

# PORT LUDLOW VILLAGE COUNCIL

P.O. Box 65012, Port Ludlow, WA 98365

## Ludlow Bay Village Report

January 2005

Dear Port Ludlow Residents,

In the past few weeks the Community has received another conceptual plan from Port Ludlow Associates for proposed revisions to the Ludlow Bay Village area of the Master Planned Resort.

The message sent in a meeting on December 15<sup>th</sup> and a recently mailed brochure was that the Developer would still like the County to approve their 2003 proposed plan but may accept the new proposed 2004 Comment Response Plan. Although the new plan version apparently addresses some of the issues raised by the Community in the past and again during the SEIS comment period, there remain many unresolved concerns. This new plan lacks sufficient detail to allow an evaluation at this time.

County staff has told us they want to hear from the community about our priorities for this vital area of Port Ludlow. Over the years you have responded to development plans through surveys, questionnaires and forums and identified what is important. We must once again respond. The issue that rates among the highest in community concerns is density. In 1993-94 the Developer applied for 90 housing units in Ludlow Bay Village and after heavy opposition they were granted 58. We are again facing proposals for high-density development. PLA's current proposals show 89 or as a "concession" 82 housing units in Ludlow Bay Village.

To meet the need for response I formed a new Village Council Committee to concentrate on working with the County and Developer to insure whatever plan is approved meets the long-term needs of the Community and is in full compliance with all applicable laws.

Following is the first committee report to the Council and Community. It goes into detail on unresolved issues, provides some history on the resort area back to 1993 and outlines definitive elements and standards that must be met by any development plan for the area. I urge you to read it in detail and offer any comments or recommendations to any of the committee members or Village Council members.

As the process for approval of a Resort Plan moves forward, we promise to hear your concerns and to communicate with the Community in a timely manner. The Port Ludlow Village Council is committed to insuring that the final plan will protect and benefit the interest of all the stakeholders in our community.

Sincerely,

Dwayne Wilcox, President

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***This report from the Ludlow Bay Village Committee of PLVC to the owners and residents of the community includes a brief chronology of relevant earlier events to help community residents understand our mission. It is the purpose of this committee to ensure that development of the 17.5 acres near the Marina and Inn complies with all applicable law***

***and to keep the PLVC and community informed on the subject.*** This area is the centerpiece of our Port Ludlow community and we residents will live with and enjoy it long after the developer leaves.

### UNRESOLVED CONCERNS

***Port Ludlow Associates (PLA) is proceeding with development of new housing areas in South Bay and plans for Ludlow Bay Village (the 17.5 acres previously mentioned). Amenities have been proposed for more than a decade by the***

developer and most have not yet been built. These amenities such as new retail space and a replacement marina office and restrooms and an expanded golf clubhouse have been represented to the public who are potential buyers. Many of today's residents in the Port Ludlow Community made buying decisions based on those representations but provision of resort amenities by the developer continues to be deferred.

***The Shoreline Substantial Development permit issued by the County to PLA expired in 1998.*** Since that expiration PLA has illegally built 12 additional townhomes. Ten of these units were built with road setbacks of 3 to 6 feet in violation of County code and building permit requirements. Additionally, several townhomes have lot line violations. As a result we are told town-home owners have defective titles and cannot sell or refinance their homes. PLA and the County must correct these violations before any additional development is initiated in Ludlow Bay Village. A solution of the setback violation may require a realignment of Heron Road. Title issues arising from failure by or attempts by the Developer to conform lot lines to residential amenities, both constructed and promised must be cured.

***Fifty-one conditions were placed on the 1993 Substantial Shoreline Development Permit.(SSDP).*** Of particular importance among these are landscaping and planting of the lagoon and maintenance of water quality to establish wildlife and migratory bird sanctuary areas in perpetuity. The lagoon and surrounding area are a quasi-public facility

within the resort. Those conditions not yet implemented must be met and maintained in perpetuity.

***The Environmental Impact Statement and Supplemental EIS*** submitted for Ludlow Bay Village do not meet the criteria spelled out for such documents by Washington Administrative Codes. They do not contain the level of detail and information sufficient for the community to respond or the County to adequately review and make decisions about this project. The EIS for this and all other development proposals must be prepared in strict accordance with WAC 197-11-420 and include all of the information required by County Ordinance No. 08-1004-99. Specific attention should be paid to Sections 3.904, 905 and 906, which spell out the detailed information required for competent evaluation of any proposal.

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## SOME HISTORY

***In 1993 and 94 - The SSDP was obtained and Plat recorded by Pope Resources*** with Jefferson County for resort development in the area encompassing the marina, lagoon and surrounding basin. ***Ninety residences were applied for but community objections to the high density resulted in approval of 53 townhomes and 5 Single Family residences*** with the resort facilities.

