trees shall be a minimum of one and one-half inch caliper at planting and of a variety expected to reach a minimum of twenty feet in height at maturity.

1. Parking lots of 30 spaces or fewer. Trees shall be provided at a radius of no greater than 40 feet. Interior parking lot landscaping shall include planting areas of not less than five percent of the total parking area, excluding perimeter landscape areas required in subsection (A)(1) of this section.
2. Parking lots of more than 30 spaces. Trees shall be provided within the parking lot at a radius of no greater than 60 feet, unless a landscape plan reflecting an alternative arrangement is approved.
3. Parking lots in Industrial areas. The design of interior parking lot landscaping shall be flexible to allow for necessary vehicle maneuvering.
4. Minimum Area. The minimum area of a required landscaping bed shall be sixty-four square feet in order to provide a viable plant environment.

17.07.880 Additional landscaping requirements specific to gateway corridor.

A. In the gateway corridors, the county may require trees to be retained or planted such that adjacent development is less visible from the roadway and/or a forested rural character is maintained.

B. Within the defined gateway corridors, an effort should be made to retain trees consistent with the ultimate width of Highway 101 or other adjacent roadway and in consideration of future health and maintenance of the trees.

C. In addition to retention of native trees, recommended street trees to be planted should be primarily native conifers and deciduous trees clustered in natural-looking groups.

17.07.890 Alternative landscaping plans.

Nothing in this Chapter shall preclude the county from authorizing alternative landscaping and/or screening plans when alternative plans comply with the intent of this chapter and:

A. The proposed landscaping represents a superior result than that which would be achieved by strictly following the requirements of this section, or

B. Provides for the retention of significant trees and naturally occurring undergrowth, or

C. Incorporates unique, historic or architectural features such as fountains, sculptures, structures and the like, or

D. Strict application of this Chapter violates special easement requirements; or

E. The site cannot comply with landscape requirements because of prior development; or

F. The site conditions, such as space limitations due to unusual lot size or shape, topography, soil conditions, or existing vegetation, are such that full compliance with the standards is impossible or impractical; or

G. In those instances where above ground stormwater requirements serve the same or similar function as required landscaping and the proposed landscaping significantly improves stormwater treatment and aquifer recharge beyond what can be achieved by this Chapter.

17.07.891 Administrative Variance

If determined by the Community Development Director or her/his designee that unique circumstances or site conditions exist that make meeting provisions of this chapter onerous, an administrative variance of 10% or less from the provisions of this chapter may be granted in accordance with MCC 17.05.034.B.

17.07.892 Overlapping requirements and conflict.

In the event of a conflict between the standards for individual uses and other general requirements of this chapter, the more stringent shall apply. Determination of the appropriate standards shall be made by the Community Development Director or his/her designee.

17.07.893 Performance assurance.

A. Landscaping required pursuant to an approved site plan shall be installed prior to the issuance of a certificate of occupancy or final inspection by the county unless the property owner submits a performance assurance device committing to install the landscaping within one year. In no case shall the property owner delay performance for more than one year;

B. Performance assurance devices shall take the form of one of the following:

1. A surety bond executed by a surety company authorized to transact business in the state in a form approved by the county;
2. Cash;
3. Assigned savings pursuant to an agreement approved by the county;

C. If a performance assurance device is employed, the property owner shall provide the county with a non-revocable notarized agreement granting the county and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device;

D. If the developer/property owner fails to carry out provisions of the agreement and the county has reimbursed costs or expenses resulting from such failure, the county shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds the cost and expense incurred in the county, the remainder shall be released. If the amount of the bond or cash deposit is less than the cost and expense incurred in the county, the developer shall be liable to the county for the difference.

17.07.894 Maintenance.
The county places a high value on the quality of our water and shellfish and the salmon that thrive there. Strategies to maintain healthy trees and vegetation must have minimal impact on the environment. Whenever landscaping is required under the provisions of this chapter, landscaping and planting areas shall be maintained in a healthy growing condition. Dead or dying trees or shrubs shall be replaced within thirty days of notification in writing from the county, and the planting area shall be maintained reasonably free of weeds and trash.

Topping of trees is prohibited unless prior approval is received from the county. Approval will be given only to avoid the creation of a safety hazard, nuisance through excessive shading, overhanging adjacent properties, or other reasons as directed by the county.

