

**KITTITAS COUNTY COMMISSIONERS  
SPECIAL MEETING**

**MONDAY JUNE 4, 2007**

**6:00 P.M.**

**Kittitas County Fairgrounds Event Center  
Teaway Hall – Home Arts Building**

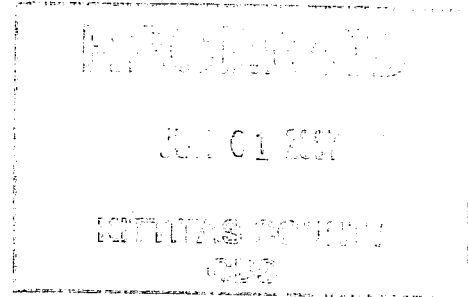
- 1. Call to Order**
- 2. Public Hearing to consider the Planning Commissions Recommendations for the Kittitas County Development Code Update.**
- 3. Staff Report from the Kittitas County Community Development Services**
- 4. Consideration by the Board of County Commissioners to continue the public hearing to Monday June 11, 2007 at 6:00 p.m. at the Kittitas County Fairgrounds Event Center – Teaway Hall – Home Arts Building**
- 5. Other Business**
- 6. Adjourn**

**JUNE 4, 2007**  
**KITTITAS COUNTY DEVELOPMENT CODE UPDATE**  
**EXHIBITS**

<b>Exhibit</b>	<b>Item</b>	<b>Date Submitted</b>
1	Letter dated June 4, 2007 from David K. Whitwill, Central Washington Home Builders Association (Submitted by CDS)	6/4/07
2	Email from Tim Trohimovich, Futurewise dated June 4, 2007 with comments from KCCC, RIDGE & Futurewise (Submitted by CDS)	6/4/07
3	Email from Kevin Kelly, AllSeasons, dated June 3, 2007 (Submitted by CDS)	6/4/07
4	Letter from Ronald Nickels dated May 3, 2007 (Submitted by CDS)	6/4/07
5	Letter from William F. Peare & Woodrow J. O'Rourke from Rivers End, Inc. (Submitted by CDS)	6/4/07
6	Transmittal of Planning Commission Recommendations (Submitted by CDS)	6/1/07
7	2 Binders with the Kittitas County Development Code Update (Submitted by CDS)	5/31/07



Central Washington  
Home Builders Association



Kittitas County Board of Commissioners  
Kittitas County Courthouse  
205 West 5<sup>th</sup> Suite 108  
Ellensburg, Washington 98926

June 4, 2007

Dear Mr. Chairman:

The Central Washington Home Builders Association represents 735 member companies with approximately 10,000 employees throughout Central Washington. Approximately 1/3 of our member companies are located in Kittitas County. We appreciate the opportunity to comment upon the proposed revisions to the Kittitas County Development Code that will affect many of our members.

First, we should like to make clear our support for the retention of the existing AG-3 and R-3 (to be re-designated Historic Agriculture-3 and Historic Rural-3). Our support is based upon the manner in which these classes came into being together with the rationale that they are appropriate sizes in a rural setting.

We do not contest that the Board of Commissioners can subsequently decide that it does not wish to expand the use of this size class, nor are we suggesting that the Board do so. There is no 'bright line' for establishing the maximum density allowed in rural areas provided in the Growth Management Act, nor have the respective Growth Management Hearing Boards been given the authority to establish a 'bright line'. The courts have not yet elected to do so.

The Commissioners of the respective counties must make their judgement as you are doing here, with advice of staff and public input from all parties interested in participating. We are concerned, however, that the Board of Commissioners does not become caught up by the suggestion that there is an 'approved' minimum density in the rural land use designation.

We suggest that the historic development of AG-3 and R-3 warrant the retention of the existing lands so designated. These 3-acre land use classes were a direct response to the adoption of the Growth Management Act in the early 90's by changing what had been 1-acre zoning. The Kittitas County Commissioners then determined that three acres was an appropriate size. The trebling in size was, in their considered reason, sufficiently large for agriculture and low density residential to co-exist in the case of AG-3 and an appropriately low density for residential lots in rural settings in the case of R-3.

3301 W. Nob Hill Blvd. • Yakima, WA 98902  
509.454.4006 • 800.492.9422 • Fax 509.454.4008  
www.cwhba.org

*The vision of CWHBA is an environment conducive to the success of its*

EXHIBIT #: 1  
HEARING: Dev code  
DATE: 6-4-07  
SUBMITTED BY: CDS

Now some would like to raise that threshold to a density of 1 dwelling per 5 acres. Since this ratio is arbitrary, next time it may be something different: 7.5 acres, 10 acres, or something else. However, the regulatory process should provide a reasonable level of certainty for those landowners in respective zoning classes that the designations are not going to be something different a few years later. We believe that the density in AG-3/R-3 remain commensurate with the intent specified for agriculture and rural areas in 17.28.010 and 17.30.010.

Second, given that the motivation for the Growth Management Act is to ameliorate both the rate of growth and the expansion of growth from the urban into the rural setting it seems logical to maximize the efficient land use of rural acres that are permitted residential development. The pressure on this rate of growth is determined by market forces driven by demand for “a home in the country” so evident in this county today. To develop 100 homes in the 3-acre zone classes requires 300 acres compared to 500 acres in the 5-acre zone classes. In other words, the 3-acre zone classes are 40% more efficient than the 5-acre zone classes. Logically, down zoning the 3-acre zones to 5-acres could only have the consequence of moving through the available acres in Kittitas County that much more quickly.

16.09.010 states that performance based cluster platting “...minimiz(es) the impact of ‘Rural Sprawl’ in rural lands...”. The use of cluster platting is also an attempt to address the rate, driven by market demand, at which acres are developed. Performance based cluster platting allows in the 5-acre zoning classes the clustering of twice the number of dwellings on one-half the number of acres. To double the number of lots allowed assumes that sufficient points can be accrued through the Public Benefit Rating System (Title 16.09). Following this logic, however, the disallowance of any Public Benefit Rating System (PBRS) points and any percentage gain for Historic Agriculture-3 and Historic Rural-3 then appears contradictory.

