

ORDINANCE NUMBER 08 -02

INTERIM MASON COUNTY DEVELOPMENT REGULATION
FOR CHILD CARE CENTERS

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 establishment of commercial child care centers by governmental entities in rural areas.

WHEREAS, Mason County has received a request from Squaxin Island Tribe to allow the construction of a in the rural area of Mason County;

WHEREAS, commercial child care centers are identified as prohibited uses 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, child care services are appropriate for rural lands and must be provided convenient to home or employment;

WHEREAS, the Board of Commissioners held a public hearing on January 22, 2002, 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 1.03.027 to the Development Regulations, Ordinance 82-96, as amended, as follows:

1.03.027 Interim Regulations – Child Care Center

The establishment of or expansion of commercial child care centers and their accessory uses by a government entity are permitted uses in designated Rural Areas. 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 22nd day of January, 2002.

Board of Commissioners
Mason County, Washington



Herb Baze, Commissioner



Wesley E. Johnson, Commissioner



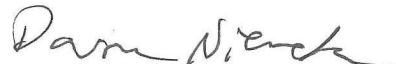
Bob Holter, Commissioner

ATTEST:



Clerk of the Board

APPROVED AS TO FORM:



Deputy Prosecuting Attorney