

**COMMISSIONERS' MINUTES  
KITTTAS COUNTY, WASHINGTON  
COMMISSIONERS AUDITORIUM  
SPECIAL MEETING**

**TUESDAY**

**6:00 P.M.**

**NOVEMBER 12, 2019**

Board members present: Chairman Cory Wright; Vice-Chairman Brett Wachsmith and Commissioner Laura Osiadacz.

Others: Lindsey Ozbolt, Planning Official; Jessica Miller, Administrative Assistant; Dan Carlson, CDS Director; Mark Cook, Public Works Director/Interim Engineer; Jeremy Johnston, Staff Planner; Neil Caulkins, Deputy Prosecutor; Chelsea Benner, Staff Planner and approximately 7 members of the public.

**PUBLIC HEARING**

**2019 ANNUAL DOCKET AMENDMENTS**

**CDS**

At 6:00 p.m. **CHAIRMAN WRIGHT** opened a Public Hearing to consider the 2019 Kittitas County Annual Docket Amendments.

**LINDSEY OZBOLT, PLANNING OFFICIAL** provided a Staff Report on the proposed Code Amendments and process. She said amendments must be adopted no later than December 31, 2019.

**ITEM 19-01** Amending Kittitas County Code Chapter 15A.11.010 to provide consistency between RCW 36.708 and the County Code.

**MS. OZBOLT** reviewed the proposed amendments and said the Planning Commission voted in favor of the item by a 4-0 vote. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING RELATING TO ITEM 19-01 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-01, as presented. **COMMISSIONER OSIADACZ** seconded.

**CHAIRMAN WRIGHT** moved to amend the motion to strike the last sentence. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

Motion to approve the main motion, as amended 3-0.

**ITEM 19-02** Amending Title 15A, 16, and 17 to change the filing location of administrative appeals to CDS instead of the Kittitas County Commissioners office.

**MS. OZBOLT** reviewed the proposed amendments and said the Planning Commission voted in favor of the item by a 4-0 vote. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC COMMENT PORTION OF THE HEARING RELATING TO ITEM 19-02 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-02, as presented. **COMMISSIONER OSIADACZ** seconded. **COMMISSIONER OSIADACZ** said she supported the item to clean up language however; she did not support the process and decision that was made a year ago that final decisions are made by the Hearing Examiner and not the Board of County Commissioners as they are elected into the position to make decisions on behalf of the citizens of Kittitas County. Motion carried 3-0.

**ITEM 19-03** Title 17 Housekeeping Amendments.

**JEREMY JOHNSTON, STAFF PLANNER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC COMMENT PORTION OF THE HEARING RELATING TO ITEM 19-03 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-03, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-04** Amend Title 17 yard definitions, and update portions of the zoning code to clarify contradictory language between the two.

**CHELSEA BENNER, STAFF PLANNER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0, with the addition of "vehicular" to the street frontage definition. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC COMMENT PORTION OF THE HEARING RELATING TO ITEM 19-04 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-04, including the amendment with the addition of "vehicular" to the street frontage definition. **COMMISSIONER OSIADACZ** seconded. **CHAIRMAN WRIGHT** explained why he would be voting against the motion. Motion carried 2-1 (Chairman Wright voted against the motion).

**ITEM 19-05** Amend Kittitas County Code Title 17.16 & 17.18 Setbacks in Sno Pass LAMIRD.

**JEREMY JOHNSTON, STAFF PLANNER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC COMMENT PORTION OF THE HEARING RELATING TO ITEM 19-05 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-05, amending Kittitas County Code Title 17.16 & 17.19, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-06** Amend Kittitas County Code Chapter 17.15.080 to allow raising of 4-H/FFA pigs in UGA's.

**CHELSEA BENNER, STAFF PLANNER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC COMMENT PORTION OF THE HEARING RELATING TO ITEM 19-06 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-06, amendment Kittitas County Code Chapter 17.15.080, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-07** Amend Kittitas County Code Chapter 18.01.020 to updated authorized officials. **DAN CARLSON, CDS DIRECTOR** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0.

**THOSE PRESENT & TESTIFYING: DOUGLAS BENSON, MOUNTAIN MAN** on behalf of We the People of Kittitas County, provided an Affidavit and asked that it be submitted into the record as evidence. He said through public records requests earlier this year, both the Board of County Commissioners and Community Development Services stated they do not have Rules of Procedures as required by RCW 42.56.040 Duty to Publish Procedures. He said since it appears there are no rules of procedure to legally run the County and the violation would appear to be Official Misconduct under RCW 9A.80.010 which is a gross misdemeanor. He also requested all monies collected illegally from We the People of Kittitas County, and asked for resignations from positions. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION RELATING TO ITEM 19-07 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-07, amendment to Kittitas County Code Chapter 18.01.020, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-08** Amend Kittitas County Code Chapters 12.04.080, 20.02.020 & 20.02.030 Driveway Standards for consistency between Kittitas County Code and the International Fire Code. **MARK COOK, PUBLIC WORKS DIRECTOR/INTERIM ENGINEER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0, with corrected scrivener errors.