Though It would seem reasonable to seek the most efficient land use of developed acres while being consistent with the land use designation, the disallowance of PBRS points and any percentage gain in the 3-acre zone classes argues against this supposition. Excluding HA-3 and HR-3 from any PBRS points and percentage gain will remove the economic incentive to make use of the ‘cluster plat’ tool. It is counter-intuitive to think that the public benefit accruing from uses for which points are allocated is in some way less in HA-3/HR-3 than in A-5/R-5. Indeed, the better planned and integrated such uses are the greater the mitigation benefit provided. Yet the disallowance of PBRS points in HA-3/HR-3 is a disincentive for such planning. We suggest that allocation of PBRS points for HA-3/HR-3 would be appropriate.

In the example in 16.09.090, the 15 acres of R-5 are allocated 6 lots rather than 3 by use of performance based cluster platting. If even a maximum 25% gain rather than the 0% now proposed were allowed for HR-3 the end result would

yield the same 6 lots, assuming the same development steps and accrual of PBRs points. Allocation of a lesser maximum percentage gain would be consistent with the process in the PBRs system wherein the 5-acre zones are allocated less maximum percentage gain than the 20-acre zones. The gain of 1 lot for the developer in the 3-acre zone would have no greater density impact than that allowed in the R-5 zone. Yet market demand may provide adequate economic return with the additional lot to justify the significantly greater planning effort to make use of performance based cluster platting. A review of the depth and complexity of the requirements of the Public Benefit Rating System laid out in 16.09.090 makes clear the level of planning required to accrue any points and implies the economic cost of undertaking this approach.

Use of performance based cluster platting makes efficient land use of rural acres developed and should be encouraged. Allowance of some maximum percentage gain for the 3-acre zones would address the inconsistency with respect to recognition of public benefits, not allow any greater lot density than the 5-acre zone, and provide an economic rationale for undertaking the increased planning required to use performance based cluster platting.



David K. Whitwill  
Coordinator  
Kittitas County Government Affairs

**Joanna F. Valencia**

**From:** Tim Trohimovich [Tim@futurewise.org]  
**Sent:** Monday, June 04, 2007 2:58 PM  
**To:** Kittitas County Commissioners Office  
**Cc:** Joanna F. Valencia; Darryl Piercy  
**Subject:** Comments on the Board of County Commissioners for Kittitas County Public Hearing on the Planning Commission Recommendation Dev Regs  
**Attachments:** BOCC Comment Letter Dev Regs Final June 4 2007.pdf

Dear Board of County Commissioners for Kittitas County:

Enclosed please find the joint comments of Kittitas County Conservation, RIDGE, and Futurewise for tonight's public hearing. Thank you for considering our comments and enclosures. Please include them in the record for the Development Regulations Update. We are also mailing the original and three copies to the Board and one copy to Community Development Services.

**futurewise**

*Building communities  
Protecting the land*

**Tim Trohimovich  
Planning Director**

**email:** tim@futurewise.org  
**web:** www.futurewise.org

Please note our new address effective Monday January 8, 2006:  
814 Second Avenue, Suite 500  
Seattle, WA 98104-1530  
p 206 343-0681 Ext. 118  
f 206 709 8218

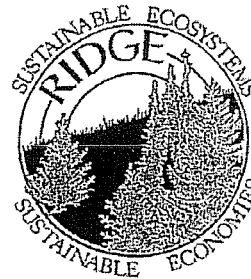
EXHIBIT #: 2  
HEARING: Dev. Code  
DATE: 6-4-07  
SUBMITTED BY: CDS

6/4/2007

# Kittitas County Conservation



814 Second Avenue, Suite 500  
Seattle, Washington 98104 [www.futurewise.org](http://www.futurewise.org)  
(206) 343-0681



P.O. Box 927  
Roslyn, WA  
98941

June 4, 2007

Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen, Vice Chairman  
Honorable Mark McClain  
Kittitas County  
Board of Commissioners  
205 West 5th Avenue, Suite 108  
Ellensburg Washington 98926

Dear Chairman Crankovich and Commissioners Bowen and McClain:

**Subject:       Comments on the Planning Commission May 31, 2007  
                  Recommendation for the Kittitas County Development Code Update**

Thank you for the opportunity to comment on the Planning Commission May 31, 2007 Recommendation for the Kittitas County Development Code Update. Kittitas County Conservation works countywide to conserve the parts of the community we all care about, including working farms and forests. RIDGE is also active in Kittitas County supporting high quality development and working for sustainable ecosystems and sustainable economies. Futurewise is a statewide citizens' group working to promote healthy communities and cities while protecting working farms and forests for this and future generations.

The three organizations that worked together to write this letter have appealed Kittitas County's decisions on the comprehensive plan update and the county's failure to review and revise the development regulations to the Eastern Washington Growth Management Hearings Board as did the State of Washington Department of Community Trade and Economic Development. We plan to participate as actively in the development regulations update as we did in the comprehensive plan update.

This letter will summarize our comments on the Kittitas County Development Code Update and the Planning Commission recommendations. The detail on our recommendations can be found in our May 1, 2007 letter to the Planning Commission and the balance of this letter.

