

ORDINANCE NUMBER 89 -98

AMENDMENT TO MASON COUNTY ORDINANCE 152-97

AN ORDINANCE amending Mason County Ordinance 152-97, which created a new section in the Interim Resource Ordinance, Section 17.01.061 Agricultural Resource Lands, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, the Mason County Board of County Commissioners held a public hearing on December 2 and December 30, 1997, to consider the comments of the Planning Commission, the Mason County Department of Community Development and citizens on the proposed amendments as created by Ordinance 152-97;

WHEREAS, on December 30, 1997, the Board of County Commissioners did adopt Ordinance 152-97, which designated and protected agricultural resource lands;

WHEREAS, these amendments are intended to comply with the Order of the Western Washington Growth Management Hearings Board of September 6, 1996;

WHEREAS, Ordinance 152-97 included the following language which created a sunset provision for a portion of the adopted ordinance;

WHEREAS, public concern was expressed that the sunset provision might not be considered consistent with the requirements of the Growth Management Act to continue to provide protection for the agricultural resource lands;

WHEREAS, the Board of County Commissioners can address the issues raised during the review of agricultural resource lands without the sunset provision;

WHEREAS, the Mason County Board of County Commissioners formulated its decision after the public hearing and has approved findings of fact to support its decision as ATTACHMENT A;

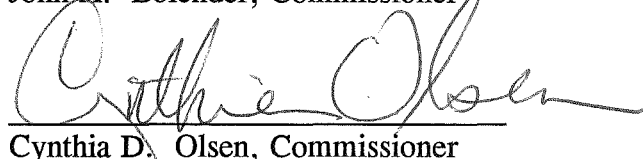
NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Board of County Commissioners of Mason County hereby ADOPTS an amendment to the Mason County Ordinance 152-97 to strike the following provision from the ordinance: "provided that the designation of the lands in the Skokomish Valley (lands within Townships: Range 4 W, Township 21 N and Range 5 W, Township 21, WM) shall only be effective for a period of one year to allow Mason County to review and adopt appropriate amendments to the designation or regulations."

DATED this 18th day of August, 1998.

Board of County Commissioners
Mason County, Washington


Mary Jo Cady, Commissioner



John A. Bolender, Commissioner


Cynthia D. Olsen, Commissioner

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:


Prosecuting Attorney

**Mason County Board of County Commissioners
Public Hearing - August 18, 1998
FINDINGS OF FACT**

1.

Under consideration is a proposal to amend the Agricultural Resource Lands adoption ordinance 152-97. Specifically, the proposed action is to strike the following provision from the ordinance: "provided that the designation of the lands in the Skokomish Valley (lands within Townships: Range 4 W, Township 21 N and Range 5 W, Township 21, WM) shall only be effective for a period of one year to allow Mason County to review and adopt appropriate amendments to the designation or regulations." The proposal is the removal of the sunset provision of Ordinance 152-97, so that no lapse in the designation could unintentionally occur.

2.

Agricultural Resource Lands were designated and protected by Mason County on December 30, 1998, after a lengthy public review. The action addressed concerns of the Western Washington Growth Management Hearings Board and implemented the Growth Management Act and policies in the Mason County Comprehensive Plan intended to protect agricultural resources. This action is valid as of this date, although certain concerns remain regarding the Skokomish Valley. Those concerns will be reviewed in the future.

3.

Substantial background information has been reviewed by the Planning Commission, during this public review and the original designation of agricultural resource lands in 1997. SEPA review has been completed.

4.

The Planning Commission held a public hearing on July 14, 1998, and considered the testimony given along with the record before it. The Planning Commission adopted findings of fact and recommended that the Board of Commissioners act affirmatively on the proposal.

5.

The proposal is consistent with and balances the goals of the Growth Management Act. The proposal is consistent with and implements the Mason County Comprehensive Plan. The proposal provides for balanced protection of agricultural resource land and addresses many of the concerns of the farmers. It uses the clustering of development to preserve farmland, one of the innovative techniques specifically suggested in the Growth Management Act. It uses other land management tools, such as transferable development rights, to direct growth into the urban growth areas and to implement the vision and goals of the county comprehensive plan. The proposal protects agricultural land, thereby promoting the goals of maintaining or enhancing natural resource industries, encouraging economic development, and retaining open space. The proposal has flexible, predictable, reasonable and effective regulations and public notice requirements, thereby promoting the goals of economic development; property rights;

the affordability of housing, and for a timely, fair and predictable permitting process. The proposal encourages development in urban areas by allowing transfer of development rights, thereby advancing the urban growth goal.

From the preceding findings, it is concluded that proposed amendment should be adopted as proposed.



Chair, Mason County Board of Commissioners

AUG 18 1998

Date