

STATE OF WASHINGTON  
County of Jefferson

**AN ORDINANCE AMENDING THE } Ordinance # \_\_\_\_\_**  
**BRINNON SUB-AREA PLAN, THE }**   
**COUNTY’S COMPREHENSIVE PLAN }**   
**AND THE UNIFIED DEVELOPMENT }**   
**CODE TO ACHIEVE COMPLIANCE }**   
**WITH THE AMENDED FINAL }**   
**DECISION AND ORDER OF THE }**   
**WESTERN WASHINGTON GROWTH }**   
**MANAGEMENT HEARINGS BOARD }**

**WHEREAS**, the Board of Jefferson County Commissioners (“the Board”) has, as required by the Growth Management Act, as codified at RCW 36.70A.010 et seq., set in motion and now completed the proper professional review and public notice and comment with respect to any and all proposed amendments to the County’s *Comprehensive Plan* originally adopted by Resolution No. 72-98 on August 28, 1998 and as subsequently amended and

**WHEREAS**, as mandated by the Growth Management Act, the Board has reviewed and voted upon the proposed amendments to the County’s *Comprehensive Plan* or “CP;” and

**WHEREAS**, the proposed *Comprehensive Plan* amendment known as MLA #02-246 was approved by the Board during the second week of December 2002, said amendment making the Brinnon Sub Area Plan (the “BSAP”) part of the County’s *Comprehensive Plan*; and

**WHEREAS**, the Board also adopted in December 2002, through the same Ordinance, Ordinance #13-1213-02, changes to the County’s *Unified Development Code*, or “UDC;” and

**WHEREAS**, an unincorporated group known as the Better Brinnon Coalition timely appealed the County’s legislative decisions relating to the BSAP to the Western

Washington Growth Management Hearings Board (“WWGMHB”) with a Petition for Review (or “PFR;”) and

**WHEREAS**, after full briefing by the representatives of the respective parties and a Hearing on the Merits held in June 2003, the WWGMHB issued an Amended Final Decision and Order (“AFDO”) on November 3, 2003; and

**WHEREAS**, the AFDO upheld the County and found the County compliant with respect to all but two of the allegations made in the PFR filed by the BBC; and

**WHEREAS**, County staff has taken steps in order to cure and remedy its non-compliant actions relating to the BSAP; and

The Board makes the following Findings of Fact with respect to these various amendments:

1. RCW Chapter 36.70A, *et seq.*, also known as the Growth Management Act ("GMA"), allows counties planning under the GMA to adopt subarea plans that are consistent with their comprehensive plans.
2. Jefferson County adopted the current Jefferson County *Comprehensive Plan* August 28, 1998. The *Comprehensive Plan* has been amended since adoption. The Brinnon Subarea Plan is the first subarea plan proposed to be included in the *Comprehensive Plan*.
3. On December 18, 2000, Jefferson County adopted the Unified Development Code (“UDC”) as the implementing regulations for the *Comprehensive Plan*. The UDC, as amended, provides for the initial adoption of a subarea plan as an exception to the annual *Comprehensive Plan* amendment process (UDC 9.3.1.b), in compliance with the GMA. Amendments to the UDC can be considered at any time (UDC 9.9.1).
4. The Planning Commission recommended a Brinnon Subarea Plan to implement the Jefferson County *Comprehensive Plan* goals, policies and directives to promote “bottoms up” community planning and to increase economic development potential in South County consistent with the rural character of the community.
5. In particular, the Brinnon Subarea Plan is intended to implement and fulfill land use policy 4.8 (LNP 4.8 at page 3-70) in the *Comprehensive Plan*, which states, “Assist the community of Brinnon, within the limits of available resources, in a public process to investigate the feasibility of an additional location for future commercial development, through a comprehensive study to examine factors including but not

limited to environmental issues, economic viability, future growth projections, and infrastructure requirements, consistent with GMA requirements.”

