

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

2
3 RICHARD SHELDON,

4 Petitioner,

5 v.

6 PACIFIC COUNTY,

7 Respondent.

Case No. 04-2-0009

ORDER OF DISMISSAL

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10 This matter comes before the Board on an Agreed Motion to Dismiss filed on April 27,
11 2005, by both parties. The Petition for Review was filed on May 7, 2004.

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13 Based upon the parties' expressed willingness to explore aspects of development
14 regulations and shorelines uses that would satisfy the Petitioner and be in compliance with
15 the Growth Management Act (GMA) and pertinent sections of the Shorelines Management
16 Act (SMA), several extensions of the Final Decision and Order deadline were granted by
17 presiding officers. When the parties were unable to reach a regular agreement during the
18 period of case extension, the Presiding Officer issued a Show Cause Order why the case
19 should not proceed to hearing.
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23 The parties filed an Agreed Motion to Dismiss on April 27, 2005. Outlined in the motion is a
24 report that Pacific County will place a moratorium on receipt or acceptance of development
25 applications for structures in the aquaculture district pending the reexamination of
26 Sec. 8B4, .8B5, and .8D of Pacific County Ordinance No. 153, the subject of Petitioner's
27 challenge. Public hearings will occur. The parties stipulate and agree that as a result of
28 said process, Pacific County will take action to enact new development regulations
29 concerning use of over-water structures. The moratorium will not lapse until such decisions
30 are made and enacted by Respondent County.
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1 Under the terms of WAC 242-02-720(1) any matter may be dismissed by the Board when all
2 parties stipulate to dismissal. The Agreed Motion to Dismiss fulfills that requirement

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4 **ORDER**

5 Based on the Agreed Motion to Dismiss, this Petition for Review is DISMISSED.
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8 Done this 2nd day of May 2005.
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12 Gayle Rothrock, Board Member
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16 Holly Gadbow, Board Member
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20 Margery Hite, Board Member
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