

KITTITAS COUNTY PLANNING COMMISSION
2006 Comprehensive Plan Amendment and Update
Tuesday, September 19, 2006 - 6:30 PM – Commissioners Auditorium
MINUTES

I. Call to Order.

Chairman Black called the special meeting of the Planning Commission to order at 6:30 p.m.

Those present: Chairman David Black, Grant Clark, Don Williamson, Scott Perna, and Doug Harris.

Also present: Community Development Services Director Darryl Piercy, Staff Planners Joanna Valencia, Scott Turnbull and Patrick Butler, Administrative Assistant Mandy Weed, Clerk of the Board Susan Barret and approximately 30 people representing public and applicant interests.

Black reviewed the proposed order of the evening and plan for deliberation and decision.

Piercy clarified the role of the public at this point in the process and further stated that the record has been closed for this portion of the Amendment cycle. There was additional discussion on the scheduling of further hearing dates to continue the deliberation and decision for the Update portion of the hearings.

II. Open Space-Open Space Taxation Designations

A. INPW – Lockwood & Vaughn

The Chair opened the hearing to Planning Commission deliberation and motion

Black read a portion of RCW 84.34.010, the legislative declaration of open space designation, and the definition of open space into the record for clarification.

Black briefly reviewed the application. **Williamson** questioned the exact location of the subject property. **Piercy** responded with mile post number 7 and the parcel numbers. **Williamson** asked for clarification on the specifics of the open space and the duration of requirements. **Harris** voiced his concern over the location. **Black** stated that traditionally the Open/Open has been passed forward to the Board of County Commissioners with recommendations of approval.

Scott Perna made a motion to pass the INPW – Lockwood & Vaughn Open Space-Open Space forward to the Board of County Commissioners with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 a poll of the board.

B. Todd Rosenberg

The Chair opened the hearing to Planning Commission deliberation and motion

Black briefly reviewed the application. **Perna** stated that although there was no applicant there was no adverse testimony.

Scott Perna made a motion to pass the Todd Rosenberg Open Space-Open Space forward to the Board of County Commissioners with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 a poll of the board.

C. Hundley Family LTD Partnership

The Chair opened the hearing to Planning Commission deliberation and motion

Black briefly reviewed the application and stated that they do have a Forest Stewardship Plan and are members of the American Tree Farm System

Grant Clark made a motion to pass the Hundley Family LTD Partnership Open Space-Open Space forward to the Board of County Commissioners with a recommendation of approval. Scott Perna seconded and the motion carried with 5/0 a poll of the board.

D. Tony Schumacher

The Chair opened the hearing to Planning Commission deliberation and motion

Black briefly reviewed the application and stated his confusion as to the intent of the applicant and paraphrased the applicant's letter stating plans to subdivide and build on the subject property. He reiterated that the applicant was not present at the original hearing so questions went unasked and unanswered. **Harris** suggested that they send it on with a recommendation that the applicant reapply with clear information of what his plan entails.

Doug Harris made a motion to pass the Tony Schumacher Open Space-Open Space forward to the Board of County Commissioners with a recommendation of denial. Scott Perna seconded and the motion carried with 5/0 a poll of the board.

E. Olson and Fleming Trustee

The Chair opened the hearing to Planning Commission deliberation and motion

Black briefly reviewed the application.

Doug Harris made a motion to pass the Tony Schumacher Open Space-Open Space forward to the Board of County Commissioners with a recommendation of approval. Don Williamson seconded and the motion carried with 5/0 a poll of the board.

Piercy reminded the Planning Commission that the findings of fact needed to be addressed.

David Black moved to pass forward the Staff's Findings of Fact with the addition of specific findings to reflect the individual applications and decision for INPW, Todd Rosenberg, Hundley Family LTD Partnership, Tony Schumacher and the Ron Olson and Stan Fleming Trustee applications for Open Space/Open Space taxation designations. Don Williamson seconded and the motion passed with all in favor.