6. The *Comprehensive Plan* text, at pages 3-14 and 3-19, describes the economy of the Brinnon area as “distressed” and promotes the diversification of the South County economy.
7. Jefferson County adopted a community plan for Brinnon on January 20, 1982 via Resolution 9-82. In the early 1990s, the Brinnon community updated the Brinnon community plan and submitted the updated version to the County in May of 1995. The 1995 Brinnon community plan itself was not adopted, but information from the 1995 plan was incorporated into the 1998 Jefferson County *Comprehensive Plan*.
8. After much community input, dozens of meetings and much analysis by County staff and this Board a Preferred alternative draft BSAP dated May 1, 2002 was presented to this Board.
9. Ordinance #13-1213-02 246 enacted by the Board during the second week of December 2002, made the Brinnon Sub Area Plan (the “BSAP”) part of the County’s Comprehensive Plan.
10. That same Ordinance also made effective related changes to the County’s Unified Development Code, or “UDC.”
11. An appeal of Ordinance #13-1213-02 followed.
12. The AFDO issued by the WWGMHB upheld the County and found the County compliant with respect to all but two of the allegations made in the PFR filed by the BBC.
13. The WWGMHB concluded in the AFDO that the County had A) inadequately studied the probable significant adverse impacts of more intensive rural commercial development in and around the vicinity of the Brinnon Rural Village Center (the unincorporated village of Brinnon), an area sometimes called “the Brinnon Flats” and B) created a Light Industrial LAMIRD in violation of RCW 36.70A.070(5)(d)(i).
14. This Ordinance addresses those non-compliant acts and omissions.
15. The AFDO from the WWGMHB, dated November 3, 2003, contains 27 Findings of Fact, 11 of which relate to the history of the SEPA-derived analysis that occurred concurrently with the generation, consideration, review, revision and eventual adoption of the BSAP.

16. Conclusion of Law “G” in the AFDO states that the “County’s SEIS (Supplemental Environmental Impact Statement), as it pertains to the [BSAP] does not comply with SEPA, RCW 43.21C.” That SEIS was a document generated for the 19 proposed Comprehensive Plan amendments that went through the 2002 amendment cycle.
17. Conclusion of Law “G” is apparently based upon the failure of the County to create pursuant to SEPA a document that would provide the ultimate decision-makers (the County Commission acting in its legislative capacity) with a “reasonably thorough discussion of the significant aspects of the probable environmental impacts” of the decision the County was about to make, i.e., adoption of the BSAP.
18. Specifically, the WWGMHB determined that the County failed to consider what impacts more intensive development in and at the Brinnon Flats (also known as the village of Brinnon) would have on fish and wildlife habitats and resources.
19. The SEPA work was deficient in the manner described above although the three most-impacted Tribes and the Washington State Department of Fish & Wildlife (“WDFW”) had “flagged” these issues for the County, i.e., urged the County to study them.
20. To respond to the WWGMHB decision that the Tribes and WDFW had been ignored during the earlier environmental analysis, County staff members (including the Manager of the Natural Resources Division for the County) met with the Tribes and WDFW representatives on October 20, 2003 for what amounted to an “informal scoping” meeting for the supplemental EIS work. The employees of the Tribe and WDFW present at that meeting brought six issues forth. Those issues are listed at Appendix A of the document entitled “Environmental Analysis of Brinnon Subarea Plan and Associated Comprehensive Plan and UDC Amendments” prepared by Dave Christensen, the County’s Natural Resources Division Manager.
21. For the sake of simplicity the Christensen document will be known as the “Environmental Analysis.”
22. At that meeting the Tribe and WDFW repeated their concerns that increased development would harm fish and wildlife ecosystems for such protected species as the Puget Sound Chinook, Hood Canal summer run chum salmon, wildlife and shellfish.
23. The Tribe and the WDFW requested at that October 2003 meeting that the analysis examine more localized potential impacts in and adjacent to the Brinnon Flats rather than analyzing at an entire watershed scale, for example, they were interested in

having the County analyze what impacts would arise from the “pollution generating impervious surfaces within the Brinnon Flats,” known in GMA terms as the Brinnon Rural Village Center.

