

**ORDINANCE NUMBER 148A-01**

**INTERIM MASON COUNTY DEVELOPMENT REGULATION FOR SCHOOLS**

AN ORDINANCE adopting interim amendments to Mason County development regulations, 82-96, under the authority of Chapters 36.70 and 36.70A RCW, in order to allow for the expansion of school facilities in rural areas.

WHEREAS, Mason County has received a request from Mary M. Knight School District to allow the construction of a library on the school grounds in the Rural Area of Mason County;

WHEREAS, schools are identified as a permitted use in the Rural Area by the Matrix of Permitted Uses, Section 1.03.020 of the Mason County Development Regulations, Ordinance 82-96, as amended, which was invalidated pursuant to the Growth Management Act by the Order of the Western Washington Growth Management Hearings Board of January 14, 1999;

WHEREAS, RCW 36.70A.302 (5) states "A county or city subject to a determination of invalidity may adopt interim controls and other measures to be in effect until it adopts a comprehensive plan and development regulations that comply with the requirements of this chapter. A development permit may vest under an interim control or measure upon determination by the board that the interim controls and other measures do not substantially interfere with the fulfillment of the goals of this chapter";

WHEREAS, Mason County has not adopted revised development regulations that have been determined by the Growth Management Hearings Board to comply with the requirements of the Growth Management Act;

WHEREAS, the Growth Management Act recognizes in RCW 36.70A.070(5) that rural development includes essential public facilities and a rural level of public services.

WHEREAS, schools have been determined in prior Growth Management Hearings Board decisions to be appropriate for rural lands;

WHEREAS, the Board of Commissioners held a public hearing on December 18, 200, and adopted findings of fact in support of this action;

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby ADOPTS an amendment as a new section 1.03.029 to the Development Regulations, Ordinance 82-96, as amended, as follows:

**1.03.029 Interim Regulations - Schools**

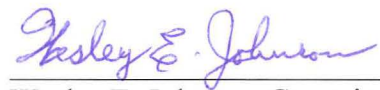
Expansion of schools and their accessory uses are permitted in designated Rural Areas and Rural Activity Centers. Expansion of school buildings or addition of structures at an existing school site shall be reviewed as permitted uses, provided that such additional building area does not exceed 25% of the existing buildings. The expansion is calculated from the area of the existing buildings at the time of the adoption of this section. The provisions of this section

are effective only when approved by the Growth Management Hearings Board and remain in effect until the county development regulations in Section 1.03.020 are found to be in compliance with the Growth Management Act, as provided in RCW 36.70A.302 (5).

DATED this 18<sup>th</sup> day of December, 2001.

Board of Commissioners  
Mason County, Washington

  
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Herb Baze, Commissioner

  
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Wesley E. Johnson, Commissioner

  
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Bob Holter, Commissioner

ATTEST:

  
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Clerk of the Board

APPROVED AS TO FORM :

  
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Deputy Prosecuting Attorney

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**Mason County Board of County Commissioners**  
**December 18, 2001**  
**FINDINGS OF FACT**


1. Under consideration is a proposal to adopt interim amendments to Mason County development regulations, 82-96, under the authority of Chapters 36.70 and 36.70A RCW in order to allow for the expansion of school facilities in rural areas.
2. Mason County has received a request from Mary M. Knight School District to allow the construction of a library on the school grounds in the Rural Area of Mason County.
3. Schools are identified as a permitted use in the Rural Area by the Matrix of Permitted Uses, Section 1.03.020 of the Mason County Development Regulations, Ordinance 82-96, as amended, which was invalidated pursuant to the Growth Management Act by the Order of the Western Washington Growth Management Hearings Board of January 14, 1999.
4. RCW 36.70A.302 (5) states "A county or city subject to a determination of invalidity may adopt interim controls and other measures to be in effect until it adopts a comprehensive plan and development regulations that comply with the requirements of this chapter. A development permit may vest under an interim control or measure upon determination by the board that the interim controls and other measures do not substantially interfere with the fulfillment of the goals of this chapter".
5. Mason County has not adopted revised development regulations that have been determined by the Growth Management Hearings Board to comply with the requirements of the Growth Management Act.
6. The proposal, as an interim measure, would only allow an expansion of up to 25% for existing schools, which will meet the foreseeable need for the school expansion during this period.
7. The Growth Management Act recognizes in RCW 36.70A.070(5) that rural development includes essential public facilities and a rural level of public services.
8. Schools have been determined in prior Growth Management Hearings Board decisions to be appropriate for rural lands.

**From the preceding findings**, it is concluded that these interim provisions should be adopted.

Board of Commissioners  
Mason County, Washington

  
Herb Baze

  
Wesley E. Johnson

  
Bob Holter