

BEFORE THE WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD

WHIDBEY ENVIRONMENTAL ACTION NETWORK,

Petitioner,

v.

ISLAND COUNTY,

Respondent,

SEATTLE PACIFIC UNIVERSITY,

Intervenor.

No. 03-2-0008

**ORDER FINDING
COMPLIANCE**

This Matter came before the Board upon the motion of Island County for a lifting of invalidity and a finding of compliance. Island County Motion for Finding of Compliance, February 25, 2004. On March 3, 2004, we received Joinder of Intervenor Seattle Pacific University in Respondent Island County's Motion for Reconsideration. On March 9, 2004, the Board issued Order Setting Compliance Hearing to all parties of record in this case. The Board received no opposition from any party. On March 23, 2004, the Board held a telephonic compliance hearing. Island County was represented by Attorney Joshua Choate. Intervenor Seattle Pacific University was represented by Attorney G. Tim Martin. No other parties appeared at the hearing. Board members Holly Gadbow, Nan Henriksen and Margery Hite were in attendance telephonically.

The Final Decision and Order in this case was issued August 25, 2003. The Board had found the County's comprehensive plan and development regulation amendment adopted by Ordinance C-92-02 that established a Special Review District for the Camp Casey Conference Center including new urban-scale uses out of compliance

with RCW 36.70A. and imposed invalidity. The Board also found that the Determination of Nonsignificance adopted for those amendments did not comply with RCW 43.21C and was invalid. Intervenor filed a Motion for Reconsideration on September 3, 2003. The Board took action on Intervenor's Motion for Reconsideration on September 23, 2003 and denied this Motion for Reconsideration on October 13, 2003.

The County has addressed the issues of noncompliance and invalidity found in the August 25, 2003 Final Decision and Order by adopting Ordinance C-08-04 that repealed Ordinance C-92-02 on February 23, 2004. This action causes the land that was zoned Special Review District through the adoption of C-92-02 to revert back to the Rural zoning designation and eliminates the goals, policies, and development regulations that applied to Camp Casey Special Review District. The reversion of the property designated Special Review District by C-92-02 to the previously compliant designation of Rural removes the need for a Environmental Impact Statement.

FINDINGS AND ORDER

Based on the foregoing, the Board finds that the comprehensive plan provisions and development regulations pertaining to the Camp Casey Special Review District have been eliminated and:

- 1) no longer substantially interfere with fulfillment of the goals of the Growth Management Act and the State Environmental Policy Act; and
- 2) the elimination complies with the Growth Management Act and the State Environmental Policy Act with respect to the issues raised in this case.

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The Board hereby LIFTS INVALIDITY and CLOSES this case.

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 29th day of March, 2004.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

Holly Gadbow, Board Member

Margery Hite, Board Member

Nan Henriksen, Board Member