24. The Environmental Analysis addresses the concerns of the Tribes and WDFW brought out at that October 20, 2003 meeting.
25. For example, regarding full build-out of the 32 additional acres added to the Brinnon Village Center (a Rural Village Center in GMA terms), the Environmental Analysis concludes at page 2 that at most eight (8) additional acres would be covered with impervious surfaces at full build-out.
26. In addition any build-out, i.e., human-made development, that creates additional impervious surfaces inside the 66-acre Brinnon RVC will be managed and detained pursuant to regulations established by the 2001 Stormwater Management Manual, a document promulgated by the Washington State Department of Ecology.
27. Jefferson County is the first county in the State of Washington to impose the 2001 Stormwater Management Manual standards on development proposals.
28. The strict regulations and practices imposed by the 2001 Stormwater Manual and the fact that the additional run-off into adjacent rivers such as the Dosewallips that might be generated should full build-out occur is dwarfed by 1) the average flow (as measured in cubic feet/second) of that river and 2) the storm-generated flow occurring in that river led the Environmental Analysis to find no probable significant adverse environmental impacts from full-build out of the 32 acres that were added to the Brinnon RVC by Ordinance #13-1213-02. All of this is according to page 2 of the Environmental Analysis.
29. Full build-out of the Brinnon RVC will not occur immediately and instead will occur over, if at all, over many years. Presumably much of the development that will occur within the Brinnon RVC will be redevelopment of residential structures to commercial uses.
30. Adoption of the Small Business-Cottage Industry (or “SBCI”) Overlay district for the 21.6 upland acres does not change the underlying GMA-derived zoning designation for those parcels; they remain Rural Residential 1:5.
31. Thus, adoption of the SBCI Overlay district for the 21.6 upland acres will not have a probable significant adverse environmental impact on water quality or water quantity because the impervious surface caps for that Overlay District remain at 25%, the cap

established by the UDC for Rural Residential districts. In other words, existence of the overlay does not allow for more intensive development or greater amounts of impervious surfaces. See page 3 of the Environmental Analysis.

32. As the map attached to the Environmental Analysis indicates, a preliminary assessment of the quality of the wildlife habitat in the larger region that includes the Brinnon Flats and areas to the north, west and south of the Brinnon Flats indicates that both the RVC and the SBCI are not located in significant or important wildlife habitats. The pink represents the higher-quality, more pristine locations that are primarily wetlands. The green represents an area of moderate-quality habitat that is more likely to be forested and previously-harvested.
33. This preliminary assessment of the quality of the wildlife habitat in the Brinnon Planning Area was performed on behalf of Jefferson County by an outside consultant as part of a settlement agreement reached in a separate Hearings Board PFR.
34. Therefore, based on this preliminary assessment by a scientist, the Environmental Analysis concludes at page 7 that there “is not a likely significant adverse impact to wildlife habitat from the zoning changes that occurred as a result of the [BSAP] and the associated Comprehensive Plan and UDC amendments.”
35. The prior statement is accurate not only because the prime habitats are located outside and beyond the RVC and SBCI zones but also because the UDC includes a process by which state resource agencies such as WDFW can comment on specific project proposals according to page 7 of the Environmental Analysis.
36. Regarding the concern of the Tribes and WDFW regarding typical stormwater pollutants and any increase in such pollutants that might occur as a result of larger Brinnon RVC and a new SBCI overlay, the Environmental Analysis pointed out at page 4 that “loading of pollutants is not predictably different from commercial [versus] residential zoned lands.” In other words, some pollutants are more likely to be part of the run-off from commercial land while other pollutants are more likely to be part of the run-off from land zoned residentially.
37. In any event, the quantity of pollutants that will run-off will be greatly reduced by the County’s imposition of the standards laid out in the 2001 Stormwater Management Manual.
38. Thus, assuming typical pollutant concentrations, the Environmental Analysis concluded at page 4 that “the potential water quality impacts from the increased impervious surfaces from the increases of the size of the [Brinnon] RVC will likely

not be measurable in receiving waters (i.e., the Hood Canal or the Dosewallips River) by standard analytical techniques.”

39. While the Environmental Analysis at pages 5 and 6 included monitoring data from the Walcott Slough and the Syplash Slough that showed heightened levels of fecal coliform the source of those greater levels was not determined and is likely to have arisen from the presence of salmon carcasses and offal from the birds that feed off those carcasses than from failing on-site septic systems.
40. In any case development and redevelopment that serves to increase the human-made presence in the Brinnon Flats is now required to conform to and comply with much more stringent standards and best management practices for on-site septic systems, including the likely increased installations of alternative systems which provide additional treatment of sewage prior to disposal in the attached drainfield.
41. Requiring development to meet the rules listed in the 2001 Ecology Manual for Stormwater Management will also reduce bacterial contamination by treating non-point pollution in a manner consistent with that Manual.
42. The affected Tribes and WDFW were also concerned about probable significant adverse environmental impacts arising out of a possible Master Planned Resort (“MPR”) at Black Point, another neighborhood located within the larger Brinnon Planning Area.
43. Please note that the UDC would allow a MPR at any location in the County that met the minimum requirements of those development regulations as laid out in UDC Section 3.4.
44. Thus, any MPR, including one that might be constructed at Black Point would have to undergo an environmental analysis of the probable significant adverse impacts such a project would have on 1) water quantity, 2) water quality, 3) unstable slopes, 4) wildlife habitat, 5) marine water quality and 6) marine habitat.
45. Specifically, the County has previously determined that any MPR proposal at Black Point would receive a SEPA-derived “Determination of Significance,” or a “DS,” which would require the proponent of such a proposal to prepare a complete environmental impact statement.
46. One of numerous reasons that a Black Point MPR would receive an automatic DS is because of the presence at that neighborhood of habitat for the marbled murrelet. There are many reasons, however, for the mandatory DS including the potential