In addition, owners shall be encouraged to be responsible for:

A. Maintaining landscaping as originally permitted;

B. Minimizing use of chemicals to safeguard water quality by:
    1. Monitoring as preferable to calendared spray programs,
    2. Using right plant in right growing conditions,
    3. Pulling of weeds as preferred over spraying,
    4. Removing insects by squishing, washing, or introducing predators, rather than using chemical sprays;

C. Irrigation with water conservation in mind;

D. Pruning;

E. Providing protection against damage to vegetation caused by changes in grade and/or normal drainage patterns.

17.07.895 Continuance.
Any existing landscaping and screening may continue to be maintained after the effective date of the ordinance codified in this chapter and shall become legal nonconforming landscaping and screening provided:

A. No such landscaping and screening shall be changed in any manner that increases noncompliance with the provision of this chapter;

B. The burden of establishing landscaping and/or screening to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming that legal status;

C. When a business or activity containing legal nonconforming landscaping and/or screening is enlarged or remodeled to a value of fifty percent or more of existing value of real property improvements, then such landscaping and/or screening must be brought into conformity with this chapter.

D. When an existing site is improved or redeveloped, the County may allow the applicant to pay a fee in lieu as established by the Board of Commissioners for use in the enhancement of public properties, such as wetlands or parks, rather than provide landscaping improvements at current standards.

17.07.896 Exceptions and appeal.
Administrative decisions of the Community Development Director or his/her designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in the amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

17.07.897 Enforcement.
The director or her/his designee is charged with enforcement of the provisions of this chapter. Enforcement procedures are set forth in Title 15 Development Code Chapter 15.13 Enforcement.

MASON COUNTY
PARKING STANDARDS 17.08

Chapter 17.08
Sections:

17.08.010 Purpose
17.08.020 Title
17.08.030 Scope
17.08.040 Relationship to Other Laws
17.08.050 Administrative Standards
17.08.060 Administrative Appeals
17.08.070 Variance
17.08.080 Off-Street Parking Standards
17.08.090 Table of Minimum Standards
17.08.100 Shared Parking Areas
17.08.110 Off-Street Loading
17.08.120 Parking Development Standards
17.08.130 Handicap Parking Standards
17.08.140 Definitions

17.08.010 Purpose
The purpose of this Chapter is to provide minimum parking standards in the county and Shelton Urban Growth Area for residential, commercial and industrial developments.

17.08.020 Title
The regulations codified under Chapter 17.08 shall be known as the Mason County Parking Standards.

17.08.030 Scope
No structure shall be constructed, erected, placed on land, or enlarged, without complying with the minimum standards of this Chapter.

17.08.040 Relationship to Other Laws
Whenever regulations or restrictions included in this Chapter are either more restrictive than regulations or restrictions of any other governmental authority by regulation, rule or legislative action, the rules or regulations which are of higher standard or more restrictive shall govern. All actions authorized in this Chapter are subject to all other applicable regulations.

17.08.050 Administrative Standards
The Mason County Community Development Director or her/his designee shall be the administrator of this ordinance.

Whenever, in the course of administration and enforcement of this ordinance, it is found desirable to make any administrative decision, unless other standards are provided in this

Chapter, the decision shall be made so that the result will not be in contrast with the intent and purpose of this Chapter, nor detrimental to adjoining properties.

17.08.060 Administrative Appeals

Administrative decisions of the Community Development Director or her/his designee shall be final and conclusive, unless a written statement of appeal is filed using the appeal procedures contained in Mason County Development Code Chapter 15.11 Appeals. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee in an amount as set by resolution of the board.

The timely filing of an appeal shall stay the effective date of the decision until such time as the appeal is heard and decided or is withdrawn. The burden of proof regarding modification or reversal shall rest with the appellant.

17.08.070 Variance

The purpose of this section is to provide a means of altering the requirements of this chapter in specific instances where the strict application of these regulations would deprive a property of privileges enjoyed by other properties which are similarly situated, due to special features or constraints unique to the property involved.

A. Findings required for approval of a variance

See Mason County Code Title 15 Development Code Section 15.09.057.

B. Procedural requirements for a variance

See Mason County Code Title 15 Development Code Section 15.11

17.08.080 Off-Street Parking Standards

Off-street parking shall be required according to the following standards and design guidelines. For off-street parking standards, which are not listed, the requirements for the most comparable use shall prevail.

