

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

SCREEN, et al.,)
)
Petitioners,)
v.)
)
KITSAP COUNTY,)
)
Respondent,)
and)
)
McCORMICK LAND)
COMPANY, et al.,)
)
Intervenors.)
_____)
ALPINE, et al.,)
)
Petitioners,)
v.)
)
KITSAP COUNTY,)
)
Respondent,)
and)
)
PORT BLAKELY TREE)
FARMS AND OLYMPIC)
RESOURCE MANAGEMENT/)
POPE RESOURCES, et al.,)
)
Participants.)
_____)

Case No. 99-3-00012

coordinated with

**Consolidated
Case No. 98-3-0032c**

**ORDER ON COMPLIANCE with
REMAND PARAGRAPH 3.e in ALPINE
and FINAL DECISION AND ORDER IN
SCREEN (SCREEN II)**

i. Procedural Background

On February 8, 1999, the Central Puget Sound Growth Management Hearings Board (the **Board**)

issued its “Order Rescinding Invalidity in *Bremerton* and Final Decision and Order in *Alpine*” (the **Alpine FDO**) in Coordinated Cases 95-3-0039c and 98-3-0032c. Among other matters, the *Alpine* FDO remanded to Kitsap County (the **County**) consideration of forestry issues.

On April 13, 1999, the Board received a Petition for Review (**PFR**) from Robert and Janet Screen (**Screens**). The Board assigned Case No. 99-3-0005.

On April 14, 1999, the Board received a PFR from Kitsap Citizens for Rural Preservation (**KCRP**). The Board assigned Case No. 99-3-0006.

On April 21, 1999, the Board issued an “Order of Consolidation and Notice of Hearing” which consolidated the Screen and KCRP cases into a single consolidated matter, assigning Case No. 99-3-0006c and the caption *Screen, et al. v. Kitsap County* (**Screen I**).

On April 30, 1999, the Board issued a “Notice of Change of Location and Time for Prehearing Conference in *Screen* and Order Coordinating Screen with Forestry Portion of *Alpine*.”

On May 20, 1999, the Board received Kitsap County’s “Notice of Actions Taken to Comply with Remand Order on Joint Planning, ‘Screen Property,’ Transportation Figure, ‘Lot Coverage’ Definition and Public Participation for Zoning Ordinance Section.”

On July 12, 1999, the Board received another PFR from the Screens. The Board assigned Case No. 99-3-0012 (**Screen II**).

On August 11, 1999, the Board held a prehearing conference. At the prehearing conference, the Board granted KCRP’s oral motion to intervene.

On August 13, 1999, the Board issued its “Prehearing Order for *Screen II* and Notice of Coordinated Schedule for Briefing and Compliance Hearing for Portion of *Alpine*.”

On September 30, 1999, the Board received “Screen’s Prehearing Brief” (**Screen PHB**).

On October 11, 1999, the Board issued its “Order on Compliance re: Forestry Issues in *Alpine* and Final Decision and Order in *Screen* (*Screen I*)” (**Screen I FDO**).

On October 14, 1999, the Board received “Kitsap County’s Responsive Brief” (**County Response**), including a motion to supplement the record and “Intervenor KCRP’s Response Brief on Remand Item 3e” (**KCRP Response**).

On October 20, 1999, the Board received “Screen’s Response to Motion to Supplement the Record and Reply Brief” (**Screen Reply**).

The Board held a hearing on the merits on October 25, 1999, at the Bainbridge Island Fire Station. Present for the Board were Joseph W. Tovar, Presiding Officer, and Edward G. McGuire. The County was represented by Sue Tanner; Screen was represented by Courtney Kaylor; KCRP was represented by Charlie Burrow. Court reporting services were provided by Cynthia LaRose, RPR, of Robert H. Lewis and Associates, Tacoma.

On October 27, 1999, the Board received “Kitsap County’s Annotated Hearing Transcript” of the Kitsap County Board of County Commissioners’ April 19, 1999 public hearing. On October 29, 1999, the Board received “Screen’s Annotated Hearing Transcript” of that same hearing.