significant adverse environmental impacts of a golf course (should one be proposed) and other intensive development upon the shoreline of the Hood Canal, a body of water deemed to be of ‘state-wide significance.’

47. The Environmental Analysis concluded at page 8 that “[t]he adopted Comprehensive Plan amendment to adopt the Brinnon Subarea Plan should not have significant adverse environmental impacts, provided that existing regulations are followed for stream buffers, impervious surface limitations, and stormwater treatment.”
48. That the Environmental Analysis reasonably informs us, the elected Commission, of the probable significant adverse environmental impacts, if any, of the non-project action (in SEPA terms) that is these proposed changes to the BSAP, the Comprehensive Plan and the UDC and that therefore we are making an informed decision when we determine that the BSAP, as amended, should be adopted because any probable significant adverse environmental impacts can be avoided or mitigated.
49. The Brinnon Light-Industrial Limited Area of More Intensive Rural Development (or “LAMIRD”) on the upland 21.6 acres was found to be non-compliant in the AFDO by the WWGMHB because it could not meet the statutory criteria laid out in RCW 36.70A.070(5)(d)(i).
50. In other words, the Light Industrial LAMIRD was non-compliant as a “(d)(i)” type LAMIRD, one of at least three types of LAMIRD now permitted by the state law codified at RCW 36.70A.070(5)(d).
51. Those same 21.6 acres do meet the statutory criteria for a different type of LAMIRD, a so-called “(d)(iii)” LAMIRD because they meet the qualifications laid out in the first sentence of the GMA provision codified at RCW 36.70A.070(5)(d)(iii).
52. The first sentence of RCW 36.70A.070(5)(d)(iii) allows as a type of LAMIRD “the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.” (Emphasis supplied in this Ordinance.)
53. A “(d)(iii)” LAMIRD enacted in reliance upon the first sentence of “(d)(iii)” is quite similar to the so-called “(d)(ii)” or “small-scale recreational or tourist” overlay district LAMIRD enacted for WaWa Point in this County by this Board and upheld as GMA-compliant by the WWGMHB at page 28 of the AFDO because both allow,

pursuant to express inclusion of the word “new” in those sections, new development, as oppose to being limited to merely recognizing existing development or uses.

54. The policy behind these statutes, according to the State OCD, is to make uses that normally would be non-conforming immediately conforming.
55. The WWGMHB described the primary manner in which a “(d)(ii)” LAMIRD differs from the “(d)(i)” LAMIRD when it wrote at page 27 of the AFDO that “unlike in type (d)(i) mixed-use LAMIRDs in SRT LAMIRDs (type (d)(ii) LAMIRDs) **new development is allowed. This means that there can be small-scale recreational and tourist development dependent upon a rural location and setting on property that has not had that kind of development before.**” (Emphasis supplied by this Ordinance.)
56. The new SBCI overlay zone, in compliance with the first sentence of “(d)(iii)” provided above, will allow for the development of new cottage industries and small-scale businesses (approximately two dozen employees or less) that will provide job opportunities for rural residents, more specifically for residents of Brinnon.
57. Development in the SBCI will be controlled by development regulations amending the UDC and adopted legislatively by this Board through its adoption of this Ordinance.
58. Brinnon, including the SBCI overlay zone, is part of one of two Rural Remote Areas that have differing rules for home and cottage industries and small-scale businesses based on their distance from any urban growth area, their poverty and their high rates of unemployment. The remoteness of Brinnon and the consequences of that remoteness were discussed in some detail within the BSAP.
59. Creation of this SBCI overlay zone promotes the same goals as the Rural Remote Area provisions of the UDC that have never been challenged and thus are, logically, GMA-compliant.
60. The Board also notes that the WWGMHB wrote in its AFDO (page 26) that the 21.6 acres have been the subject of prior commercial development, specifically a sawmill that ceased operations before 1990 and five acres that are being used for extraction of mineral resources.
61. The Board is required to consider with respect to any proposed *Comprehensive Plan* amendment the seven criteria listed in UDC §9.5.4(b), also known as the “Growth Management Indicators,” or GMI.

