

**BEFORE THE WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD**

WARREN DAWES, JOHN E. DIEHL, GORDON)	
JACOBSON, JUTTA RIEDIGER, VERN RUTTER, and)	No. 96-2-0023c
KERRY HOLM, individually and as members of the)	
MASON COUNTY COMMUNITY DEVELOPMENT)	ORDER RE:
COUNCIL (MCCDC), a non-profit association,)	INTERIM
) DEVELOPMENT		
) Petitioners,)	REGULATION
) v.)	ORDINANCE
) MASON COUNTY,)	148A-01
) Respondent,)	
) and)	
) PETER E. OVERTON, et al., McDONALD LAND)	
) COMPANY, HUNTER CHRISTMAS TREES, HUNTER)	
) FARMS, SOUTH 101 CORRIDOR GROUP, Inc.,)	
) and MANKE LUMBER COMPANY,)	
) Intervenors.)	
_____)		

On January 7, 2002, we received a motion from Mason County to rescind our matrix of permitted uses finding of invalidity as it pertains to an interim development regulation regarding expansion of schools in rural areas. The County amended the motion on January 15, 2002. We received no objections to the motion. A telephonic compliance hearing on the motion was held January 31, 2002. We received notices of nonparticipation in the hearing from several petitioners and intervenors. Mr. Darren Nienaber represented Mason County. He was the only party present. Present for the Board were Les Eldridge and Nan Henriksen.

Mason County Ordinance 148A-01 was adopted on December 18, 2001. The ordinance amended the County's development regulations (Ordinance 82-96) by providing for the 25% expansion of or

additions to school structures in rural areas and rural activity centers. Mason County stated that it had received a request from Mary M. Knight School District to allow the construction of a library on the school grounds. Mary M. Knight is located in the rural area of Mason County. The County cited RCW 36.70A.302(5) and section .020(12) as authorities allowing such an interim expansion ordinance.

The motion is granted. We find that the interim regulation does not substantially interfere with the fulfillment of the goals of the Act.

This is a Final Order under RCW 36.70A.300(5) for purposes of appeal.

Pursuant to WAC 242-02-832(1), a motion for reconsideration may be filed within ten days of issuance of this final decision.

So ORDERED this 1st day of February, 2002.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

Les Eldridge
Board Member

Nan Henriksen
Board Member