17.08.090 Table of Minimum Standards

General Use	Parking Space Requirements
Residential	
Single Family Homes	1 per dwelling unit
Multi-Family Homes	2 per dwelling unit
Motel or Tourist Accommodations	1 per guest room
Hospital, nursing, or convalescent homes and similar institutions for long and short term personal care	1 per each three beds and 1 per each three employees

General Use	Parking Space Requirements
Professional Services	
Medical and Dental Clinics or Offices	One space per each 150 square feet of gross leasable area plus one space per each employee
Business and Professional Offices	One space per each 300 square feet of gross leasable area
Professional Personal Services	One space per each working station plus one space per each employee
Places of Assembly	
Theater, Church, Mortuary, Auditorium, or similar places enclosed assembly	One per each 4 seats or one per each 50 square feet of floor area for assembly not having fixed seats.
Stadium, Sports Arena, and similar places of open assembly	One per each 4 seats
Libraries and Classrooms	One per each 250 square feet
High schools and places of higher education	Two per each ten students, plus one for each employee
Commercial	
Banks, Savings and Loan, other financial institutions	One per each 400 square feet
Retail Stores	One per each 300 square feet of net floor area
Retail Stores for Motor Vehicle, Machinery, Plumbing, Building Supplies, Sales and Services	Two per each 1,000 square feet of gross floor area excluding outdoor display areas
Eating and Drinking Establishments with sale and consumption on premises	One per each 200 square feet of gross floor area on premises if less than 4,000 square feet in area; 20 and one per each 100 square feet of gross floor area over 4,000 square feet of gross floor area.
Marinas not including sales and services	One parking space for each 3 permanently assigned moorage spaces and/or, at the owner's option, one parking space for each 60 feet or portion of 60 feet of non-assigned moorage space area. Temporary moorage used for fueling and supplying boats shall not be included in the requirement for parking spaces. No temporary moorage will be used for

General Use	Parking Space Requirements
	overnight moorage.
Places of Amusement, Arcades, Dance Halls, Skating Rinks	One per each 50 square feet of usable amusement area space.
Bowling Alleys	4 per each alley.
Industrial	
Manufacturing, research testing, processing and industries	One per each two employees on the maximum working shift or one per each 800 square feet of gross floor area.
Clustered Commercial Uses on One Site	
The following standards shall apply when computing parking space area for three or more uses located on one site when the gross leasable floor area of those uses is collectively greater than 5,000 square feet in area.	5.5 per 1,000 square feet of gross leasable area.

17.08.100 Shared Parking Areas

If found desirable, joint use or sharing of parking space area may be permitted for more than one use, providing that legal instrument is presented to the administrator and approved by the Community Development Director or her/his designee. Computation of required parking spaces shall be the same as those for noted uses except that a ratio of 5.5 spaces per 1,000 square feet of gross leasable floor area may be used when collectively the uses are greater than 5,000 square feet of gross leasable floor area.

17.08.110 Off-Street Loading

Off-street loading standards are as follows:

Commercial and Industrial Buildings	Loading Area
Less than 25,000 square feet	One (except administrative judgment may waive this requirement)
25,000-50,000 square feet	Two
50,000 square feet or greater	Two plus one per additional 25,000 square feet over 50,000 square feet.

Off-street loading and unloading spaces shall be designed to accommodate vehicles at least 45' in length and at least 8' in width.

Off-street loading areas shall be provided separate from general parking areas.

17.08.120 Parking Development Standards

A. Submittal of Plans

Plans for every tract of land, lot or parcel, or portion thereof, to be used as a public or private parking area for 4 motor vehicles or more, shall be submitted for approval. Plans shall show the proposed parking area, including location, size, shape, design, curb cuts, lighting, screening, and other features as required.

B. Construction Standards

All public and private parking and loading areas shall be prepared in a manner to dispose of surface water runoff which shall be retained on site or drained into an area approved by the Mason County Engineer or the State Department of Transportation when abutting State Highways, and areas which are to be surfaced with an asphalt, concrete or similar all-weather surface shall be subject to review and approval of the Mason County Public Works Director or her/his designee.

According to Mason County Health Department Standards for Individual Sewage Waste Disposal Systems, the area to be used for sewage disposal shall not be subject to vehicular traffic and shall not be covered with an impervious surface. Therefore, no parking or loading area and no paved surface shall be located over any drainfield area.

