

**CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD
STATE OF WASHINGTON**

THE McNAUGHTON GROUP, LLC,)	
)	Case No. 06-3-0027
Petitioner,)	
)	<i>(McNaughton)</i>
v.)	
)	
SNOHOMISH COUNTY,)	
)	ORDER FINDING
Respondent,)	COMPLIANCE
)	
and)	
)	
CAMWEST DEVELOPMENT, INC.,)	
)	
Intervenor)	
)	

I. BACKGROUND

On January 29, 2007, this Board issued a Final Decision and Order (FDO) in this matter finding that Snohomish County failed to comply with RCW 36.70A.106 in its adoption of Ordinance Nos. 06-053 and 06-054.

The Board's FDO stated:

- In adopting Ordinance Nos. 06-053 and 06-054, Snohomish County **failed to comply** with RCW 36.70A.106. The Board **remands** Ordinances 06-053 and 06-054 to Snohomish County to be submitted to CTED [Washington State Department of Community Trade and Economic Development] for review and comment pursuant to RCW 36.70A.106. Following the 60-day review period (or shorter time if expedited review is granted), the County shall file a **Statement of Actions Taken to Comply (SATC)**, indicating the County's actions in response to agency comments, if any. At that time, the Board will determine whether a compliance hearing is necessary. If no comments are received, but after receipt of the SATC, the Board may issue an order of compliance without further hearing.
- The County will have 100 days from the date of this Order to comply with this Order and bring itself into compliance with RCW 36.70A.106. By no later than **May 7, 2007**, the County shall file with the Board and serve on the parties its **Statement of Actions Taken to Comply**. Petitioner and Respondent have five days from the filing of the SATC to provide any responsive briefing, or, on the stipulation of the parties, the Board may enter a final order without further hearing.

FDO, at 25-27.

On April 12, 2007, the Board received Snohomish County's Statement of Actions Taken to Comply (SATC). The SATC indicated that the County had provided notice to CTED consistent with the FDO. SATC, Ex. A. The County received a confirmation from CTED of that notice, but no further comments were submitted from CTED or other state agency. SATC, Ex. B. Sixty days elapsed from the filing of notice to the issuance of the SATC. The County requested the Board issue a final order without further hearing in this matter.

Neither the Petitioner nor the Intervenor have filed any responsive pleadings or requested a hearing concerning compliance.

II. FINDINGS AND CONCLUSIONS

The Board finds and concludes:

1. Snohomish County submitted Ordinance Nos. 06-053 and 06-054 to CTED for comment. CTED confirmed receipt of these ordinances. However, neither CTED nor any other state agency commented on the ordinances during the 60-day comment period.
2. Snohomish County's action complies with the Board's FDO and cures the County's non-compliance with RCW 36.70A.106.
3. Accordingly, the Board finds and concludes that the County has **complied** with RCW 36.70A.106 in this matter, as set forth in the FDO.

III. ORDER

Based upon the Board's review of the GMA, prior decisions of the Boards, the January 29, 2007 FDO, Ordinance Nos. 06-053 and 06-054, the County's SATC and attached exhibits, and having discussed and deliberated on the matter, the Board ORDERS:

- Snohomish County's submission of Ordinance Nos. 06-053 and 06-054 to CTED for review and comment discharges the County's duty under RCW 36.70A.160. Therefore, the Board enters a **Finding of Compliance**.

So ORDERED this 7th day of May, 2007.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

David O. Earling
Board Member

Edward G. McGuire, AICP
Board Member

Margaret A. Pageler
Board Member