

ORDINANCE NUMBER 102 -00

INTERIM MASON COUNTY DEVELOPMENT REGULATION FOR FIRE STATIONS

AN ORDINANCE adopting interim amendments to Mason County development regulations, 82-96, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, Mason County has received requests from Fire Districts to allow the construction of sub-stations in the Rural Area of Mason County;

WHEREAS, fire stations 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, fire protection services are provided to the citizens of Mason County outside of designated Urban Growth Areas by 14 independent Fire Districts;

WHEREAS, the response time for fire protection and suppression is critical for its effectiveness and these fire districts are the public agencies best able to determine the location for their equipment to best serve the public health and safety; and

WHEREAS, the Growth Management Act recognizes in RCW 36.70A.030(16) that rural services includes those typically provided in rural areas and specifically includes fire protection services as one of those service, as is the case in Mason County.

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

1.03.021 Interim Regulations

Fire stations and their accessory structures are permitted in designated Rural Areas, Rural Activity Centers, and Rural Community Centers or Hamlets. 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).

Pursuant to RCW 36.70A.039, the Board of Commissioners will hold a public hearing on this moratorium on Tuesday, October 24, 2000, at 7:15pm. After the public hearing, the Board shall adopt findings of fact on the subject of this interim ordinance.

DATED this 3rd day of October, 2000.

Board of Commissioners
Mason County, Washington

absent
Mary Jo Cady, Commissioner

[Signature]
John A. Bolender, ~~Commissioner~~ Chairperson

[Signature]
Cynthia D. Olsen, Commissioner

ATTEST:

[Signature]
Clerk of the Board

APPROVED AS TO FORM:

[Signature], CA-DPA
Prosecuting Attorney