



- By no later than **June 15, 2006**, the Petitioners may file with the Board an original and four copies of Response to the City’s SATC. Petitioners shall simultaneously serve a copy of their Response to the City’s SATC on the City.
- Pursuant to RCW 36.70A.330(1), the Board hereby schedules the Compliance Hearing in this matter for **10:00 a.m. June 22, 2006**, at the Board’s offices. If the parties so stipulate, the Board will consider conducting the Compliance Hearing telephonically. If the City of Sammamish takes the required legislative action prior to the May 22, 2006, deadline set forth in this Order, the City may file a motion with the Board requesting an adjustment to this compliance schedule.

On June 5, 2006 the Board received then City’s Statement of Actions Taken to Comply, along with a copy of Ordinance No. 02006-196, and the Compliance Index. On June 12, 2006, the Board received the City’s Amended Compliance Index.

On June 19, 2006, the Board received Petitioners’ “Response to City’s Statement of Actions Taken to Comply.” Petitioners offered no objections to the City’s SATC.

On June 22, 2006, beginning at 10:00 a.m. the Board conducted the Compliance Hearing in the above captioned matter by telephonic conference call. Board member Ed McGuire presided. Board member Bruce C. Laing was also present. Darrell Mitsunaga represented Petitioners. Bruce Disend represented Respondent City of Sammamish. The parties acknowledged that the Growth Phasing Lottery had been repealed.

The Board orally indicated its intent to enter an order finding compliance.

## **II. FINDING OF COMPLIANCE**

This case concerns City of Sammamish Ordinance No. 02005-183, the Growth Phasing Lottery. The Board’s FDO found the Growth Phasing Lottery did not comply with the GMA. The FDO remanded the Ordinance to the City of Sammamish with direction to the City “to repeal the Ordinance or take other legislative action to comply with the requirements of the GMA as set forth in this Order.”

The City of Sammamish repealed the Growth Phasing Lottery by enacting Ordinance No. 02006-196.

Based upon review of the February 21, 2006 Final Decision and Order, on the Statement of Actions Taken to Comply and the supporting documents submitted by the City, and on the stipulation of the parties at the Compliance Hearing, the Board finds:

- Ordinance No. 02005-183 was repealed by the adoption of Ordinance No. 02006-196 on May 16, 2006.
- By repealing the Growth Phasing Lottery, the City of Sammamish has complied with the goals and requirements of the GMA with respect to Ordinance 02005-

183, as set forth in the Board's FDO in this matter and the GMA. The Board therefore enters a **Finding of Compliance** for the City of Sammamish.

### **III. ORDER**

Based upon review of the February 21, 2006, Final Decision and Order, the Statement of Actions Taken to Comply, and on the stipulations of the parties at the Compliance Hearing, and having deliberated on the matter, the Board ORDERS:

CPSGMHB Case No. 05-3-0041, *Camwest III v. City of Sammamish* is **closed**. The City of Sammamish action repealing Ordinance 02005-183, corrects the deficiencies found by the Board and **complies** with the goals and requirements of the GMA as set forth in the Board's February 21, 2006, Final Decision and Order. The Board therefore enters a **Finding of Compliance** for the City of Sammamish in the present matter.

So ORDERED this 22nd day of June, 2006.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

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Bruce C. Laing, FAICP  
Board Member

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Edward G. McGuire, AICP  
Board Member

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Margaret A. Pageler<sup>1</sup>  
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.

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<sup>1</sup> Boardmember Pageler was not present at the Compliance Hearing, but had previously reviewed the City's SATC, the Petitioners' Response and concurred in entering a Finding of Compliance.

*05341 Camwest III v. City of Sammamish (June 22, 2006)*

**#05-3-0041 Order Finding Compliance**