

RESOLUTION NO. 93-97
MEMORANDUM OF UNDERSTANDING

This Memorandum Of Understanding dated August 26, 1997, between Mason County (the "County") and the City of Shelton ("Shelton" or the "City"),

WITNESSETH

WHEREAS, the City and County share a commitment towards cooperative planning; and

WHEREAS, the City and County through a joint planning process adopted County-Wide Planning Policies and an Urban Growth Area around Shelton; and

WHEREAS, the City and the County have implemented elements of their joint planning in project review and other cooperative efforts; and

WHEREAS, the City and the County intend to continue to implement their respective comprehensive plans through continued joint planning efforts; and

WHEREAS, notwithstanding the history of cooperation between the City and the County, they are involved on opposing sides of a petition before the Western Washington Growth Management Hearings Board, Case Number 96-2-0023, and on opposing sides in Mason County Superior Court, Case Number 96-2-00848-0, In re Dawes v. Mason County; and

WHEREAS, it is the County's intention, as expressed in the County Comprehensive Plan, that only appropriate rural growth shall take place outside of the designated urban growth areas; and

WHEREAS, it is the City's concern that the intensity of development allowed in, and the size of, the Kamilche-Taylor Towne Rural Activity Center as well as its location so near the Shelton Urban Growth Area may result in urban growth in the rural area; and

WHEREAS, the City believes that location of urban growth in such a location damages and diminishes the effectiveness of its own planning efforts,

**NOW, THEREFORE MASON COUNTY AND THE CITY OF SHELTON HEREBY
AGREE AS FOLLOWS:**

1. The County will act on an interim basis, as provided by state statute and County ordinance, to reduce the allowed maximum residential density in Rural Activity Centers from eight (8) units per acre to four (4) units per acre.
2. The County will act on an interim basis, as provided by state statute and County ordinance, to change the boundaries of the Kamilche-Taylor Towne Rural Activity Center by moving the northern boundary of said Rural Activity Center so that it is no further north than Insels Road, and the southern boundary of said Rural Activity Center so that it is no further south than the south boundary of the northwest and northeast quarter sections of sections 17 and 18 of Township 19 North, and Range 3 West, W.M.

3. The County and the City will continue to discuss and to seek to resolve issues pertaining to consistency of land use regulations between the City and the County in the urban growth areas as contemplated in paragraph 7 of the County Wide Planning Policies entered into by the parties on August 17, 1992.

4. The City will withdraw as a party to the Western Washington Growth Management Hearings Board Case Number 96-2-0023 and to Mason County Superior Court Case Number 96-2-00848-0, In re Dawes v. Mason County.

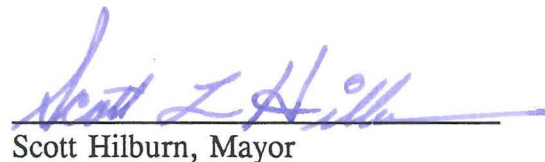
5. This interim agreement shall be in effect until at least May 1, 1998. If the provisions of the Memorandum of Understanding are proposed to be modified in the future or if the City determines that the County has failed to comply with the Growth Management Act in matters reserved for discussion pursuant to paragraph 3 above, the County agrees that the City shall have standing to legally challenge such proposed action or inaction as constituting a violation of the Growth management Act, and that the County waives any defense that it may have that the City's challenge is not timely made; provided, however, that such challenge is made within 60 days of the adoption of such modification of the City or, if circumstances exist such that the statutory time limit of the Growth Management Act does not apply, the City has given the County 45 days' written notice of an impasse on issues reserved in paragraph 3 above.

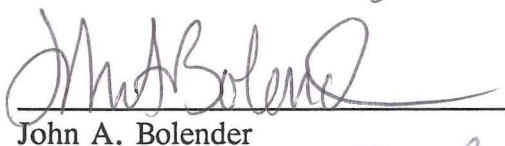
IN WITNESS WHEREOF, the undersigned execute this document this 26th day of August, 1997.

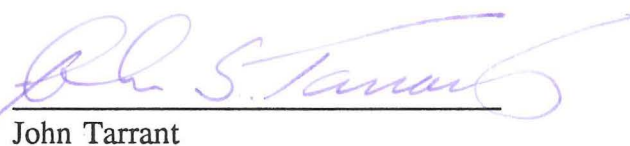
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

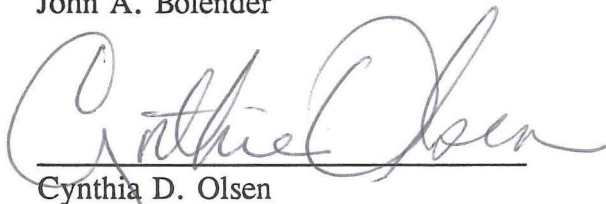
CITY COMMISSION
CITY OF SHELTON, WASHINGTON

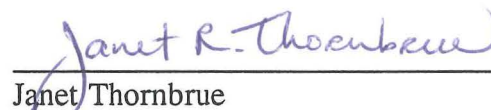

Mary Jo Cady, Chair


Scott Hilburn, Mayor

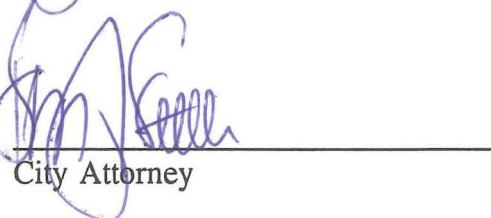

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