

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

KING COUNTY,)) Case No. 03-3-0025
))
Petitioner,)) (King County II)
))
and))
))
CITY OF RENTON)) ORDER REVISING ORDER OF
)) DISMISSAL
v.))
))
SNOHOMISH COUNTY,))
))
Respondent.))
))

I. BACKGROUND

On May 26, 2004, the Central Puget Sound Growth Management Hearings Board (the Board) issued an “Order of Dismissal”¹ in the above captioned case.

Snohomish County appealed the *King County II* portion of this Order to the Superior Court for Skagit County.

On December 20, 2004, the Honorable John M. Meyer, Skagit County Superior Court Judge, issued an “Order and Judgment” (**Court Order**) in the *King County II* matter. The Court ruled that while the Board properly dismissed *King County II* because the challenged ordinance [Ordinance No. 03-145] had been repealed, the Board erred by issuing substantive rulings related to the repealed ordinance. The Court remanded the matter to the Board to enter an order consistent with the Court Order. *See* Court Order, at 1-3.

On January 21, 2005, Snohomish County provided a copy of the Court Order to the Board along with “Snohomish County’s Motion for Order Revising Order of Dismissal”

¹ The May 26, 2004 Order involved addressed and included three similar and related cases: 1) *King County I* – CPSGMHB Case No. 03-3-0011, Order Finding Continued Noncompliance and Continuing Invalidity and Notice of Second Compliance Hearing; 2) *King County II* – CPSGMHB Case No. **03-3-0025, Order of Dismissal**; and 3) *King County III* – CPSGMHB Case No. 04-3-0012, Order of Dismissal. The Board’s discussion of the *King County II* matter is found at 21 and 22 of the 5/26/04 Order.

(**County Motion**). The County moved the Board to “delete the Board’s discussion at page 21, line 15 to page 22, line 28.”² County Motion, at 1.

The Board did not receive any responses to the County’s Motion.

II. ORDER

Based upon review of the Board’s May 26, 2004 Order of Dismissal in *King County II*, CPSGMHB Case No. 03-3-0025, the County’s Motion and the Order and Judgment of the Skagit County Superior Court, the Board ORDERS:

- The County’s Motion is **granted**.
- The Board’s May 26, 2004 Order of Dismissal in *King County II*, CPSGMHB Case No. 03-3-0025 is hereby revised to delete the Board’s discussion at page 21, line 15 to page 22, line 28.

So ORDERED this 1st day of February 2005.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

Bruce C. Laing, FAICP
Board Member

Edward G. McGuire, AICP
Board Member

Margaret A. Pageler
Board Member

² The Board notes that RCW 36.70A.302(7)(a) is unambiguous and clear on its face and need not have been discussed in the 5/26/04 Order.