III. Map Amendments – Commercial Agriculture to Rural

06-01 Thomas and Lynn Mahre

The Chair opened the hearing to Planning Commission deliberation and motion

Black made a general statement about looking these items with "a global view". He stated it is important to recognize the importance of agriculture lands in this community. Forestry, farming and ranching have historically been a mainstay of this county and these all rely on satisfactory land base. He read into the record the Supreme Court Decision regarding Agricultural land and reviewed the

criteria of designating commercial lands of long term commercial significance. **Pernaa** stated that a primary consideration must be the economic viability of the Agricultural lands. **Williamson** stated that one needs to look at the viability of the land. **Pernaa** said the numbers are not breaking even, orchards are becoming less viable. **Clark** stated that this does not meet the criteria of the Ag lands of long term significance and the location would be difficult for other commercial agricultural uses. **Williamson** stated that it has been viable in the past and could be in the future, the land is good for other uses such as grapes, winery uses or something else in the future. **Harris** commented that the effort needs to be made to save agricultural lands. **Black** stated that the criteria have not changed, the viability may have, but it should not be taken out of agricultural land use at this time. **Williamson** stated that viability should be looked at on an annual basis and that it should remain commercial agriculture land until a better, more informed body determines that this is no longer viable commercial agriculture land. **Black** referenced GPO 2.124 and read it into the record. **Williamson** acknowledged the following GPO and stated that they all point to maintaining as much agricultural land as possible.

Don Williamson moved to pass the Thomas and Lynn Mahre Map Amendment 06-01 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with 3/2 a poll. Harris, Williamson and Black voted for denial; Clark and Pernaa voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Pernaa and Clark felt the property is not viable and does not meet the definitions of long term commercial significance.

06-05 Art Sinclair

The Chair opened the hearing to Planning Commission deliberation and motion

Black reviewed the application and referenced GPO 2.125. **Williamson** referenced GPO 2.124, and stated that we are premature in doing anything before the county performs the necessary analysis of the commercial agriculture and forestry lands as described in GPO 2.124. The Board of County Commissioners must fulfill their responsibilities to GPO 2.124. **Clark** stated that we are putting the burden on individual landowners. **Williamson** stated that the community must express their rights and needs and make the Board of Commissioners follow through on the GPO. It is about setting a precedent. **Black** concurred with **Williamson** and stated that the criteria have not changed from when it went into the designation. **Clark** asks how the criteria be changed. **Black** stated that it must be part of a public process to review designation. **Williamson** stated a GPO 2.124 address who should evaluate the criteria and that is the farmers.

Don Williamson moved to pass the Art Sinclair Map Amendment 06-05 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with 3/2 a poll. Harris, Williamson and Black voted for denial; Clark and Pernaa voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Pernaa and Clark felt the property is not viable and does not meet the definitions of long term commercial significance.

06-06 Basil Sinclair

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson questioned the configuration of the property. There was discussion on the land configuration. **Pernaa** stated that such a small piece made no sense as commercial land. **Black** stated that was a decision the owners made. **Williamson** stated that there needs to be more

information and analysis and that this should come back next year when hopefully there will be analysis done.

Doug Harris moved to pass the Basil Sinclair Map Amendment 06-06 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with 3/2 a poll. Harris, Williamson and Black voted for denial; Clark and Perna voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Perna and Clark felt the property is not viable and does not meet the definitions of long term commercial significance.

06-09 Brian Graybill

The Chair opened the hearing to Planning Commission deliberation and motion Black read RCW

It was generally agreed that all this area should remain commercial agriculture lands of long term significance

Don Williamson moved to pass the Brian Graybill Map Amendment 06-09 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions.

06-17 Teanaway Ridge LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Black stated that these should be looked at in a global manner. **Williamson** stated that this stands under the same scrutiny and is as worthy of denial as the others. **Black** stated that the criteria have not changed. **Perna** spoke to adequate water supply and does not meet the definition of prime farm land, referenced GPO 2.411(b) and stated that it does not meet that criteria the same as the previous applications. **Williamson** stated that maybe it's not the land that is not viable but the farmer who needs new ideas.

