

remove ambiguities and otherwise modify the HIP so the housing incentives will have the effect intended in its purpose statement and implement the Plan, thereby complying with the GMA as set forth in this FDO.

FDO, at 15. The FDO also established a compliance schedule and compliance hearing date.

On August 12, 2002 the Board received “Agreed Stipulation and Proposed Order” (**Stipulation**) signed by the parties, requesting that the Board extend the compliance date (September 6, 2002) date until October 31, 2002.

On August 19, 2002, the Board issued an “Order Extending Compliance Period.” The Order **granted** the City the full 180-day statutory compliance period and established October 21, 2002 as the date for the City to provide a Statement of Actions Taken to Comply (**SATC**).

On October 21, 2002, the Board received “Statement of Actions Taken to Comply; LIHI Response and City Reply; and Stipulation of the Parties Re: GMA Compliance” (**SATC and Parties’ Compliance Stipulation**). All parties stipulated that the amended ‘HIP complies with the GMA Board’s [April 15, 2002] Final Decision and Order, and is consistent with the GMA and City’s Comprehensive Plan.” The parties further requested that the compliance hearing be conducted telephonically. SATC and Parties’ Compliance Stipulation, at 3.

On October 24, 2002, the Board conducted the compliance hearing, telephonically. Board Member Edward G. McGuire, ^[1] presiding officer, conducted the compliance hearing. Susan E. Drummond represented and participated on behalf of the City of Lakewood. John Purbaugh represented and participated on behalf of all the LIHI Petitioners. Debra Johnson and Michael McKenzie also participated on behalf of the City of Lakewood. The telephonic compliance hearing was recorded.

II. DISCUSSION

On October 7, 2002, the City of Lakewood adopted Ordinance No.284. A copy of Ordinance No. 284 was attached to the SATC and Parties Compliance Stipulation. This Ordinance amended the City’s HIP in the following manner: 1) only housing built for extremely and very low income (50% or less of median income) individuals qualify for the HIP; 2) density bonuses were increased; 3) fee reductions were increased; 4) parking incentives were increased; and 5) compliance measures were strengthened. All parties agree that adoption of Ordinance No. 284 complies with the requirements of the GMA. SATC and Parties Compliance Stipulation, at 2-3. The Board concurs, and commends the parties for their efforts in addressing this critical housing issue.

III. FINDINGS and CONCLUSIONS

Findings of Fact:

1. RCW 36.70A.330 requires the Board to conduct a compliance hearing. The Board conducted the compliance hearing, telephonically on October 24, 2002.
2. The Board's April 15, 2002 FDO remanded and directed the City of Lakewood to take appropriate legislative action to revise its Housing Incentive Program to achieve compliance with the Act.
3. The parties requested, and the Board granted, additional time to comply with the Act and FDO.
4. On October 7, 2002, the City of Lakewood adopted Ordinance No. 284, pursuant to the Board's remand.
5. On October 21, 2002, consistent with the revised compliance schedule, the City filed its SATC and Parties' Compliance Stipulation, with attached copy of Ordinance No. 284.

Conclusions of Law:

1. The City of Lakewood's enactment of Ordinance No. 284 **complies** with the goals and requirements of the Growth Management Act as set forth and interpreted in the Board's April 15, 2002 FDO.

IV. FINDING OF COMPLIANCE

Based upon review of the Board's April 15, 2002 FDO, the City's SATC and Parties' Compliance Stipulation, Ordinance No. 284, and comments offered at the compliance hearing, and the findings of fact 1-5 and conclusion of law, *supra*, the Board finds that the City of Lakewood **has complied** with the goals and requirements of the GMA as set forth in the aforementioned Board Order. The Board therefore enters **Finding of Compliance** for the City of Lakewood re: CPSGMHB Case No. 01-3-0023.

So ORDERED this 24th day of October 2002.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

Edward G. McGuire, AICP
Board Member

Lois H. North
Board Member

Joseph W. Tovar, AICP
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.

[\[1\]](#) Board Members Lois H. North and Joseph W. Tovar were unable to participate in the telephonic compliance hearing; however they have reviewed the filings and this Order and concur that the City of Lakewood has complied. They consequently authorized that their signatures be affixed to this Order.