62. With respect to UDC §9.5.4(b)(1), which asks if growth and development as envisioned in the *Comprehensive Plan* is occurring at a greater or lesser rate than anticipated or is failing to materialize, the Board finds that growth and development in the Brinnon area are generally at a standstill, a phenomenon known to all involved at the time of the *Comprehensive Plan* adoption in 1998, and that the BSAP was contemplated in 1998 (and much earlier than 1998) and adopted in 2002 in order to assist Brinnon in developing and growing in order to fulfill the GMA mandate that counties must preserve rural character [as defined at RCW 36.70A.030(14)], which is defined to include the fostering of “traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas” (emphasis supplied).
63. With respect to UDC §9.5.4(b)(1), which asks if growth and development as envisioned in the *Comprehensive Plan* is occurring at a greater or lesser rate than anticipated or is failing to materialize, the Board finds that growth and development in Brinnon is occurring at the same nearly-stagnant rate as was occurring in 1998. Regardless of whether this slow growth rate was or is anticipated, it is not healthy for Brinnon and runs contrary to RCW 36.70A.030(14), described above. The Board finds that the community of Brinnon is isolated and economically depressed, as shown by the high poverty rate among Brinnon residents (compared to the overall rate for the County), the low local labor force participation rate (half that of the remainder of the county) found in Brinnon and unemployment rates that nearly double the county-wide rate. These facts, whether known or not known, anticipated or not anticipated at the time of *Comprehensive Plan* adoption, are of concern to the Board.
64. With respect to UDC §9.5.4(b)(2), which asks if the capacity of the county to provide adequate services has diminished or increased, the Board finds that its capacity to provide services has not changed since 1998 and that adoption of the BSAP will not impact the delivery of services.
65. With respect to UDC §9.5.4(b)(3), which asks if sufficient urban land has been designated and zoned to meet projected need and demand, the Board finds that there is no urban land included or contemplated that would be created through adoption the BSAP and thus this GMI is not relevant to the analysis of this *Comprehensive Plan* undertaken by the Board.
66. With respect to UDC §9.5.4(b)(4), which asks if any of the assumptions on which the *Comprehensive Plan* was based are no longer found to be valid, the Board finds that while no assumptions relative to the new SBCI overlay of 21.6 acres have changed, that does not make the need for this SBCI overlay any less GMA-compliant and important.
67. With respect to UDC §9.5.4(b)(5), which asks if there have been any changes in county-wide attitudes that would necessitate this or any *Comprehensive Plan*

amendments, the Board finds that there has been no change in attitudes. Instead, this amendment reflects implementation of an existing *Comprehensive Plan* policy, LNP 4.8.

68. With respect to UDC §9.5.4(b)(6), which asks if there have been any changes in circumstances that would necessitate this or any *Comprehensive Plan* amendments, the Board finds that the County is again using the so-called GMA §.070(5)(d)(iii) LAMIRD, also known as the “cottage industries and small-scale businesses” LAMIRD, because development regulations were made part of the UDC for such uses in this particular ‘remote rural’ location and amended concurrently herein.
69. Thus, the BSAP, before this amendment, included extensive sections that promote cottage industries and home-based businesses and any extension of the BSAP to include small-scale business is a logical extension of what was previously in the BSAP and what is permitted by the GMA.
70. With respect to UDC §9.5.4(b)(6), which asks if there have been any changes in circumstances that would necessitate this or any *Comprehensive Plan* amendments, the Board finds that the new circumstances are its mandate to comply with the AFDO.
71. With respect to UDC §9.5.4(b)(7), which asks if there are any inconsistencies between the *Comprehensive Plan*, the GMA and the County Wide Planning Policies, the Board finds that since this Brinnon Subarea Plan completes and fulfills a planning goal laid out in the County’s 1998 CP, it cannot, by definition, be inconsistent with the Jefferson County *Comprehensive Plan*. The *Comprehensive Plan* amendments associated and included with the BSAP were intended to provide internal consistency between the adopted BSAP and the *Comprehensive Plan*. The CP amendments adopted through this Ordinance make the BSAP and the CP conform with the mandates delineated in the AFDO.
72. Because this is a suggested *Comprehensive Plan* amendment, the Board must also consider three additional criteria listed at UDC §9.8.1(b).
73. With respect to UDC §9.81(b)(1), which asks if circumstances related to the proposed *Comprehensive Plan* amendment and the area it impacts have substantially changed since the *Comprehensive Plan* was adopted, the Board refers the reader to the numerous comments made above with respect to UDC §9.5.4(b)(6).
74. With respect to UDC §9.81(b)(1), which asks if circumstances related to the proposed *Comprehensive Plan* amendment and the area it impacts have substantially changed since the *Comprehensive Plan* was adopted, the Board finds that it has been about two decades since the Brinnon region first prepared any regional visioning document or area plan and that the delay in implementing, reviewing and adopting the plan over the last four years has worsened by 25% what was already about a 16 year wait. An additional wait of 25% more time is substantial, the Board finds.

