

1 **BEFORE THE WESTERN WASHINGTON GROWTH**
2 **MANAGEMENT HEARINGS BOARD**
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6 PEOPLE FOR A LIVEABLE COMMUNITY, JIM
7 LINDSAY, et al.,

No. 03-2-0009c

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10 Petitioners,

AMENDED ORDER ON

11 **REMAND AND**

12 JEFFERSON COUNTY,

CORRECTED ORDER

13
14 Respondent.

ON RECONSIDERATION

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18 This Matter came before the Board on remand from the Thurston County Superior Court. Order
19 Granting Summary Judgment to People For a Liveable Community and Denying Jefferson County's Summary
20 Judgment and Remanding This Matter to the Western Washington Growth Management Hearings Board,
21 Thurston County Superior Court Cause No. 03-2-02116-1, September 3, 2004. In response to the order of
22 the Thurston County Superior Court, this Board held a hearing on November 4, 2004 and issued an
23 Order on Remand and Corrected Order on Reconsideration on November 18, 2004. On November
24 24, 2004, the Petitioners filed a Reconsideration Motion requesting the Board to revise its decision
25 because the quotation from Jefferson County LNP 1.4 stated in the Board's decision was erroneous.
26 Petitioner also asks that the time for compliance be set for 90 days. Reconsideration Motion on
27 Order on Remand and Corrected Order on Reconsideration.
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30 The County agrees that the quotation of LNP 1.4 is in error and that the substitution proposed by
31 Petitioners is the correct language. Correspondence from David Alvarez, November 23, 2004,. The
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1 County also requests that the time for compliance be set at 90 days from November 18, 2004, the date
2 of the Order on Remand. The County requests a compliance date of February 16, 2005. Ibid.

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4 Therefore, the Order on Remand and Corrected Order on Reconsideration dated November 18, 2004
5 is **HEREBY AMENDED** to provide that LNP 1.4 (which was deleted in 2002) provided:

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7 Commercial land use designations countywide and the Glen Cove and Port Townsend paper
8 Mill industrial designations shall be interim designations that shall be revisited through an
9 amendment to the Comprehensive Plan upon completion of [the] Tri area/Glen Cove Study.

10 The Order on Remand and Corrected Order on Reconsideration is also **AMENDED** to provide that
11 the County shall comply with the Board's Final Decision and Order in this case, as corrected and
12 amended, no later than February 16, 2005. The period of remand from the Board in this case shall
13 extend until the Board issues its decision on compliance.

14 The parties shall abide by the following schedule:

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17 **COMPLIANCE SCHEDULE**

18 Compliance Due	February 16, 2005
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20 County's Report of Actions Taken	February 28, 2005
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22 Written Objections to a Finding of Compliance Due	March 10, 2005.
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25 County's Response Brief (if any)	March 21, 2005
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28 Compliance Hearing (may be held telephonically)	March 29, 2005.
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30 The remaining terms and conditions of the Order on Remand and Corrected Order on
31 Reconsideration dated November 18, 2004 shall remain in full force and effect.
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This is a final order for purposes of appeal pursuant to RCW 36.70A.300(5) and reconsideration pursuant to WAC 242-02-832.

Entered this 3rd day of December 2004.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

Margery Hite, Board Member

Gayle Rothrock, Board Member