II. motion to supplement

In its response brief, and after the deadline for motions to supplement the record, the County moved to supplement the record with an aerial photograph of the Screen property and adjacent lands. At the hearing on the merits, the Presiding Officer **denied** the County’s motion as untimely.

ii. findings of fact

1. The Screens own approximately 450 acres of property in north Kitsap County. In 1996, the County approved a development of the property in a project known as “White Horse,” comprising all or a large portion of this property.
2. In *Alpine*, the Screens challenged the appropriateness of the County’s Interim Rural Forest (**IRF**) designation of the Screen property. On February 8, 1999, the Board issued the *Alpine* FDO, remanding the IRF designation of the Screen property to the County for redesignation.
3. On February 8, 1999, the same day the Board issued the *Alpine* FDO, the County Commissioners adopted Ordinances 229-1999 and 230-1999, incorporating the forest lands of long-term commercial significance (**GMA forest lands**) designation criteria of Ordinance 228-1998 into the Plan and designating GMA forest lands. Ordinances 229-1999 and 230-1999 were the subject of Board review in *Screen I*.
4. On May 10, 1999, the County adopted Ordinance 234-1999, reaffirming the IRF designation of the Screen property. To be designated IRF, the Screen property must (1) be larger parcels of land in contiguous blocks that are forested in character; (2) have been actively managed for forestry and harvested; or (3) be currently taxed as timber lands pursuant to state and county programs. The Screen property has not been actively managed for forestry and harvested, and is not currently taxed as timber lands. The County determined that the Screen property was forested in character.

5. IRF is a rural land use designation.

6. On March 12, 1999, a County staff report to the Planning Commission recommended re-designating the Screen property from IRF to Rural Residential (**RR**). Index No. 19222. The Planning Commission held a public hearing on this issue on March 24, 1999. On the day of the hearing, staff presented a revised report to the Planning Commission recommending retaining the IRF designation. Index 19186.

7. On April 19, 1999, the Board of County Commissioners held a public hearing on the possible re-designation of the Screen property. At the beginning of the hearing, the Commissioners informed the audience that the subject matter of the hearing was not “White Horse” project, but was the possible redesignation of the Screen property as described in the public notice.

Iv. standard of review

This case does not involve an existing determination of invalidity. Therefore, the County’s actions in adopting Ordinance 234-1999 are presumed valid. RCW 36.70A.320(1). The burden of proof is on Petitioner to demonstrate that the County’s actions are not in compliance with the GMA. RCW 36.70A.320(2). The Board “shall find compliance unless it determines that [the County’s] action[s are] clearly erroneous in view of the entire record before the board and in light of the goals and requirements of [the GMA].” RCW 36.70A.320(3). For the Board to find the County’s actions clearly erroneous, the Board must be “left with the firm and definite conviction that a mistake has been made.” *Dep’t of Ecology v. PUD 1*, 121 Wn.2d 179, 201 (1993).

V. discussion and conclusions

The Screens own approximately 450 acres of property in north Kitsap County. In 1996, the County approved a development of the property in a project known as “White Horse,”^[1] comprising all or a large portion of this property. In *Alpine*, the Screens challenged the appropriateness of the County’s IRF designation of the Screen property.^[2] On the same date the Board issued its FDO in *Alpine* finding that the Screen property did not satisfy the criteria for IRF designation, the County adopted Ordinance 229-1999, amending the IRF designation criteria. Ordinance 229-1999 amended the comprehensive plan (**Plan**) description of the IRF designation as follows:

This designation is applied to larger parcels of land in contiguous blocks that are forested in character, that have been actively managed for forestry and harvested, **and or** that are currently taxed as timber lands pursuant to state and county programs. These lands have been considered for designation as long-term commercial forestry

and are subject to ongoing litigation regarding their status. Lands not meeting the criteria for Forest Resource Lands designation will remain in the Interim Rural Forest designation until completion of Phase II of the forestry review process. This designation permits timber harvesting and management, along with resource-supporting commercial or industrial activities, and residential uses at a density of 1 dwelling unit per 20 acres.

Ordinance 229-1999, attached amendments to the Plan, at 64-65 (deleted language shown in bold strikethrough; added language in bold underlined). In *Screen I*, the County acknowledged that:

[IRF lands were originally] mapped using the criteria in the alternative (“larger parcels of land in contiguous blocks that are forested in character, that have been actively managed for forestry and harvested, **or** that are currently taxed as timber lands pursuant to state and county programs”), but the language of the criteria in the Plan had mistakenly been left in the conjunctive (“larger parcels of land in contiguous blocks that are forested in character, that have been actively managed for forestry and harvested, **and** that are currently taxed as timber lands pursuant to state and county programs”).