Don Williamson moved to pass the Teanaway Ridge LLC Map Amendment 06-17 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with 3/2 a poll. Harris, Williamson and Black voted for denial; Clark and Perna voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Perna and Clark felt the property is not viable and does not meet the definitions of long term commercial significance and asked to reference GPO 2.411 (b).

IV. Map Amendments – Commercial Forest to Rural Designation

06-02 Kevin Kelly

The Chair opened the hearing to Planning Commission deliberation and motion

Black reviewed GMA criteria. **Harris** questions the intent of maintaining buffer zones for commercial forest.

Doug Harris moved to pass the Kevin Kelly Map Amendment 06-02 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with 3/2 a poll. Harris, Williamson and Black voted for denial; Clark and Perna voted against.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Perna and Clark felt the property is not viable Commercial Forest in the current circumstances.

06-18 American Forest Resources LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson spoke to the applicant testimony, lack of industry and the desire to move it into a more “attractive” designation; he felt this can not be considered without an environmental impact statement. The area is extremely sensitive and needs to be treated as such. **Black** stated that there was a tremendous amount of testimony from various agencies against changing this for sake of wildlife, etc and that there is too much land to change as an amendment. He stated that we should take the testimony of the people in the field and fish and wildlife and those who are more knowledgeable in these areas. He agreed that an impact statement must first be done before any action in such large scale take place. Clark and Perna agreed with the need for Environmental Impact Statement.

Don Williamson moved to pass the American Forest Resources LLC Map Amendment 06-18 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions.

19. American Forest Resources LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Williamson stated the same issues applied to this application

Don Williamson moved to pass the American Forest Resources LLC Map Amendment 06-19 forward to the Board of County Commissioners with a recommendation of denial. David Black seconded and the motion carried with 4/1 a poll with Perna voting against the denial.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that Perna and Clark felt the property is not viable Commercial Forest in the current circumstances.

V. Map Amendments – Rural to UGA or UGN

06-03 Kevin Gibb

The Chair opened the hearing to Planning Commission deliberation and motion

Black briefly reviewed the application then questioned Piercy as to the appropriate nature of passing this forward with out an updated comprehensive plan from Kittitas. **Piercy** stated that it is his belief that in order to be consistent with the GMA, the County Comprehensive Plan and county wide policies the cities identifying support for particular application requests need to have a completed analysis that would demonstrate the need for either residential or commercial development. Black stated that he is hesitant to grant support without proper documentation. Piercy suggests they can deny the applications without prejudice based on the lack of information available to make a decision.

David Black moved to pass the Kevin Gibb Map Amendment 06-03 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions to include the denial was based on the lack of analysis by the city of Kittitas to support the application.

06-04 Ronald and Douglas Gibb

The Chair opened the hearing to Planning Commission deliberation and motion

David Black moved to pass the Ronald and Douglas Gibb Map Amendment 06-04 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions to include the denial was based on the lack of analysis by the city of Kittitas to support the application.

06-08 City of Kittitas

The Chair opened the hearing to Planning Commission deliberation and motion

Black reviewed the application.

Don Williamson moved to pass the City of Kittitas Map Amendment 06-08 forward to the Board of County Commissioners with a recommendation of approval. Doug Harris seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions

06-13 Teanaway Ridge, Cle Elum Pines

The Chair opened the hearing to Planning Commission deliberation and motion

David Black moved to pass the Teanaway Ridge-Cle Elum Pines Map Amendment 06-13 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions to include the denial was based on the lack of analysis by the city of Ellensburg to support the application.

Black questioned **Piercy** on the legal aspect of the Urban Growth Nodes. **Piercy** attempted to clarify the county's position on Urban Growth Nodes. He stated that the UGN's were intended to recognize urban levels of development that were not associated with a certain city. A study needs to be done to come to some conclusion as to what these areas really should be and how they should function in the future. He stated that the individual communities need to have a voice in defining themselves.