**THOSE PRESENT & TESTIFYING: PAT DENEEN** said he was on the Road Standards Committee and said he supported the amendments. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION RELATING TO ITEM 19-08 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-08, amendments to Kittitas County Code Chapters 12.04.080, 20.02.020 & 20.02.030 Driveway Standards, as presented by the Planning Commission including correcting the scrivener errors. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-09** City Annexations, Comp Plan Tables and Zoning Map Updates. **LINDSEY OZBOLT, PLANNING OFFICIAL** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0. **THERE BEING NO ONE REQUESTING TO TESTIFY, THE PUBLIC PORTION RELATING TO ITEM 19-09 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-09, Amendments to the City Annexations, Comp Plan Tables and Zoning Map updates, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-10** Citizen Request - Scott Non-Project Rezone (CP-19-00001). **JEREMY JOHNSTON, STAFF PLANNER** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments by a vote of 4-0.

**THOSE PRESENT & TESTIFYING: JEFF SLOTHOWER, REPRESENTING MR. & MRS. SCOTT** and spoke in favor of proposed amendments for a rezone to all General Commercial which would allow for the historical and current use of the properties to be more conforming with their zoning designations. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION RELATING TO ITEM 19-10 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-10, as presented. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-11** Citizen Request - Bainter Text Amendment Re: Mini-Warehouses and RV Storage, Maintenance & Repair (CP-19-00002).

**LINDSEY OZBOLT, PLANNING OFFICIAL** reviewed the proposed amendments and said the Planning Commission voted in favor of the amendments, but to amend the text to re-write the siting criteria to only allow contiguous or adjacent to State highways and within ¼ mile of highway interchanges and freeway interchanges by a vote of 4-0. She said Staff recommended approval of the amendments as presented, without the Planning Commission's recommended changes.

**THOSE PRESENT & TESTIFYING: TOM DURANT, REPRESENTING JEFF BANTER** reviewed the proposed amendments. He said the application would benefit Mr. Bainter, as well as the public and is consistent with the Comprehensive Plan and urged the Board to approve Staff's recommendation of approval. **PAT DENNEN** provided comments on the proposed amendments. **DOUGLAS BENSON, MOUNTAIN MAN** said he sees RV's parked all over town and felt there was a need for more recreation areas to put them. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION RELATING TO ITEM 19-11 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-11, as proposed by the applicant, except for the definition of mini warehouses and striking the building height from the text. **COMMISSIONER OSADACZ** seconded. Motion carried 3-0.

**ITEM 19-12** Citizen Request - DK Professionals Non-Project Rezone & Comp Plan Map Change (CP-19-00004).

**LINDSEY OZBOLT, PLANNING OFFICIAL** reviewed the proposed amendments and said the Planning Commission recommended approval of the proposed rezone and land use map changes subject to the applicant providing TDR's to the County, by a vote of 4-0. She said upon further review of the rezone criteria in Kittitas County Code 17.98 and TDR requirements in Kittitas County Code Chapter 17.13 Staff agrees with the Planning Commission's recommendations and that the applicant provide TDR's prior to final plat of future subdivision.

**THOSE PRESENT & TESTIFYING: PAT DENEEN** provided information on the proposal and the available access, water, power and phone. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING RELATING TO ITEM 19-12 WAS CLOSED.**

**COMMISSIONER WACHSMITH** moved to approve Item 19-12, subject to the owners providing TDR's to the County prior to final plat of future subdivision. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

**ITEM 19-13** Citizen Request - Willard Text Amendment Re: UGA Infill and Development Regulations (CP-19-00004).

**CHELSEA BENNER, STAFF PLANNER** provided a Staff Report and said that on October 25, 2019 the applicant withdrew Amendments 2 and 5 to his application. She reviewed the other amendments and said the Planning Commission recommended approval to retain change 1 as submitted by the applicant on October 25, 2019 with striking the reference to the Ellensburg UGA; retain change 3 as submitted by the applicant on October 28, 2019 with striking the reference to the Ellensburg UGA; and retain change 4 as submitted by the applicant on October 28, 2019 with striking the reference to the Ellensburg UGA, by a vote of 4-0. **LINDSEY OZBOLT, PLANNING OFFICIAL** reviewed the Overlay Zones.

**THOSE PRESENT & TESTIFYING: STEVE WILLARD, APPLICANT** thanked CDS Staff with their patience. He reviewed the proposed amendments and encouraged the Board to approve them. **PAT DENNEN** said he had no issues with the City of Ellensburg, but questioned if the City of Cle Elum has even discussed the issue for the future in that area. **THERE BEING NO OTHERS REQUESTING TO TESTIFY, THE PUBLIC PORTION OF THE HEARING RELATING TO ITEM 19-13 WAS CLOSED.**

The Board asked Staff questions regarding Overlay Zones in UGA's and the locations.

**COMMISSIONER WACHSMITH** moved to approve Item 19-13 amendments as recommended by the Planning Commission to retain change 1 as

submitted by the applicant on October 25, 2019 with striking the reference to the Ellensburg UGA; retain change 3 as submitted by the applicant on October 28, 2019 with striking the reference to the Ellensburg UGA; and retain change 4 as submitted by the applicant on October 28, 2019 with striking the reference to the Ellensburg UGA. **COMMISSIONER OSIADACZ** seconded. Motion carried 3-0.

The meeting was adjourned at 7:52 p.m.

**CLERK OF THE BOARD**

**KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**



Julie Kjorsvik

On behalf of Jessica Miller



Cory Wright, Chairman