

ORDINANCE NUMBER DI-08

**MASTER DEVELOPMENT PLANS DEVELOPMENT REGULATIONS
MASON COUNTY CODE CHAPTERS 17.70, 17.71 AND 17.72**

WHEREAS, the Mason County Board of County Commissioners adopted by Ordinance 112-06 Mason County Code Chapters 17.70 (Master Development Plans) and 17.71 (Implementing Site Plan Development Review) on November 7, 2006; and

WHEREAS, Chapters 17.70 and 17.71 were appealed to the Western Washington Growth Management Hearings Board for failing to comply with the goals of the Growth Management Act; and

WHEREAS, the Hearings Board found the Regulations failed to comply with the Growth Management Act on three issues: (1) they allowed a development to place urban densities and urban uses on rural lands, (2) they did not prohibit urban growth outside the UGA with respect to sprawling low-density development in the rural areas through bonus densities, and (3) they did 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 last minor amendment.

WHEREAS, Chapters 17.70 and 17.71 have been revised to address the issues of non-compliance as determined by the Growth Management Hearings Board; and

WHEREAS, Chapter 17.72 was added to separate important Master Development Plan Low Impact Development Standards from 17.71 for clarification and easier code reference; and

WHEREAS, Mason County Code Chapters 17.70 (Master Development Plans), 17.71 (Implementing Site Plan Development Review), and 17.72 (MDP Low Impact Development Standards) benefit the public by promoting projects that incorporate innovative, quality design, provide additional or enhanced development standards for open space preservation, and require project development to integrate low impact development standards; and

WHEREAS, on January 2, 2008 the Mason County Board of Commissioners considered adoption of these Master Development Plan Development Regulations on the Board's consent agenda.

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby amends Title 17 (Zoning), Chapters 17.70 and 17.71, and adds Chapter 17.72 to the Mason County Code.

DATED this 2nd day of January, 2008.

Board of Commissioners
Mason County, Washington

ATTEST:



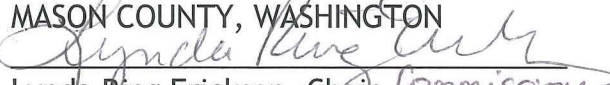
Rebecca S. Rogers, Clerk of the Board

APPROVED AS TO FORM:



Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Lynda Ring Erickson, Chair Commissioner



Tim Sheldon, Commissioner Chair



Gallagher, Commissioner Ross