

STAFF REPORT

Master Development Plan Revisions

1. Contact Person

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2. Introduction

Master Development Plan Development Regulations were adopted by Ordinance 112-06 on November 7, 2006 by the Mason County Board of County Commissioners. These regulations were created to facilitate the long-term planning and development of large properties within the county. Master Planning provides applicants with assurances from the County as to the future development of the master planned area. A master planned development can incorporate innovative and quality designs, and provide for additional and enhanced open space opportunities.

The Master Development Plan Regulations (MDPR) Ordinance was appealed to the Western Washington Growth Management Hearings Board as failing to comply with the goals of the Growth Management Act. The Hearings Board found the MDPR failed to comply with the Growth Management Act on three issues.

1. The MDPR allows a development to place urban densities and urban uses on rural lands, to the extent that it allows densities and intensities in an established LAMIRD to be extended outside the LAMIRD boundaries.
2. The MDPR does not prohibit urban growth outside the UGA with respect to sprawling low-density development in the rural areas through bonus densities.
3. The MDPR does not make it clear that there are nine criteria that must be met before an amendment to an MDPR can be considered minor, and that minor changes to the plan are measured from the original approval rather than from the most minor amendment.

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3. Discussion

The MDPR has been amended to address the three issues of non-compliance as determined by the Growth Management Hearings Board. The amended document is provided herewith this Staff Report. The changes are outlined below:

1. On page 8, paragraph (B)(ii) has been modified to specifically express that when an Master Development Planned area is located in more than one zoning district, uses and densities do not transfer from inside to an urban area or LAMIRD to outside an urban area or LAMIRD. This revision addresses the first issue wherein the MDPR was allowing urban uses and urban densities to extend outside the boundaries of a LAMIRD.
2. On page 8, a sentence has been added to paragraph (B)(iii)(c) that addresses the issue of bonus densities by adding a third criterion for allowing an increase in the maximum number of dwelling units. The third criterion states that bonus densities are allowed if no increase in density is transferred outside of an urban area or LAMIRD.
3. On page 31, a new paragraph has been added to Section 17.71.019(2) stating that all of the nine criteria listed must be met before an amendment can be considered and that minor changes are considered measured from the original approval, not the last minor amendment.

4. Summary

The Master Development Plan Regulations have been amended to reflect the issues as outlined in the Final Decision and Order of the Growth Management Board, and to fully comply with the goals of the Growth Management Act.

5. Recommendation

Staff recommends the Board of County Commissioners adopt the revised Chapters 17.70 (Master Development Plans), 17.71 (Implementing Site Plan Development Review), and 17.72 (MDP Low Impact Development Standards) to the Mason County Code

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Attachments: Master Development Plans (Chapters 17.70, 17.71 & 17.72)