## Summary of Our Recommendations

Overall, we have concluded that substantial reforms are needed to Kittitas County's development regulations. The current regulations have resulted in poorly planned development that has

Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen  
Honorable Mark McClain  
June 4, 2007  
Page 2

harmed neighboring property owners, the holders of senior water rights, farmers, ranchers, our community, and our county. Our most significant recommended improvements are to:

- Provide adequate opportunities for public comment. Less than three working days is not adequate time to evaluate over 200 pages of Planning Commission recommendations. See page 6 of this letter.
- Adopt a transfer of development rights (TDR) program. We recommend that transferable development rights be required to reach a density of one dwelling unit per five acres in the Rural-5 zone, for performance based cluster platting density bonuses, for Planned Unit Development Zone bonuses and added uses, and for urban growth area expansions, except for affordable housing. This will help protect rural character, natural resource lands, and give incentives for property owners to retain forest, farm, and ranch lands. Please see pages 18 – 19 of our May 1, 2007 letter to the Planning Commission for the concept. Please see pages 6 – 8, pages 31 – 32, and pages 36 – 38 of our May 1, 2007 letter to the Planning Commission for the specific language.
- Eliminate densities greater than one dwelling unit per five acres outside of urban growth areas and limited areas of more intense rural development (LAMIRDs). These higher densities are harming Kittitas County property owners and the county's economy and character. They are also illegal because they violate the Growth Management Act. Please see pages 5 – 6 and pages 10 – 17 of our May 1, 2007 letter to the Planning Commission and page 5 of this letter.
- Delete Kittitas County Code (KCC) § 16.09.090 and amend KCC § 16.09.030, Criteria, so the Performance Based Cluster Platting densities comply with the Growth Management Act and a transfer of development rights program is used to increase densities while protecting county property owners and rural and resource lands. Please see pages 6 – 8 of our May 1, 2007 letter to the Planning Commission.
- Delete proposed KCC § 17.04.060, Maximum Acreages, and eliminate the illegal rural zones to protect rural character, water quality, and water rights holders. Please see pages 18 – 19 of our May 1, 2007 letter to the Planning Commission and page 5 of this letter.
- Amend KCC § 17.08.022, Accessory Dwelling Unit, to bring the definition into compliance with the density requirements of the GMA and protect rural character. Please see pages 17 – 18 of our May 1, 2007 letter to the Planning Commission.
- Delete Chapter 17.20 KCC, Suburban zone which the recommendation proposes to rename as the Rural Residential zone. The proposal to create a new Rural Resource zone is unneeded since the county already has the Rural-5 zone. Please see page 22 of our May 1, 2007 letter to the Planning Commission.
- Delete Chapter 17.22 KCC, Suburban Zone-II zone, or modify the purpose to make clear that it only applies within urban growth areas. Please see pages 22 – 23 of our May 1, 2007 letter to the Planning Commission.



Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen  
Honorable Mark McClain  
June 4, 2007  
Page 3

- Adopt the proposed amendments to Chapter 17.24 KCC, H-T-C, Historic Trailer Court Zones, but modify proposed KCC §§ 17.24.110, 17.24.020A, & 17.24.020 to clarify that this zone will only be applied within the urban growth areas or limited areas of more intense rural development (LAMIRDs). This is necessary to protect rural character and resource lands. Please see pages 24 – 26 of our May 1, 2007 letter to the Planning Commission.
- Amend the allowed uses in Chapter 17.29 KCC, A-20 - Agricultural Zone, to bring it into compliance with the Growth Management Act. This will help protect the county's rural character. Please see pages 26 – 31 of our May 1, 2007 letter to the Planning Commission.
- Amend the allowed uses and densities in Chapter 17.31 KCC, Commercial Agriculture Zone, to bring it into compliance with the Growth Management Act. This will better protect working farms. Please see pages 35 – 36 of our May 1, 2007 letter to the Planning Commission.
- Amend Chapter 17.56 KCC, Rural-20 zone, to protect the rural area and nearby property owners. Please see pages 39 – 43 of our May 1, 2007 letter to the Planning Commission.
- We very much appreciate that the Planning Commission is recommending that KCC § 17.74.020, Right to Farm Definitions, be amended to protect farmers when they change the plant related farm products they grow. We suggested this language to the Planning Commission, please see page 44 of our May 1, 2007 letter to the Planning Commission.
- We support the proposal to amend KCC § 17.98.020, Petitions, to require that rural rezones be processed as part of the annual comprehensive plan update, recommend that this requirement apply to all rezones, and recommend a clarification to the criteria for rezones. This will increase protections for neighboring property owners. Please see page 45 of our May 1, 2007 letter to the Planning Commission.
- Require that applications for a division of land include all land within a common ownership. This will prevent circumvention of our state water code, protect senior water rights holders, and protect water quality and water quantity. Please see page 46 of our May 1, 2007 letter to the Planning Commission.
- Adopt a plan designation to zone consistency table as part of the county's development regulations. This will increase certainty for applicants for comprehensive plan amendments and rezones and neighboring property owners. Please see pages 46 – 48 of our May 1, 2007 letter to the Planning Commission.
- Do not adopt Chapter 17.38 KCC, FCC – Fully Contained Communities FCCs. This chapter is poor public policy and does not comply with the Growth Management Act. See page 7 of this letter.
- While we support the concept of design standards to improve development design within the urban growth area, we do not recommend the adoption of recommended Chapter 17.99 KCC, Design Standards, until and unless the County undertakes an adequate public involvement process for the design standards. The design standards should also allow for individual choice and variety in design.

## The Periodic Update Requirement

### *Why it is Important to Periodically Review and Revise Development Regulations*

We appreciate that Kittitas County is undertaking the periodic update of the county's development regulations. The Growth Management Act requires periodic updates of comprehensive plans and development regulations for a variety of reasons. Consider three:

- Communities change. According to the State of Washington Office of Financial Management, in the last ten years Kittitas County's population has grown from an estimated 30,800 people in 1996 to 37,400 people in 2006.<sup>1</sup> This is an increase of 21.43 percent.<sup>2</sup> From 2000 to 2006, 54 percent of the county's growth occurred in unincorporated Kittitas County.<sup>3</sup> Over the last ten years, Kittitas County was the sixth fastest growing county in Washington State.<sup>4</sup>
- We know more. In the years since Kittitas County adopted its comprehensive plan, we have learned much about how to make communities better.
- The Growth Management Act changes. The Growth Management Act has been amended every year since it was adopted.

