

State of Washington
GROWTH MANAGEMENT HEARINGS BOARD
FOR EASTERN WASHINGTON

CITIES OF EPHRATA, MOSES LAKE)	
ROYAL CITY and WARDEN ("CITIES"))	
)	
Petitioners)	Case No. 96-1-0008
)	
vs.)	ORDER ON COMPLIANCE
)	
GRANT COUNTY,)	
)	
Respondent)	
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)	

On September 23, 1996, the Board entered its Final Decision and Order in this matter.

On December 4, 1996, the Board issued a Order of Compliance wherein the Board found that Grant County 1) had complied with the Board's Order, by rescinding exemptions nos. (4) and (7) to the Short Plat Ordinance, under Section II of said ordinance; 2) actions completed by Grant County amending Section V (B) (8) and adding Section V (B) (10) were not in conflict with RCW 36.70A.020(2), reduction of urban sprawl 3) proposed constructive notice, plus the recording of a "Master Form Instrument" with the County Auditor as proposed by petitioners, including parcel numbers for those parcels with questionable segregation history, mailing notice to the owner of record of the affected properties, publication of notice, including affected parcel numbers, in a newspaper of record within Grant County, constituted compliance with this Board's order and that items 4 and 5 of the remand were in compliance. Final Decision and Order steps 1 and 3 were to be considered at a compliance hearing to be held March 26, 1997.

On March 26, 1997, the Board held a second compliance hearing to consider Final Decision and Order Steps 1 and 3 in Ephrata, Washington at City Hall. All parties were represented.

Discussion

The purpose of this compliance hearing has been to receive an update and hear arguments from parties regarding progress to date in this case, Final Decision and Order dated September 23, 1996.

Arguments were heard first on Grant County's motion to Clarify and/or Amend our Order of Compliance Item #3, regarding notification requirements for parcels which may have been illegally segregated. Those arguments and the Amended Order of Compliance are addressed in a separate order.

The primary concern identified at this compliance hearing is an apparent impasse in establishing an IUGA for the City of Moses Lake. Parties may pursue mediation to reach an agreement. Regardless of the success of that effort, Grant County has the responsibility to establish the Moses Lake IUGA. The decision is long overdue.

Additionally, Petitioners argue that Grant County has failed to follow its proposed schedule of actions included as part of the Final Decisions and Order. Grant County recognized that some items had been delayed, but they continue to be committed to compliance with the FDO.

Conclusions and Order

Based on arguments and evidence presented, the Board finds and concludes the following:

1. Grant County must establish an IUGA for the City of Moses Lake no later than 90 days from the date of this Order.
2. The Board establishes July 22, 1997 at 2:00 p.m. as the time for an update and arguments from parties concerning this matter and other compliance responses by Grant County. This additional compliance hearing will be arranged via teleconference by this Board.

SO ORDERED this 16TH day of April, 1997.

EASTERN WASHINGTON
GROWTH MANAGEMENT HEARINGS

BOARD

D. E. "Skip" Chilberg, Presiding Officer

Judy Wall, Board Member

Dennis A. Dellwo, Board Member