

**BEFORE THE WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD**

CONCERNED CITIZENS AGAINST RUNAWAY)	
EXPANSION (CCARE, INC.), et. al.,)	No. 01-2-0019c
)	
Petitioners,)	ORDER FINDING
)	COMPLIANCE
v.)	
)	
)	
CITY OF ANACORTES,)	
)	
Respondent,)	
)	
)	

In the final decision and order in this case we held that the City of Anacortes had failed to comply with the Act by imposing a residential zone for a 4-acre piece of property located within the boundaries of the Anacortes Airport. In response, the City adopted Ordinance 2587, changing the zoning from residential to LM, the same designation as was found compliant for the adjoining 6-acre parcel. On May 6, 2002, we received the City's request for a finding of compliance.

A telephonic compliance hearing was held May 30, 2002. Participating were the City of Anacortes, the Port of Anacortes, and Petitioners Concerned Citizens Against Runaway Expansion (CCARE). The Port and CCARE supported the City's request for a finding of compliance.

On November 30, 2001, the Skagit County Superior Court entered an order restricting the City's conditional use process as it relates to the airport. While the City has not yet specifically adopted standards in compliance with the Superior Court order, at the compliance hearing the City affirmed that it was bound by the restrictions imposed by the Superior Court. The Port stated that with such restrictions, the City was no longer precluding airport uses.

We had independently reviewed the record in this case and find that with the adoption of Ordinance 2587, and subject to the Superior Court order of November 30, 2001, that the City has complied with the Growth Management Act.

This is a Final Order under RCW 36.70A.300(5) for purposes of appeal.

Pursuant to WAC 242-02-832(1), a motion for reconsideration may be filed within ten days of issuance of this final decision.

So ORDERED this 6th day of June, 2002.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

William H. Nielsen
Board Member

Les Eldridge
Board Member