So the periodic development regulation updates are opportunities for counties to evaluate their plans to make sure the county is getting the kind of community Kittitas County residents and property owners want. It is also a great opportunity to incorporate the new knowledge of how to make communities better and to make sure the development regulations are in compliance with the Growth Management Act.

### *The Periodic Update Requirements*

The Growth Management Act, in RCW 36.70A.130(1), requires each city and county in Washington State that fully plans under the Growth Management Act "to take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter ...." This means that each county and city must review their entire comprehensive plan and development regulations to ensure they comply with the Growth Management Act.<sup>5</sup> If Kittitas County's

---

<sup>1</sup> State of Washington Office of Financial Management, *April 1 Population Determinations Official Change from April 1, 1996 to April 1, 2006* available from <http://www.ofm.wa.gov/pop/april1/gmacountychange.xls>

<sup>2</sup> *Id.*

<sup>3</sup> State of Washington Office of Financial Management, *April 1, 2006 Population of Cities, Towns, and Counties Used for the Allocation of Selected State Revenues* available from <http://www.ofm.wa.gov/pop/april1/finalpop2006.xls>

<sup>4</sup> State of Washington Office of Financial Management, *April 1 Population Determinations Official Change from April 1, 1996 to April 1, 2006*.

<sup>5</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, \_\_\_ Wn. App. \_\_\_, 154 P.3d 959, 965 – 66 (2007); *1000 Friends of Washington and Pro-Whatcom v. Whatcom County*, Western Washington Growth

Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen  
Honorable Mark McClain  
June 4, 2007  
Page 5

comprehensive development regulations do not fully comply with the GMA, they must be revised by an ordinance or resolution adopted by the Board of County Commissioners.<sup>6</sup>

The legislature adopted this requirement in 1997 and the original deadline was September 1, 2002.<sup>7</sup> The plans and development regulations were to be updated every five years.<sup>8</sup> In 2002, the deadline for Kittitas County and the cities in Kittitas County was extended four years to December 1, 2006 and the update interval increased to seven years.<sup>9</sup>

## Detailed Comments on Parts of the Planning Commission May 31, 2007 Recommendation for the Kittitas County Development Code Update to Addressed in Our May 1, 2007 letter to the Planning Commission

We appreciate that the county is undertaking its update. While we support some provisions of the Planning Commission May 31, 2007 Recommendations, many provisions fail to achieve the vision for Kittitas County that many residents and property owners support and fail to meet the minimum standards of the Growth Management Act. We urge the Board of Commissioners for Kittitas County to improve these regulations. The following comments address the ways they should be improved not laid out in our May 1, 2007 letter to the Planning Commission.

### ***The Eastern Washington Growth Management Hearings Board has held the Agriculture-3 (A-3) and Rural-3 (R-3) zones violate the GMA and these zones should be repealed now***

On April 3, 2007 the Eastern Washington Growth Management Hearings Board held that Kittitas County had “failed to review Agriculture-3 and Rural-3 regulations for consistency with its CP and provide the proper notice and public participation.”<sup>10</sup> For this reason, the A-3 and R-3 zones violate the Growth Management Act.<sup>11</sup> In addition, the county failed to provide adequate public notice or any opportunity for public participation as to whether the county should continue to use the Agriculture-3 and Rural-3 zones. Again, this violated the Growth Management Act.<sup>12</sup>

---

Management Hearings Board (WWGMHB) Case No. 04-2-0010 Order on Motion to Dismiss p. \*7 of 16 (August 2, 2004). The board’s decisions can be found on their website: <http://www.gmhb.wa.gov/western/decisions/index.html>

<sup>6</sup> RCW 36.70A.130(1); *Thurston County v. Western Washington Growth Management Hearings Bd.*, \_\_\_ Wn. App. \_\_\_, 154 P.3d 959, 965 – 66 (2007); & *1000 Friends of Washington and Pro-Whatcom v. Whatcom County*;

WWGMHB Case No. 04-2-0010 Order on Motion to Dismiss p. \*14 of 16 (August 2, 2004).

<sup>7</sup> 1997 Session Laws, Chapter 429 § 10.

<sup>8</sup> *Id.*

<sup>9</sup> 2002 Session Laws, Chapter 320 § 1.

<sup>10</sup> *Kittitas County Conservation, et al., v. Kittitas County*, Eastern Washington Growth Management Hearings Board (EWGMHB) Case No. 06-1-0011 Final Decision and Order p. \*30 (April 3, 2007).

<sup>11</sup> *Id.* pp. \*30 – 31.

<sup>12</sup> *Id.* pp. \*27 – 29.

Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen  
Honorable Mark McClain  
June 4, 2007  
Page 6

Further, the organizations signing this letter have appealed the Agriculture-3 and Rural-3 zones as part of our appeal of the Kittitas County Comprehensive Plan and the county's failure to revise its development regulations by the December 1, 2006 deadline.<sup>13</sup> As we showed on pages 10 – 15 of our May 1, 2007 letter to the Planning Commission, the Agriculture-3 and Rural-3 zones clearly violate the Growth Management Act.

Proposed Kittitas County Code (KCC) § 17.04.060 requires that the boundaries for the Historic Agricultural-3 and Historic Rural-3 zones be based on a logical outer boundary of the existing, apparently 2007, zoning. This concept seems to be borrowed from the provisions for limited areas of more intense rural development (LAMIRD) in RCW 36.70A.070(5)(d). However to qualify as a LAMIRD, the logical outer boundary must be delineated predominately by the "built environment" that existed on July 1, 1990 for Kittitas County.<sup>14</sup> Further, the county must show its work.<sup>15</sup> As the enclosed aerial photographs show, the existing boundaries are not based predominately on the built environment.<sup>16</sup> Basing a logical outer boundary on current zoning clearly violated the Growth Management Act.