75. With respect to UDC §9.81(b)(2), which asks if the assumptions upon which the *Comprehensive Plan* is based are no longer valid or whether new information is available, the Board finds that the assumptions on which the *Comprehensive Plan* was based at the time of its adoption in 1998 remain valid, there is new information available to the Board now that was not available at the time of *Comprehensive Plan* adoption in 1998, specifically three new planning tools: 1) UDC language to regulate and contain small-scale recreational and tourist uses, 2) UDC language to regulate and contain cottage industries and home-based businesses, and 3) the AFDO.
76. With respect to UDC §9.81(b)(3), which asks if the proposed *Comprehensive Plan* reflects values widely-held by the populace of this County, the Board finds that the Board, the Planning Commission and the planning staff have heard opinions both in support of and in opposition to this *Comprehensive Plan* amendment.
77. With respect to UDC §9.81(b)(3), which asks if the proposed *Comprehensive Plan* reflects values widely-held by the populace of this County, the Board finds that the values of the County's populace are reflected in what was adopted in 1998 and that since the *Comprehensive Plan* includes language stating that Brinnon would be re-examined to determine if economic growth could be targeted in that region (in a manner consistent with the GMA and environmental concerns, if any), then the County's populace does support the process that led to the final version of the BSAP. Furthermore, if there is support of the process, then the product of that process is arguably also representative of the public's widely-held values.
78. The Board further relies upon the Findings of Fact adopted and made part of Ordinance #13-1213-02, entitled "An Ordinance Approving Comprehensive Plan Amendment #02-246, the Brinnon Sub-Area Plan," and incorporates them as if those Findings of Fact were restated here.

**NOW THEREFORE BE IT ORDAINED** as follows:

Section One: The Brinnon Subarea Plan, specifically the version entitled "Board of County Commissioners Preferred Alternative Draft, May 1, 2002, Modified from January 16, 2002 Draft Recommended by Planning Commission, and August 28, 2001 Draft Recommended by Brinnon Subarea Planning Group," be and hereby is amended and supplemented with and by the Brinnon Subarea Plan Epilog dated February 9, 2004 as prepared by the County's Department of Community Development and made Attachment "A" hereto.

Section Two: The associated *Comprehensive Plan* amendments, as depicted in line-in/line-out format on the document made Attachment "B" hereto are hereby incorporated into the *Comprehensive Plan*,

Section Three: The associated Unified Development Code (UDC) amendments, as reflected in line-in/line-out format upon the document made Attachment "C" hereto are hereby incorporated into the UDC.

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*Proposed but not yet enacted*

Section Four: This Board accepts the Environmental Analysis generated by the County's Natural Resources Manager as its SEPA-derived analysis of the probable significant adverse environmental impacts of the expanded Brinnon RVC and the SBCI overlay district of 21.6 acres.

Section Five: The *Comprehensive Plan* Land Use Map made part of the 1998 Jefferson County *Comprehensive Plan* is amended and hereby is amended to reflect a) a new small business, cottage industry overlay as shown on a map known as "Figure BR-6 EP," a map amended into the BSAP via the adoption of this Ordinance. "Figure BR-6 EP" is part of Attachment "A" to this Ordinance.

Section Six: All other portions, narrative or maps of the BSAP previously made part of the County's Comprehensive Plan remain part of the County's Comprehensive Plan having such effect as any portion of the Comprehensive Plan would have.

Section Seven: Should any part of this Ordinance be deemed unlawful or non-GMA compliant then that shall not cause any other portion or section of this Ordinance to also be unlawful or non-compliant with the GMA.

**NORMAL ENDING FOR AN ORDINANCE.**