Screen I FDO, at 20 (quoting County Response, at 29-30). Because the County was correcting the Plan text to correspond to the actual mapping of the IRF lands, the County did not re-apply the amended IRF designation by another mapping effort. In *Screen I*, the Screens challenged the amendment of the IRF criteria from the conjunctive “and” to the alternative “or”; KCRP challenged the County’s failure to re-apply the amended IRF criteria in another mapping effort. The Board upheld the County against these challenges. *See Screen I* FDO.

After amending the IRF designation criteria, the County adopted Ordinance 234-1999, reaffirming the IRF designation of the Screen property.

In the present case, *Screen II*, the Screens argue that their property does not satisfy any of the amended IRF criterion and that the County’s public participation process in adopting Ordinance 234-1999 was flawed; KCRP aligns itself with the County and argues that IRF is the appropriate designation for the Screen property.

Compliance Issue: Did the County comply with remand paragraph 3.e of the Board’s Final Decision and Order in Alpine v. Kitsap County, CPSGMHB Case No. 98-3-0032c?

Remand paragraph 3.e: The 1998 Plan, specifically text, maps and development regulations as they relate to the Screen property, is remanded. Regarding the designation of the Screen property as IRF, the County is directed to delete the IRF designation and redesignate the property with an appropriate “Rural” or other non-

Urban land use designation. The Zoning Code map and any other development regulation affected by the redesignation shall also be amended to maintain consistency with the Plan. The County shall accomplish these corrections through a Plan amendment and amendments to the appropriate development regulations.

In *Alpine*, the Board remanded a portion of the Plan because the Screen property did not meet each of the three IRF designation criterion as required by the Plan language before the Board in that case. Implicit in the remand was the assumption that the IRF designation criteria would remain unchanged. Consistency between the Plan text and map is what the GMA and the Board's FDO required. Nothing in the *Alpine* FDO restricts the County's ability to achieve compliance with the GMA through means other than those discussed in the Board's Order.

The circumstances have changed from the record before the Board in *Alpine*. On the same day the Board issued the *Alpine* FDO, the County amended the IRF designation criteria. Now, a property need only meet one, not all three of the IRF designation criteria to be designated IRF. In light of the record before the Board in this case, *Alpine* remand paragraph 3.e is moot.

Conclusion

The circumstances have changed from the record before the Board in *Alpine*. In *Alpine*, the Board remanded a portion of the Plan because the Screen property did not meet each of the three IRF designation criterion. Under the amended IRF criteria, a property need only meet one of the three IRF designation criteria to be designated IRF. In light of the record before the Board in this case, *Alpine* remand paragraph 3.e is moot.

Legal Issue 1: Did the County, in its adoption of Ordinance 229-1999, fail to comply with the requirements of RCW 36.70A.170(1)(b) in view of the definition of "forest land" at RCW 36.70A.030(8)?

This issue was addressed in the *Screen I* FDO.

Legal Issue 2: Did the County's failure to re-designate the Screen property when it adopted Ordinance 234-1999 create an internal inconsistency and thereby fail to comply with the requirements of RCW 36.70A.070[preamble]?

Legal Issue 3: Did the County's failure to rezone the Screen property when it adopted Ordinance 234-1999 create an inconsistency between the Zoning Code map and Comprehensive Plan and thereby fail to comply with the requirements of RCW 36.70A.040(3) and RCW 36.70A.120?

The Screens argue that the Screen property does not meet the amended definition of IRF lands creating an internal inconsistency in the Plan and an inconsistency between the Plan and the

zoning map. The GMA requires comprehensive plans to be internally consistent. RCW 36.70A.070. The GMA also requires development regulations implementing comprehensive plans to be consistent with the comprehensive plan. RCW 36.70A.040(3)(d). In addition, the GMA requires local jurisdictions to “perform [their] activities and make capital budget decisions in conformity with [their] comprehensive plan[s].” RCW 36.70A.120.