The writing is on the wall. The county must not adopt KCC § 17.04.060 and must repeal the Agriculture-3 and Rural-3 zones. This will save the county time and its taxpayer's money.

### ***Public Participation Fails to Comply with the Growth Management Act***

RCW 36.70A.140 provides in part that county "procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments." This includes a requirement for adequate time to review proposals.<sup>17</sup> Here the county posted on its website 201 pages of Planning Commission recommendations on afternoon of May 31, 2007, the day before a Planning Commission meeting where recommendations were scheduled to be finalized.<sup>18</sup> The Board of Commissioners for Kittitas County is now holding a public hearing on June 4, 2007.<sup>19</sup> This gives the public less than three working days to review, analyze, and comment on the Planning Commission recommendations. This clearly violates the Growth Management Act. More time

---

<sup>13</sup> RCW 36.70A.130(4)(c).

<sup>14</sup> RCW 36.70A.070(5)(d)(iv). "Kittitas County opted into the Growth Management Act voluntarily on December 27, 1990." *Kittitas County Conservation, et al., v. Kittitas County*, EWGMHB Case No. 06-1-0011 Final Decision and Order p. \*26 (April 3, 2007).

<sup>15</sup> *James A. Whitaker v. Grant County*, EWGMHB Case No. 99-1-0019 Second Order on Compliance pp. \*7 – 8, 2004 WL 2624887 p. \*5 (November 1, 2004).

<sup>16</sup> See for example the "Easton UGN 1998 Aerial.png" and the "Ronald LAMIRD West Aerial.png." On the data CD mailed to Board of County Commissioners on June 1, 2007 in "Aerial Photos" directory and the aerial photos in the "Example Kittitas A3 Aerials" directory.

<sup>17</sup> *Playfair v. City of Chewelah*, Eastern Washington Growth Management Hearings Board (EWGMHB) Case No. 04-1-0009 Final Decision and Order p. \*8 (December 27, 2004).

<sup>18</sup> Kittitas County Community Development Services Development Code Update webpage <http://www.co.kittitas.wa.us/cds/developmentcode.asp> enclosed with this letter.

<sup>19</sup> *Id.*

Honorable Alan A. Crankovich, Chairman  
Honorable David Bowen  
Honorable Mark McClain  
June 4, 2007  
Page 7

for public review is required and should be provided by the county with a new legal notice and additional measures to solicit public input. Merely “continuing” a public hearing does not constitute adequate outreach to the public.

### *Title 17 Zoning PC Recommendation*

#### **Do not adopt Chapter 17.38 KCC, FCC – Fully Contained Communities**

Some of the Planning Commission recommendations were not a part of the earlier staff drafts, making the need for more time to comment even more important. Perhaps the best example is recommended Chapter 17. 38 KCC, FCC – Fully Contained Communities. This was not part of the staff recommendation. It is also poor public policy and does not comply with the Growth Management Act.

Fully contained communities are not needed. As Appendix A shows, the county’s existing urban growth areas are larger than needed to accommodate the county’s planned future growth. Given the very high costs of building a new city on rural or resource lands, building an unneeded fully contained community is not efficient and will increase costs for Kittitas County taxpayers.

RCW 36.70A.350 provides that “[a] county required or choosing to plan under RCW 36.70A.040 may establish a process as part of its urban growth areas, that are designated under RCW 36.70A.110, for reviewing proposals to authorize new fully contained communities located outside of the initially designated urban growth areas.” But Chapter 17. 38 KCC, FCC – Fully Contained Communities, does not contain any process. It just says that the county may establish a process and then says the county recognizes the use of fully contained communities. But this is not a process. Further, there are no criteria for designating fully contained communities. For both policy and legal reasons we urge you to not adopt these provisions.

Thank you for considering our comments. If you would like more information please contact us.

Sincerely,

Kittitas County Conservation Coalition  
Paula J. Thompson, DVM  
e-mail: [Thompson@elltel.net](mailto:Thompson@elltel.net)

Doug Kilgore  
RIDGE

Tim Trohimovich, AICP  
**Planning Director, Futurewise**  
e-mail: [tim@futurewise.org](mailto:tim@futurewise.org)

Enclosures

Honorable Alan A. Crankovich, Chairman  
 Honorable David Bowen  
 Honorable Mark McClain  
 June 4, 2007  
 Page 8

**Appendix A: Urban Growth Area Calculations for Kittitas County Urban Growth Areas**

Jurisdiction/Area	2025 Population Target		Current Population Capacity
Capacity from Land Capacity Analysis			
Kittitas/UGA	1,584		1,922
Ellensburg/UGA	23,764		43,929
Subtotal Land Capacity Analysis	25,348		45,851
Capacity from 2006 City Populations			
Roslyn/UGA	1,320		1,020
South Cle Elum/UGA	1,056		575
Cle Elum/UGA	10,034		1,810
Subtotal 2006 City Populations	12,410		3,405
		<b>Available lots for construction</b>	<b>Available population to be housed at 2 persons per lot</b>
Capacity Urban Growth Nodes			
Urban Growth Nodes	5,281		
Easton (Vacant Lots)		5,462	10,924
Ronald (Vacant Lots)		452	904
Snoqualmie Pass (Vacant Lots)		260	520
Thorp (Vacant Buildable Lots)		164	328
Vantage (Buildable Units)		716	1,432
Subtotal Urban Growth Nodes		7,054	14,108
Total UGAs & UGNs	43,039		63,364
25 percent market factor	3,140		
UGA/UGN Total Plus Market Factor	46,179		

Sources: Darryl Piercy, Director CDS, Kittitas County, Conference of Governments – Population Allocation Kittitas County (April 27, 2006) (enclosed); Easton UGN; Ronald UGN; Snoqualmie Pass UGN; City of Kittitas Land Use and Population Analysis (June 2006) (enclosed on our June 1, 2007 data CD); April 1 Population of Cities, Towns, Counties Used for Allocation of Selected State Revenues, State of Washington (June 29, 2006), Vision and Path: Ellensburg's Next Legacy City of Ellensburg Comprehensive Plan 2006 Update Draft p. 26.