***In 1996 - Pope Resources,*** parent company of Olympic Resource Management, established ***the Port Ludlow Planning Forum, designed as a collaborative effort with the community to "help plan the***

***quality completion of Port Ludlow.***" Some of the top requests from citizens expressed during the Planning Forum process were:

- ~ **Protect our natural environment**
- ~ **Protect the area from over-development**
- ~ **Enhance retail & Village Center**
- ~ **Construct a spa/wellness facility**
- ~ **Enhance social and cultural activities**
- ~ **Expand the golf clubhouse**
- ~ **Improve hiking trails & kayaking facility**
- ~ **Provide healthcare & senior services**
- ~ **Better community communication**
- ~ **Add yacht club facilities & tennis courts**
- ~ **Community transport system**
- ~ **Provide assisted living facility**

These issues were not all that the community found to be important but are representative of the greatest concerns that were expressed about Port Ludlow's future.

***In 1998 - the State Legislature established a unique status for Port Ludlow as a Master Planned Resort (MPR).*** The RCW defines an MPR as a "self contained and fully integrated planned unit development in a setting of significant natural amenities, with primary focus on destination resort facilities and short-term visitor accommodations associated with a range of developed on-site indoor and outdoor recreational amenities..."

***In 1999 - Jefferson County adopted its MPR Ordinance and the Zoning Designation for Port Ludlow as a Master Planned Resort. Port Ludlow Village***

Council (**PLVC**) was established succeeding the CLOA or Council of Lot Owners as the organization of community members to **represent the best interests of all the property owners of the MPR and to promote the results of the Planning Forum.**

Olympic Resource Management committed itself and its successors to providing plans and permit requests within the MPR to PLVC prior to submittal to the County. One of the functions of the PLVC is to review such development documents as the representative body for the community.

**In 2000 - A Development Agreement** was executed between Jefferson County and Port Ludlow Associates, successor to Olympic Resource Management. This legal and binding document:

*~Identifies the restrictions placed on development within the 1200 acres included in the MPR.*

*~Spells out the limits of the resort area*

*~Identifies the resort facilities to be provided by the developer*

*~Places a cap on the number of residences (2250) and commercial equivalent units (325) in the completed resort..*

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## TODAY

PLA is presently proposing a development plan for the remaining area surrounding the lagoon, marina and Ludlow Bay Village. The plan being currently presented succeeds an earlier plan that was viewed by residents and Community associations as unacceptable,

We do not seek to critique the new PLA proposal. Rather we are stating those elements and standards of quality that the Development Agreement, the community, the Village Council, and this committee believe should be met by any development plan for the area.

**Any development must comply with all current County State and Federal regulations** including Shoreline Management Act requirements and current building codes such as housing setback and road width restrictions spelled out in Jefferson County code.

**No over-water construction should be allowed** and any building should be as far from the lagoon as possible, respecting the wildlife habitat intended for that area, and using the surrounding higher ground, restaurant parking lot, etc.

**The Supplemental EIS and proposal put before the Port Ludlow community and the County do not provide details** such as building location and dimensions, number of units per building, setbacks, road dimensions and other information needed for evaluation of such a proposal. Neither the community nor the County can evaluate the present proposal without these necessary details. The County should require that the SEIS meet State and County criteria as spelled out in the law governing such documents.

**Improvements, commercial, residential, parking, support and amenities must not infringe on the 10.5 acres of undeveloped permanent open space** designated in the 1993 plat for this 17.5 acre basin.

**The Fire District Chief or professionals with expertise in the areas of fire prevention, fire fighting, and overall residential safety** should review the current status of the development and all proposed plans. Ingress, egress and deployment space for fire and other emergency vehicles, traffic safety, pedestrian walkways and adequate and convenient parking for each residence and retail or recreational amenity are important factors in design. In addition consideration should be given to provision for future operation of transit or shuttle vehicles.

**At a minimum, County Codes for parking must be met** and consideration should be given to professional engineering planning for parking and addition of more than minimum required parking spaces.

**Bonds required by Jefferson County should be posted** by PLA with the County to provide the amenities committed in the Development Agreement and should be a condition to further construction and development. The County has the right and power to require bonds from the developer and Port Ludlow's residents would benefit from the protection of these bonds.

**If the existing Harbormaster restaurant is to be demolished,** its replacement should be in place first.

**Proposed new facilities that duplicate those provided by Ludlow Maintenance Commission (LMC) to residents should not be included.** All new residents in the Ludlow Bay Village area of the North Bay should become members of LMC and impact

fees should be contributed to LMC by the Developer to alleviate pressure on present North Bay residents resulting from this growth in users.

***The Port Ludlow Village Council*** and in particular its Community Development Committee and Ludlow Bay

Resort Development Committee have studied this project in depth. Residents interested in more detail about the MPR Ordinance, the Development Agreement, Draft SEIS and other documents or information may contact the Co-chairs of this committee listed below. Some information about the

project can be found at the Beach Club or the Bay Club. ***We urge you to express your individual concerns and make comments*** about areas you feel have not been sufficiently addressed by contacting the PLVC committee that has developed this report.

The support of the community is vital to the continuing role of PLVC as your voice with the County and the Developer. Let us all work together to make the future face of Port Ludlow one in which we can take pride and pleasure.

John Golden, Co-chair, South Bay	<a href="mailto:golden@olympus.net">golden@olympus.net</a>	437-0362
Elizabeth Van Zonneveld, Co chair, North Bay	<a href="mailto:evz@cablespeed.com">evz@cablespeed.com</a> ,	437-5118

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***Port Ludlow Village Council***  
***PO Box 65012***  
***Port Ludlow, WA 98365***