In other words, if the Screen property does not satisfy any of the three criterion contained in the amended Plan description for IRF designation, then designating the property IRF on the Plan’s future land use map would make the Plan internally inconsistent; and zoning the property for the IRF designation would make the implementing zoning code inconsistent with the Plan.

To be designated IRF, the Screen property must (1) be larger parcels of land in contiguous blocks that are forested in character; (2) have been actively managed for forestry and harvested; or (3) be currently taxed as timber lands pursuant to state and county programs. In *Alpine*, the Board determined that the Screen property had not been actively managed for forestry and harvested and was not currently taxed as timber lands pursuant to state and county programs. *Alpine* FDO, at 70. The County does not dispute these findings. KCRP concludes that the Screen property is actively managed for forestry because the property was harvested for timber in 1998. KCRP Response, at 3. The Screens purchased the property after it was logged and there is no evidence that the Screens took any actions that could be construed as managing the property for forestry. *See* Index No. 19190. Under the facts in this record, harvesting timber, without more, is not enough to conclude that the Screen property has been actively managed for forestry.

Therefore, the question is whether the Screen property is forested in character.^[3] The Screens argue that the property is not identified as “Current Use Timberlands, Classified & Designated Forests” as shown on the County’s Open Space and Timberlands Map and conclude that this omission evidences the County’s recognition that the property is not forested. Screen PHB, at 7; *see* Index No. 17911. The County responds that the Open Space and Timberlands Map displays “property classified for tax purposes as in current use as open space or timber land [pursuant to chapter 84.34 RCW].” County Response, at 9. The Board agrees with the County. The Open Space and Timberlands Map does not purport to identify all forested parcels in the County. The Screen property is not identified on this map because it is not currently taxed as timber land as provided in chapter 84.34 RCW.

The Screens next argue that the Current Land Use Map identifies the property as “Open Land” rather than “Wooded.” Screen PHB, at 7; *see* Index No. 1903. However, this map, like the Open Space and Timberlands Map, is based on the tax status of the property. The Screen property is not identified as “wooded” on this map because it is not currently taxed as timber land as provided in chapter 84.34 RCW.

Finally, the Screens argue that “information compiled as part of the environmental impact

statement for the White Horse project . . . indicates that the property is primarily characterized by lowland shrub and lowland grass and forbs.” Screen PHB, at 7 (citing Index No. 19193). However, review of this map shows that the Screen property is forested in character, at least in part.

The record supports the County’s determination that the Screen’s property is forested in character. A December 7, 1993 letter from the Washington State Department of Natural Resources to the County Commissioners noted that, since a 1988 timber harvest, the Screen property “had naturally reseeded with Douglas-fir, Western red cedar, hemlock and red alder.” Index No. 19165, attachment 952. The March 12, 1999 staff report to the Planning Commission state: “The [Screen property] is forested.” Index No. 19186, at 5. This statement is repeated in the March 24, 1999 staff report to the Planning Commission. Index No. 19222, at 2. Also, as discussed above, information prepared for the White Horse project that was presented by the Screens to the Planning Commission on March 24, 1999, shows that the Screen property is forested in part. Index No. 19190 (Existing Site Conditions, Plant Communities map). The Screens have not shown that the County’s portrayal of the property as forested in character was clearly erroneous; the Screens have not shown that the County failed to comply with RCW 36.70A.070, 36.70A.040(3), or 36.70A.120.

Conclusion

The Screen property has not been actively managed for forestry and harvested and is not currently taxed as timber lands pursuant to state and county programs. The question is whether the Screen property is forested in character.

The Screen property is not identified on the Open Space and Timberlands Map because it is not currently taxed as timber land as provided in chapter 84.34 RCW. This map does not purport to identify all forested parcels in the County. Likewise, the Current Land Use Map is based on the tax status of the property. The Screen property is not identified as “wooded” on this map because it is not currently taxed as timber land as provided in chapter 84.34 RCW. Therefore, the County has not previously determined that the Screen property is not forested in character.

The record supports the County’s determination that the Screen’s property is forested in character. The Screens have not shown that the County’s portrayal of the property as “forested in character” was clearly erroneous; the Screens have not shown that the County failed to comply with RCW 36.70A.070, 36.70A.040(3), or 36.70A.120.