**KITTITAS COUNTY**

**COMMUNITY  
DEVELOPMENT  
SERVICES**

*Darryl Piercy  
Director*

*Allison Kimball  
Assistant Director*

**MEMORANDUM**

**To:** City of Ellensburg, City of Kittitas, City of South Cle Elum,  
City of Cle Elum, City of Roslyn

**CC:** Board of County Commissioners  
CDS Planning Staff

**From:** Darryl Piercy, Director CDS, Kittitas County

**Subject:** Conference of Governments – Population Allocation

**Date:** April 27, 2006

---

The Kittitas County Conference of Governments (COG) formally adopted a revised formula for population allocation to all cities, urban growth areas and urban growth nodes within Kittitas County at their meeting on April 26, 2006.

In October of 2005 the COG adopted the high population projection provided by the Washington State Office of Financial Management (OFM) for the planning period of 2005 -2025. This provided for a population projection for the entire county of 52,810 people in the year 2025.

As a result of these two actions the population projections for 2025 for each jurisdiction are as follows:

Jurisdiction	Allocation %	2025 Population
Roslyn/UGA	2.5%	1,320
S. Cle Elum/UGA	2%	1,056
Kittitas/UGA	3%	1,584
Cle Elum/UGA	19%	10,034
Ellensburg/UGA	45%	23,764
Kittitas County		
Urban Growth Nodes	10%	5,281
Non Urban County	18.5%	9,771
<b>Totals</b>	<b>100%</b>	<b>52,810</b>

These projections should be used as a basis for planning as you update your comprehensive plans.

COMMUNITY PLANNING  
BUILDING INSPECTION  
PLANS EXAMINATION  
ADMINISTRATION  
PERMIT SERVICES  
INVESTIGATION  
ENFORCEMENT  
GIS

*411 N. Ruby Street, #2  
Ellensburg, WA 98926*

*Phone(509) 962-7506  
Fax (509) 962-7682  
[CDS@co.kittitas.wa.us](mailto:CDS@co.kittitas.wa.us)*

## Community Development Services

### Development Code Update

[Community Dev home](#)

[Prior to application](#)

[Application info](#) 

[Permit required?](#)

[Inspection required?](#)

[Inspection schedule](#)

[Forms](#)

[Permit reports](#)

[Agendas, minutes](#)


[Comprehensive Plan](#)

[Development Code](#) 

[Environmental Health](#)

[Wind Power Project](#)

#### Announcements:

- **Stay Informed!**  
Want to receive updates/notices regarding the Development Code Update? [Subscribe to our email notification service.](#)
- **Continued Hearing for Planning Commission**  
May 31, 2007, 5 pm, Commissioners' Auditorium, Kittitas County Courthouse, 205 W 5th Ave, Ellensburg, WA 98926  
Findings for the Kittitas County Development Code Update.  
Record is closed.
- **Board of County Commissioners Hearing**  45 k  
June 4, 2007, 6pm, Teanaway Hall (Home Arts Building), Kittitas County Fairgrounds Event Center, 512 N Poplar Street, Ellensburg, WA 98926


For more information contact CDS at (509)962-7506 or [cds@co.kittitas.wa.us](mailto:cds@co.kittitas.wa.us).

#### Project Overview

- **What are we updating?**  
Kittitas County is updating their Development Regulations as part of the required elements of the Growth Management Act (RCW 36.70A.130.)
- **Why are we updating?**  
Kittitas County recently updated their Comprehensive Plan. The Development Regulations must be updated to reflect the Plan.

#### Update Documents

##### Planning Commission Recommendations

- [Planning Commission Findings: Development Code Update](#)  154 k
- [Chapter 14.08: Flood Damage Prevention PC Recommendation](#)



- [88 k](#)
- [Title 15A: Project Permit Application Process PC Recommendation](#) [111 k](#)
- [Title 17: Zoning PC Recommendation](#) [762 k](#)
- [Title 17B: Forest Practices PC Recommendation](#) [30 k](#)
- [Title 17.99: Design Standards PC Recommendation](#) [233 k](#)
- [Chapter 16.09: Performance Based Cluster Platting PC Recommendation](#) [39 k](#)

### Planning Commission

- [May 1, 2007: Planning Commission Hearing Exhibits](#) [490 k](#)
- [May 2, 2007: Planning Commission Hearing Exhibits](#) [4914 k](#)
- [May 3, 2007: Planning Commission Hearing Exhibits](#) [16682 k](#)
- [May 4 to 7, 2007: Planning Commission Comments Received Part 1](#) [8823 k](#)
- [May 4 to 7, 2007: Planning Commission Comments Received Part 2](#) [5170 k](#)
- [May 4 to 7, 2007: Planning Commission Comments Received Part 3](#) [3424 k](#)
- [Planning Commission Staff Report, May 1-3 Hearings](#) [110 k](#)
- [Guide to Key Proposed Revisions to the Development Code](#) [23 k](#)





