

ORDINANCE NUMBER 43-14

**AN ORDINANCE AMENDING ORDINANCE #32-14 REPEALING THE MORATORIUM AND DIRECTING THE PLANNING ADVISORY COMMISSION MAKE RECOMMENDATIONS FOR CODE AMENDMENTS WITHIN 90 DAYS**

WHEREAS, the Board of County Commissioners (“Commissioners”) adopted Ordinance #32-14 on July 1, 2014 enacting a zoning moratorium prohibiting the production and processing of marijuana, as allowed under RCW 69.50 (as amended) Chapter 314-55 WAC, in all zoning districts with the exception of Agricultural Resource Lands and Industrially zoned districts; and

WHEREAS, in compliance RCW 36.70A.390 the Commissioners held a public hearing within 60 days of the adoption of that moratorium; and

WHEREAS, the Commissioners do hereby repeal, rescind, or otherwise annul, the Moratorium immediately effective as of the date of this Ordinance; and

WHEREAS, the Commissioners further direct the Planning Advisory Commission shall, within 90 days of the date of this Ordinance or no later than October 20, 2014, make recommendation for amendments to Chapter 17.17 as it relates to the production and processing of marijuana in the rural residential zoning districts to specifically consider:

- (a) Increasing buffers between operations and neighboring residential dwelling units from 100 feet to 250 feet; and
- (b) Limiting Rural Residential 5 districts to allow Tier 1 level operations only; and
- (c) Limiting Tier 2 and Tier 3 level operations in Rural Residential districts to parcels of 10 or more acres.

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby ordain as follows:

Section 1. Moratorium Repealed. Immediately effective as of the date of this Ordinance, the Moratorium adopted by Ordinance #32-14 is hereby repealed.

Section 2. Planning Advisory Commission. This Ordinance directs the Planning Advisory Commission shall, within 90 days and no later than October 20, 2014, make recommendations to the Commissioners amending Chapter 17.17 as it affects the rural residential districts.

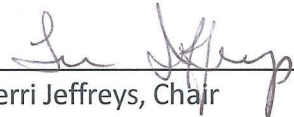
Section 3. Washington Department of Commerce. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington Department of Commerce as required by law.

Dated this 22 day of July, 2014

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON


ATTEST:

  
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Clerk of the Board

  
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Terri Jeffreys, Chair

APPROVED AS TO FORM:

NAY  
\_\_\_\_\_  
Tim Sheldon, Commissioner

  
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Tim Whitehead, Chief DPA

  
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Randy Neatherlin, Commissioner