Legal Issue 4: Did the County’s adoption of Ordinance 234-1999 fail to comply with the requirements of RCW 36.70A.070(5) and RCW 36.70A.070(1)?

The Screens argue that IRF is not an appropriate designation for their property and, by so

designating the Screen property, the County has failed to comply with the requirement of RCW 36.70A.070(1), which provides:

[Each comprehensive plan shall include a] land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. . . .

The Screens assert that IRF is a “place holder” designation, to reserve potential GMA forest lands while the County developed criteria for designating GMA forest lands. Now that GMA forest lands have been designated, the Screens assert that the County must re-designate the Screen property from IRF to an appropriate designation, such as Rural Residential (**RR**).^[4]

The County responds that “Screen has not demonstrated that the IRF designation is not a valid rural designation for the Screen property, but only that the County intends to reconsider the designation in the future.” County Response, at 10. The Board agrees with the County.

IRF is not an invalid rural land use designation and the Screens have not shown that it is not an appropriate designation for their property. However, the continued application of the term “interim” can lead to confusion in the GMA context.^[5] As used here by the County, “interim” is meant to notify the public that the County intends to revisit this rural designation now that it has designated its GMA forest lands. The County may revisit any of its land use designations during its annual plan amendment cycle, regardless of whether the term “interim” is attached to any given designation. Nonetheless, regarding the IRF designation, the County has not failed to comply with any GMA requirement.

The Screens also argue that the County has failed to comply with a GMA requirement to create a written record explaining how the rural designations meet the goals and requirements of the GMA. RCW 36.70A.070(5)(a) provides:

Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

The Board reads this provision as requiring a written record in those instances where a county has considered local circumstances and has established patterns of densities and uses that would not be considered rural, absent the local circumstances. *See Alpine FDO*, at 71-72; *Sky Valley v.*

Snohomish County, CPSGMHB Case No. 95-3-0068c, [Darrington Portion of Case] Second Order on Compliance (Sep. 8, 1998), at 10-12 (where county relied on local circumstances, the need for cottage industries, to justify 2.3-acre residential lots in rural area, Board reviewed county's written explanation).

The IRF designation of the Screen property, allowing 1 dwelling unit per 20 acres, is clearly a rural land use designation. The Screens argue that “the County’s unique two-phase approach to the designation of forest lands and the consideration of appropriate uses and densities on IRF lands” comprise the local circumstances considered by the County. While the County certainly considered local circumstances in its approach to designating GMA forest lands and IRF lands, the County did not rely on local circumstances to justify an atypical rural density or use. The County did not propose to establish patterns of densities and uses that would not be considered rural, absent the local circumstances.

Conclusion

The IRF designation of the Screen property, allowing 1 dwelling unit per 20 acres, is a valid, rural land use designation. The County did not rely on local circumstances to justify an atypical rural density or use and the County did not propose to establish patterns of densities and uses that would not be considered rural, absent the local circumstances. The Screens have not shown that IRF is not an appropriate rural designation for their property.

Legal Issue 5: Did the County, prior to adoption of Ordinance 234-1999, improperly restrict public testimony regarding the designation and zoning of the Screen property and thereby fail to be guided by RCW 36.70A.020(11) and to comply with the requirements of RCW 36.70A.140?

The Screens allege that the County “improperly restricted public testimony regarding the designation and zoning of the Screen Property, in violation of RCW 36.70A.020(11) and 36.70A.140.” Screen PHB, at 11. The GMA requires the County to “[e]ncourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.” RCW 36.70A.020(11). More specifically, RCW 36.70A.140 provides:

Each county and city that is required . . . to plan under RCW 36.70A.040 shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication

programs, information services, and consideration of and response to public comments. . . . Errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed.

The Screens identify two events to support their public participation challenge, a public hearing before the Planning Commission and a public hearing before the County Commissioners. On March 12, 1999, a County staff report to the Planning Commission recommended re-designating the Screen property from IRF to RR. Index No. 19222. The Planning Commission held a public hearing on this issue on March 24, 1999. On the day of the hearing, staff presented a revised report to the Planning Commission recommending retaining the IRF designation. Index 19186. The Screens argue that “[t]his eleventh-hour reversal prevented the Screens and other interested parties from commenting on the staff recommendation before the Planning Commission” Screen PHB, at 11.

