

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

CITY OF RENTON,	)	<b>Case No. 97-3-0026</b>
Petitioner,	)	<b>FINDING OF COMPLIANCE</b>
v.	)	
CITY OF NEWCASTLE,	)	
Respondent.	)	
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**I. procedural background**

On February 12, 1998, the Central Puget Sound Growth Management Hearings Board (the **Board**) entered a Final Decision and Order in Case No. 97-3-0026. The Board remanded the matter to the City of Newcastle (**Newcastle**), directing the City to take action to eliminate the Southwest May Valley Potential Annexation Area’s noncompliance with the Growth Management Act. The Board directed that the City comply with the Order by August 11, 1998, and file with the Board a Statement of Actions Taken to Comply not later than August 18, 1998.

On August 21, 1998, the Board received a letter from Newcastle’s Community Development Director, informing the board that that City had not completed its compliance effort, and requesting an extension for taking action on compliance to September 15, 1998, and for filing a Statement of Actions to September 22, 1998.

On September 3, 1998, the Board issued an Order Changing Compliance Schedule and Setting a Date for Compliance Hearing, with the new dates as requested by Newcastle, and informing the parties that the hearing would be conducted telephonically.

On September 22, 1998, the Board received a letter from Newcastle, informing the Board that on September 8, 1998, the City Council passed Ordinance No. 98-171. Section 4 of the Ordinance amended the Comprehensive Plan’s Land Use Element on Potential Annexation Areas, specifically LU-P4 and LU-P5. Notice of adoption of the Ordinance was published on September 11, 1998; the Ordinance was effective September 16, 1998.

On October 6, 1998, the Board held a compliance hearing telephonically. Chris Smith Towne,

presiding officer in this case, conducted the hearing in the Board's office; board member Joseph W. Tovar participated in person; board member Edward G. McGuire participated telephonically. J. Tayloe Washburn participated telephonically, representing Newcastle; Zanetta, L. Fontes participated telephonically, representing the City of Renton. The proceedings were taped by the Board.

## **II. FINDINGS OF FACT**

1. On September 8, 1998, Newcastle adopted Ordinance 98-171. Exhibit C, incorporated by reference, sets forth the amended Potential Annexation Areas subsections, LU-P4 and LU-P5. In LU-P4, subsection b., the Southwest May Valley area between the city limits of Newcastle and Renton has been deleted. Exhibit D, also incorporated by reference, shows the amendments to Figure LU-4, the Land Use Plan Map, graphically representing the text changes to LU-P4.

2. Newcastle's Comprehensive Plan, Land Use Element, Potential Annexation Areas subsection, as amended by Ordinance No. 98-171, Exhibit C and D, does not overlap with Renton's Potential Annexation Area in the Southwest May Valley area.

### **Iii. conclusion of law**

The action taken by Newcastle had eliminated the Plan's non-compliance as to Potential Annexation Areas, and Newcastle **has complied** with the Growth Management Act, as set forth in the Board's Final Decision and Order.

### **Iv. FINDING OF COMPLIANCE**

The Board, having reviewed its Final Decision and Order and the file in this case, having reviewed the above referenced documents, and having considered the arguments of the parties, concludes that Newcastle **has complied** with the Board's Final Decision and Order. Therefore, the Board issues a **Finding of Compliance** to Newcastle in this case.

So ORDERED this 7th day of October, 1998.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

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Edward G. McGuire, AICP  
Board Member

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Joseph W. Tovar, AICP  
Board Member

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Chris Smith Towne  
Board Member

NOTE: This Order constitutes a final order as specified by RCW 36.70A.300, unless a party files a

motion for reconsideration pursuant to WAC 242-02-832.

**CPSGMHB Case No. 97-3-0026, Renton, DECLARATION OF SERVICE:**

I certify that I mailed a copy of the \_\_\_\_\_ to the persons and addresses listed thereon, postage prepaid, in a receptacle for United States mail at Seattle, Washington, on \_\_\_\_\_.

Signed: \_\_\_\_\_  
\_\_\_\_\_.Signed:

*Petitioner City of Renton:*  
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*Petitioner Represented By:*  
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*Respondent City of Newcastle:*  
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6949 Coal Creek Pkwy., SE  
Newcastle, WA 98059

*Respondent Represented By:*  
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