### Maps

- [County Agriculture-3 and Rural-3 Zoning: Upper County 1](#) [2773 k](#)
- [County Agriculture-3 and Rural-3 Zoning: Upper County 2](#) [3154 k](#)
- [County Agriculture-3 and Rural-3 Zoning: Lower County](#) [3452 k](#)
- [County Agriculture 3 and 5 and Rural 3 and 5 Zoning](#) [4398 k](#)
- [Lower County Suburban I and II Zoning](#) [3716 k](#)
- [Upper County Suburban I and II Zoning](#) [2705 k](#)
- [County Zoning](#) [3592 k](#)
- [County Land Use](#) [5070 k](#)

### April 10th Drafts

- [Chapter 14.08: Flood Damage Prevention](#) [86 k](#)
- [Title 15A: Project Permit Application Process](#) [108 k](#)
- [Title 17: Zoning](#) [682 k](#)
- [Title 17B: Forest Practices](#) [29 k](#)
- [Title 17.99: Design Standards](#) [232 k](#)
- [Chapter 16.09: Performance Based Cluster Platting](#) [39 k](#)

## March 12th Drafts

- [Title 14.08: Flood Damage Prevention](#)  85 k
- [Title 15A: Project Permit Application Process](#)  108 k
- [Title 17: Zoning](#)  675 k
- [Proposed New Title 17B: Forest Practices](#)  24 k

---

[Community Development home](#) | [Prior to application](#) | [Application info PDF](#) | [Permit required?](#) | [Inspections required?](#) | [Inspection schedule](#) | [Forms](#) | [Permit reports](#) | [Agendas, minutes](#) | [Comprehensive Plan](#) | [Development Code Update](#) | [Environmental Health](#) | [Wind Power Project](#)

[County home](#) | [Sitemap](#) | [Departments](#) | [How do I...](#) | [Help me find...](#) | [Contact us](#) | [Employees](#)

---

[Privacy Notice](#) | [Disclaimer](#) | [Terms of Use](#) | [Traduzca al español](#)

All inquiries regarding services and all public disclosure requests should be directed to the [elected official or department head](#) of the appropriate office.

Thank you.

For comments regarding the operation of the website, email the [Kittitas County Webmaster](#).

Static content last modified on 2007/6/4

Copyright © 2007 - Kittitas County - All Rights Reserved.



**April 1 Population of Cities, Towns, and Counties  
Used for Allocation of Selected State Revenues  
State of Washington**

**Caution: Annual change may not be valid due to corrections and data changes. Estimates for individual years may not be comparable. Estimates in this series are not revised based on information that becomes available after the estimate date. Evaluate growth by looking at the growth between the last census and most current estimate.**

<b>County Municipality</b>	<b>Census 2000</b>	<b>Estimate 2001</b>	<b>Estimate 2002</b>	<b>Estimate 2003</b>	<b>Estimate 2004</b>	<b>Estimate 2005</b>	<b>Estimate 2006</b>
Des Moines	29,267	29,600	29,510	29,120	29,020	28,960	29,020
Duvall	4,616	4,860	5,190	5,460	5,545	5,595	5,735
Enumclaw <i>part</i>	11,116	11,180	11,195	11,140	11,160	11,190	11,220
Federal Way	83,259	83,890	83,850	83,500	83,590	85,800	86,530
Hunts Point	443	455	455	445	450	450	480
Issaquah	11,212	12,950	13,790	15,110	15,510	17,060	19,570
Kenmore	18,678	18,790	19,180	19,200	19,170	19,290	19,680
Kent	79,524	81,900	84,275	84,210	84,560	84,920	85,650
Kirkland	45,054	45,770	45,790	45,630	45,800	45,740	47,180
Lake Forest Park	12,871 \$	12,889 \$	12,860	12,750	12,770	12,730	12,770
Maple Valley	14,209	14,590	15,040	15,730	16,280	17,870	19,140
Medina	3,011	2,990	3,010	2,970	2,955	2,930	2,945
Mercer Island	22,036	21,970	21,955	21,840	21,830	21,710	21,860
Milton <i>part</i>	814	815	815	820	800	815	825
Newcastle	7,737	7,815	8,205	8,320	8,375	8,890	9,175
Normandy Park	6,392	6,405	6,395	6,345	6,400	6,385	6,415
North Bend	4,746	4,755	4,735	4,680	4,660	4,685	4,690
Pacific <i>part</i>	5,373	5,380	5,405	5,525	5,545	5,640	5,815
Redmond	45,256	45,490	46,040	46,480	46,900	47,600	49,890
Renton	50,052	51,140	53,840	54,900	55,360	56,840	58,360
Sammamish	34,104	34,560	34,660	35,930	36,560	38,640	39,730
SeaTac	25,496	25,380	25,320	25,100	25,130	25,140	25,230
Seattle	563,376 \$	568,102 \$	570,802 \$	571,900	572,600	573,000	578,700
Shoreline	53,296 \$	53,421 \$	53,250	52,730	52,740	52,500	52,830
Skykomish	214	215	215	210	210	210	210
Snoqualmie	1,631	3,416 *	4,210	4,785	5,110	6,345	7,815 *
Tukwila	17,181	17,230	17,270	17,230	17,240	17,110	17,930
Woodinville	9,809 \$	9,825 \$	9,830 \$	9,905	9,915	10,140	10,350
Yarrow Point	1,008	1,010	1,010	1,000	990	960	970
<b>Kitsap</b>	<b>231,969</b>	<b>233,400</b>	<b>234,700</b>	<b>237,000</b>	<b>239,500</b>	<b>240,400</b>	<b>243,400</b>
Unincorporated	159,896	160,625	161,345	162,000	164,960	167,920	169,090
Incorporated	72,073	72,775	73,355	75,000	74,540	72,480	74,310
Bainbridge Island	20,308	20,740	20,920	21,350	21,760	22,200	22,600
Bremerton	37,259	37,260	37,530	38,730	37,520	34,580	35,910
Port Orchard	7,693	7,810	7,900	7,910	8,060	8,250	8,310
Poulsbo	6,813	6,965	7,005	7,010	7,200	7,450	7,490
<b>Kittitas</b>	<b>33,362</b>	<b>34,000</b>	<b>34,800</b>	<b>35,200</b>	<b>35,800</b>	<b>36,600</b>	<b>37,400</b>
Unincorporated	13,614	14,120	14,520	14,785	14,910	15,375	15,780
Incorporated	19,748	19,880	20,280	20,415	20,890	21,225	21,620
Cle Elum	1,755	1,755	1,775	1,775	1,785	1,800	1,810
Ellensburg	15,414	15,460	15,830	15,940	16,390	16,700	17,080
Kittitas	1,105	1,105	1,100	1,120	1,130	1,135	1,135
Roslyn	1,017	1,017	1,020	1,020	1,020	1,020	1,020
South Cle Elum	457	543 *	555	560	565	570	575
<b>Klickitat</b>	<b>19,161</b>	<b>19,300</b>	<b>19,300</b>	<b>19,300</b>	<b>19,300</b>	<b>19,500</b>	<b>19,800</b>
Unincorporated	12,536	12,665	12,720	12,775	12,765	12,960	13,160
Incorporated	6,625	6,635	6,580	6,525	6,535	6,540	6,640