06-14 Teanaway Ridge, LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Black reviewed the application and discussed the unique situation of Ronald.

Don Williamson moved to pass the Teanaway Ridge, LLC Map Amendment 06-14 forward to the Board of County Commissioners with a recommendation of denial. Grant Clark seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and the stipulation that community planning be part of the process.

06-15 Teanaway Ridge, LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Don Williamson moved to pass the Teanaway Ridge, LLC Map Amendment 06-15 forward to the Board of County Commissioners with a recommendation of denial. David Black seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and the stipulation that community planning be part of the process.

06-16 Teanaway Ridge, LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Don Williamson moved to pass the Teanaway Ridge, LLC Map Amendment 06-16 forward to the Board of County Commissioners with a recommendation of denial. David Black seconded and the motion carried with 5/0 a poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and the stipulation that community planning be part of the process.

06-07 Robert Sukert

The Chair opened the hearing to Planning Commission deliberation and motion

Black reviewed the application. **Harris** questioned the area rural designation and asks why they want to change the designation. **Williamson** referenced comments received from both Cle Elum and Roslyn residents that wished to keep the cities separate and that there is no water and sewer available. **Pernaa** brought up conflict with the Master Planned Resort area. **Piercy** addressed the Master Planned Resort legislation as pertaining to driving development. **Pernaa** stated it currently is a good buffer between the cities and commercial designation is unnecessary.

Doug Harris moved to pass the Robert Sukert Map Amendment 06-07 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with a 5/0 poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions.

06-11 Central Cascade Land Co.

The Chair opened the hearing to Planning Commission deliberation and motion

Black gave a brief review of the application and stated that it is pretty clear that this proposal does not fit in the area.

David Black moved to pass the Central Cascade Land Co. Map Amendment 06-11 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with a 5/0 poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions.

06-12 Suncadia LLC

The Chair opened the hearing to Planning Commission deliberation and motion

Black questioned Piercy over the acquisition of the lands outside the present Master Planned Resort boundary. **Piercy** addressed the sub area plan and stated that this can only be changed by the Comp Plan Amendment process. **Black** stated that there was quite a bit of testimony concerning the public versus private status of the road and voiced concerns over the open space percentages. Piercy stated that there are two calculations governing the open space to which they must adhere. Williamson questioned the plan for the road and stated more information is needed.

Don Williamson moved to pass the Suncadia LLC Map Amendment 06-12 forward to the Board of County Commissioners with a recommendation of denial. Doug Harris seconded and the motion carried with a 4/1 poll, Perna voting against denial.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions and a minority report stating that the sub area plan needs to be revised but that is not reason for denial.

06-13 RIDGE & Others – TEXT AMENDMENTS

The Chair opened the hearing to Planning Commission deliberation and motion

Black stated that there are quite a few items that he agrees with and many which with he disagrees. He asked Piercy for procedural clarification with this amendment. **Piercy** stated that this is a unique proposal in that it is an extensive text change and a pretty comprehensive plan. It has been submitted as a whole document and must be addressed as such at this time. **Black** complimented the Ridge and Others proposal. Black stated that the document as a whole must be recommended for acceptance or denial at this time but will be addressed in more depth in the Update portion of the these hearings.

Grant Clark moved to pass the RIDGE & Others Text Amendment 06-13 forward to the Board of County Commissioners with a recommendation of denial. Don Williamson seconded and the motion carried with a 5/0 poll.

The Planning Commission voted 5/0 to approve the suggested Findings of Fact with additions

Black moved to continue this hearing to Thursday, September 21, 2006 at 6:30 in the Hal Holmes Community Center. The motion was seconded and passed forward with all in favor.

The meeting was adjourned at 10:18 p.m.

Susan Barret, Planning Commission Clerk.