C. Access and Egress

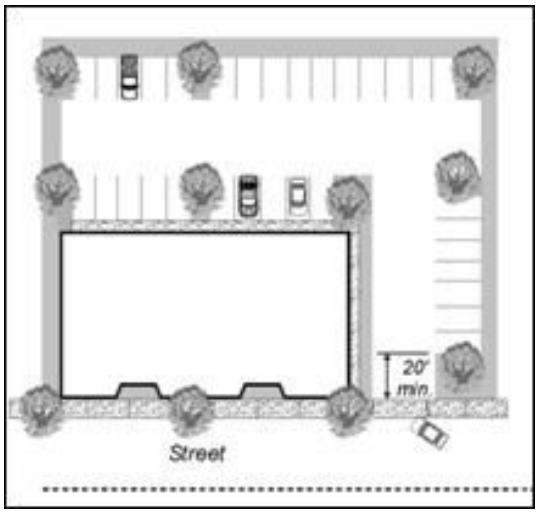
The location of points of access and egress to the parking or loading area shall be subject to the approval of the Mason County Engineer or her/his designee and State Department of Highways when abutting State Highways. Access and egress points shall be evaluated for safety and turning movements to and from the parking area, site distance clearance, and engineering design features, including surface paving of access drivers and aisleways from the public road to the parking area.

D. Screening

Screening of parking and loading areas from adjoining residential uses shall be required. Screening from adjoining residential areas shall be sight obscuring.

E. Parking Lot Area Design

Parking lot areas shall be designed to adequately accommodate the parking of vehicles and provide safe internal maneuvering space. All parking lots that provide for 20 or more parking spaces shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right of way, to provide for queuing or stacking area for vehicles entering and exiting the parking area (see figure below).



F. Parking Stalls – Access and Dimensions

Adequate provision shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. Maneuvering aisles and parking stall dimensions shall be as shown in the Table below.

	One-Way Traffic			Two-Way Traffic		
	Parking Angle	**Stall Width**	**Aisle Width**	**Parking Angle**	**Stall Width**	**Aisle Width**
STANDARD CAR PARKING	45° 60° 75°	9′ 9′ 9′	15′ 18′ 22′	45° 60° 90°	9′ 9′ 9′	24′ 25′ 26′
COMPACT CAR PARKING	45° 60° 75°	8.25′ 8.25′ 8.25′	15′ 18′ 22′	45° 60° 90°	8.25′ 8.25′ 8.25′	24′ 25′ 26′
PARALLEL PARKING		24′	12′		24′	24′

17.08.130 Handicap Parking Standards

The following standards shall be used for the design and location of handicap parking stalls in the development of parking areas.

A. Parking Space

Every parking area shall have a minimum of one handicap parking space and one handicap parking space for every fifty spaces.

B. Location

Handicap parking stalls shall be located nearest to the primary public building entrances of the building and shall abut the accessible route of pedestrian travel.

C. Parking Stall Size
Handicap parking stalls shall not be less than 12½ feet in clear width and not less than 20 feet in clear length. Parking stall surface shall be stable, smooth, non-slip, and shall slope no more than 1 foot for 50 feet of lineal horizontal distance.

D. Curb Cuts
Where any curb cuts occur between the accessible route of travel and any handicap parking space, curb cuts shall be provided for each parking space with access to the route of travel directly from the parking space without entering a vehicular roadway.

E. Signs
Handicap parking spaces shall be identified by a sign centered 4 feet - 5 feet from above grade at the head of the parking space utilizing the International Symbol of Access. The sign shall also indicate that the space is reserved for disabled people authorized to display the Washington State disable overtime parking permit on or in their vehicles.

17.08.140 Definitions
A. Access: A way or means of approach.

B. Administrator: The Community Development Director of Mason County or her/his appointed designee.

C. Egress: A way or means of emergence or exit.

D. Ingress: A way or means of entrance.

E. Maneuvering Aisle: A clear way of travel, or passage for the movement of motor or other vehicles.

F. Parking Area: A portion of or a lot, parcel, or tract of land used for the short term or long term storage of motorized or other vehicles.

G. Parking Stall: That portion of a parking area designated for the short-term or long-term storage of a singular motorized or other vehicles.

H. Parking Standards: Those minimum criteria, rules or means of measure to be met for the parking or storage of motorized or other vehicles.