There is no allegation that the County did not provide adequate notice of this public hearing. The subject matter of the Planning Commission’s public hearing included the possible re-designation of the Screen property. Consideration of a revision to a land use designation includes the possibility of not revising the designation. The Screens and other County citizens had the opportunity to testify before the Planning Commission either in support of or in opposition to the staff recommendation. Additionally, notwithstanding the Planning Commission’s recommendation, the Screens and others had until April 19, 1999 (over three weeks), to bring their concerns to the attention of the County Commissioners. The revised staff report to the Planning Commission does not constitute a failure to comply with the public participation requirements of the GMA.

On April 19, 1999, the Board of County Commissioners held a public hearing on the possible re-designation of the Screen property. At the beginning of the hearing, Chair Garrido informed the audience that “this is not a hearing about ‘White Horse’. We will not be accepting testimony about the ‘White Horse’ issue. The handout in the back that is prepared by the Planning Commission with their recommendations to the Board of County Commissioners is in its entirety

what we will considering [sic] tonight” ^[6] Transcript of April 19, 1999 Board of County Commissioners hearing (**Transcript**), at 4. Commissioner Endresen added:

“White Horse” is not the issue here tonight. “White Horse” was approved by the County Commissioners several years ago. It is in Superior Court, it will be in court in July and it will be heard by a judge. The judge will make the decision on whether “White Horse” is built or whether it is remanded back to the County or whether it is null and void but that’s not why we are here tonight.

Id. The Screens argue that, since the Screen property is commonly known as “White Horse” the Commissioners admonitions against testimony stifled public comment on the Commissioners’ consideration of re-designating the Screen property. Although several citizens may have chosen not to testify as a result of the Commissioners’ statements, several citizens did testify on the subject matter of the hearing. *See* Transcript, at 6 (testimony of Sonny Woodward), 7-10 (testimony of Mike McLaughlin), 12-14 (testimony of Jack McCullough, on behalf of the Screens), 16-20 (testimony of Dan Baskins), 20-21 (testimony of Charlie Burrow), 21-22 (testimony of Jim Halstead), 23-24 (testimony of Don Lachata). Whatever citizen confusion may have existed regarding the distinction between the White Horse project and the re-designation of the Screen property did not result in a GMA public participation failure. The Screens have not shown that the County failed to comply with RCW 36.70A.020(11) or 36.70A.140.

Conclusion

Neither the revised staff report nor whatever citizen confusion may have existed regarding the distinction between the White Horse project and the re-designation of the Screen property result in a GMA public participation failure. The Screens have not shown that the County failed to comply with RCW 36.70A.020(11) or 36.70A.140.

vi. order

Based upon review of the Petition for Review, the briefs and exhibits submitted by the parties, having considered the arguments of the parties, and having deliberated on the matter, the Board ORDERS:

The County’s adoption of Ordinance 234-1999, reaffirming the designation of the Screen property as IRF, complied with RCW 36.70A.070, .040(3), .120, .070(5), .070(1), .020(11), and .140.

So ORDERED this 22nd day of November, 1999.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

Joseph W. Tovar, AICP
Board Member

Edward G. McGuire, 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] This approval is the subject of pending litigation in Superior Court.

[2] The following uses are permitted on IRF designated lands: timber harvesting and management, resource-supporting commercial or industrial activities, and residential uses at a density of 1 dwelling unit per 20 acres. Plan, at 64.

[3] It was undisputed that the Screen property consisted of “larger parcels of land in contiguous blocks.”

[4] RR designation permits residential development at a maximum density of 1 dwelling unit per five acres. Plan, at 64.

[5] Based on the briefing and argument in this case, the Board attaches no significance to the use of the term “interim” in the IRF rural designation, because the County’s use of this term does not indicate that the IRF designation is intended to be the “interim” forestry designations typically used to satisfy the requirements of RCW 36.70A.060(3). As discussed above, the County has designated its GMA forest lands. Consequently, the “interim” phase of the process as suggested by .060(3) is no longer germane.

[6] White Horse is a proposed development on the Screen property. *See* footnote 1, *supra*. A notice, of unknown origin, appeared in the local newspaper erroneously advising the public that the County Commissioners’ public hearing would pertain to the White Horse project.