

ORDINANCE NUMBER 16 -09

AMENDMENT TO THE MASON COUNTY CODE and DEVELOPMENT REGULATIONS
TITLE 17 SECTION 17.03.030 B.

AN ORDINANCE amending Mason County Code and Development Regulations Title 17 Section 17.03.030 B. Development Requirements and Performance Standards for the Belfair UGA.

WHEREAS, in an Order by the Western Washington Growth Management Hearings Board dated December 9, 2008, the Board found the County to be non-compliant with the Growth Management Act (GMA) by allowing temporary holding tanks in the Belfair Urban Growth Area, which does not meet the GMA's sprawl reduction and concurrency goals; and

WHEREAS, Mason County Code and Development Regulations Title 17 Section 17.03.030 B has been amended, eliminating the allowance of temporary holding tanks; and

WHEREAS, the Mason County Board of Commissioners held a public hearing about the proposed amendments on March 3, 2009 to consider the testimony of the Mason County Department of Community Development and Mason County citizens; and

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners hereby amends Title 17 Sections 17.03.030 of the Mason County Code and Development Regulations as described by ATTACHMENT A.

DATED this 3rd day of March 2009.
Board of Commissioners
Mason County, Washington

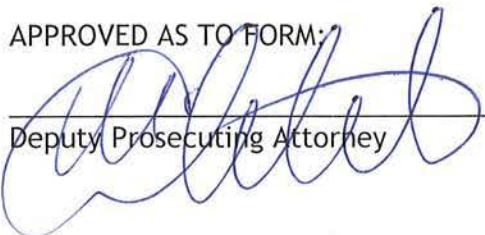
ATTEST:


Shannon Goudy, Clerk of the Board

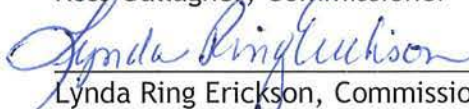
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

absent
Tim Sheldon, Chair

APPROVED AS TO FORM:


Deputy Prosecuting Attorney


Ross Gallagher, Commissioner


Lynda Ring Erickson, Commissioner

PROPOSED REVISIONS TO TITLE 17
SECTION 17.03.030 B

17.03.030 Development Requirements and Performance Standards

The following development requirements and performance standards apply to all property proposed for development, which is within the boundary of Mason County's Urban Growth Areas (UGA) No development approval shall be given, and no building permit shall be issued, unless the proposed development complies with the provisions of this Chapter.

B. Existing Lots of Record

~~1. No application for a new or expanded individual or community/group on-site septic system shall be accepted for property within the Belfair UGA after April 8, 2008, except:~~

~~(a) Applications for temporary holding tanks for commercial or industrial use may be accepted. For the purposes of the ordinance, temporary holding tanks are not considered an "on-site septic system" and;~~

~~(b) Applications for individual on-site septic systems as provided in section 17.03.031 below may be accepted.~~

~~2.1. No new development or redevelopment on existing lots of record in the Belfair UGA shall be allowed using individual or community/group on-site septic systems except that:~~

~~(a) New development or redevelopment using an existing (as of 4-8-08), approved on-site or community/group system may be allowed provided that no expansion of the capacity of on-site system is needed to serve the redevelopment and provided that the public sewer system has not been extended to within 500 feet of the property line, and~~

~~(b) The installation of approved temporary holding tanks for commercial and industrial uses as provided for elsewhere in this section.~~

~~4.2. All residential, industrial and commercial development, currently using on-site disposal systems, will be required to connect to public sewers once a public system is extended to within 500 feet of the closest property line regardless of the timing of the original on-site installation. The cost of any extension required will be borne by the property owners. The developer of an extension may collect latecomer's fees for off site improvements.~~

~~2.3. All existing permits for the installation of on-site systems, which have been approved but have not been installed, shall be declared void at such time the sewer is within 500 feet of the closest property line.~~