

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

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3
4 THE OSTROM COMPANY,
5
6 Petitioners,

7 v.

8
9 WHATCOM COUNTY,
10 Respondent.

Case No. 05-2-0017

**ORDER GRANTING MOTION FOR
EXTENSION OF THE COMPLIANCE
DEADLINE**

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13 This matter comes before the Board on a motion filed by Whatcom County requesting an extension
14 of the compliance deadline set forth in a February 14, 2006 Board remand of the county's 2005
15 agricultural lands and uses zoning ordinance for its failure to comply with the Growth Management
16 Act (GMA). Unopposed Motion for Extension of Compliance Deadline June 8, 2006.

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19 This motion informs the Board of a settlement agreement that includes draft ordinance language and
20 terms to which both parties agree. Whatcom County states in its motion that "if the County adopts
21 the [proposed] ordinance, or one substantially like it, petitioner would dismiss its appeal". Unopposed
22 Motion.....p.1. Noted in the motion is a second meeting of the Planning Commission slated for June
23 8, 2006 and a desire by Whatcom County to provide time for additional Council review and approval
24 steps to take place. Whatcom County requests the compliance due date be July 28, 2006 and that
25 ensuing reporting and adjudication dates be extended by the Board accordingly.

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28 There is merit is allowing the parties adequate time to complete the public review and ordinance
29 approval process. The parties request for an extension was timely made within the compliance
30 period, thus no formal hearing on this motion is necessary. RCW 36.70A.330(1) As well, Whatcom
31 County states that compliance will be achieved by July 28, 2006, well within the 180 days of an
32 ordinary compliance period provided for in the statute.

ORDER

Based on the foregoing and the unopposed motion filed, the Board now sets this compliance schedule.

Compliance Due	July 28, 2006
Compliance Report and Index to the Record	August 10, 2006
(Any) Objections to Finding of Compliance Due	August 16, 2006
Whatcom County's Response Due	August 28, 2006
Compliance Hearing (location and time to be determined)	September 7, 2006

Done this 12th day of June, 2006.

Gayle Rothrock, Board Member

Margery Hite, Board Member

Holly Gadbow, Board Member