**April 1 Population of Cities, Towns, and Counties  
Used for Allocation of Selected State Revenues  
State of Washington**

Caution: Annual change may not be valid due to corrections and data changes. Estimates for individual years may not be comparable. Estimates in this series are not revised based on information that becomes available after the estimate date. Evaluate growth by looking at the growth between the last census and most current estimate.

<b>County Municipality</b>	<b>Census 2000</b>	<b>Estimate 2001</b>	<b>Estimate 2002</b>	<b>Estimate 2003</b>	<b>Estimate 2004</b>	<b>Estimate 2005</b>	<b>Estimate 2006</b>
Nooksack	863 \$	918 *	920	902 *	910	970 *	1,004 *
Sumas	978 *	995 *	1,007 *	1,002 *	1,079 *	1,112 *	1,125 *
<b>Whitman</b>	<b>40,740</b>	<b>40,300</b>	<b>40,600</b>	<b>41,000</b>	<b>41,700</b>	<b>42,400</b>	<b>42,800</b>
Unincorporated	6,298 \$	6,305	6,348	6,317	6,327	6,360	6,303
Incorporated	34,442 \$	33,995	34,252	34,683	35,373	36,040	36,497
Albion	616	625	610	620	620	620	620
Colfax	2,844	2,835	2,820	2,825	2,845	2,875	2,895
Colton	386	390	385	395	395	400	415
Endicott	355 *	342 +	350	355	360	345	335
Farmington	153	150	150	145	145	145	145
Garfield	641	640	625	610	640	630	630
LaCrosse	380	380	370	370	375	350	340
Lamont	106	105	105	105	105	95	95
Malden	215	215	215	210	215	210	210
Oakesdale	420	420	420	415	420	420	420
Palouse	1,011	1,015	1,005	1,010	1,015	1,010	1,015
Pullman	24,948 \$	24,540	24,910	25,300	25,905	26,590	27,030
Rosalia	648	660	645	650	650	650	650
St. John	548	513 *	497 *	518 *	523 *	510 *	517 *
Tekoa	826	825	820	820	820	845	835
Uniontown	345	340	325	335	340	345	345
<b>Yakima</b>	<b>222,581</b>	<b>224,500</b>	<b>225,000</b>	<b>226,000</b>	<b>227,500</b>	<b>229,300</b>	<b>231,800</b>
Unincorporated	93,192	93,171	87,674	87,740	88,317	89,060	88,264
Incorporated	129,389	131,329	137,326	138,260	139,183	140,240	143,536
Grandview	8,377	8,410	8,415	8,475	8,540	8,705	8,840
Granger	2,530	2,575	2,645	2,710	2,760	2,835	2,880
Harrah	566 *	614 *	621 *	620	630	630	630
Mabton	1,891	1,905	1,885	2,045	2,065	2,065	2,075
Moxee	821	835	835	850	895	1,310	1,800
Naches	643	703 *	705	730 +	758 +	755 +	761 +
Selah	6,310	6,405	6,370	6,500	6,625	6,740	6,840
Sunnyside	13,905	14,010	13,970	14,300	14,520	14,710	14,930
Tieton	1,154	1,175	1,185	1,185	1,185	1,185	1,195
Toppenish	8,946	8,975	8,975	8,940	9,000	9,000	9,015
Union Gap	5,621	5,655	5,650	5,665	5,675	5,695	5,685
Wapato	4,582	4,555	4,500	4,525	4,525	4,535	4,540
Yakima	71,845	73,040	79,120	79,220	79,480	79,480	81,710
Zillah	2,198	2,472 *	2,450	2,495	2,525	2,595	2,635
<b>Washington State</b>	<b>5,894,143 \$</b>	<b>5,974,910 \$</b>	<b>6,041,710 \$</b>	<b>6,098,300</b>	<b>6,167,800</b>	<b>6,256,400</b>	<b>6,375,600</b>
Unincorporated	2,374,593 \$	2,407,904 \$	2,423,073 \$	2,361,802 \$	2,395,226	2,438,882	2,473,714
Incorporated	3,519,550 \$	3,567,006 \$	3,618,637 \$	3,736,498 \$	3,772,574	3,817,518	3,901,886

Liberty Lake, Spokane County, incorporated on August 31, 2001.  
Spokane Valley, Spokane County, incorporated on March 31, 2003.

The county and municipal populations shown for 2000 are, with a few exceptions, the 2000 federal census Public Law 94-171 counts. Some 2000 counts may differ from the federal census.

**April 1 Population of Cities, Towns, and Counties  
Used for Allocation of Selected State Revenues  
State of Washington**

**Caution: Annual change may not be valid due to corrections and data changes. Estimates for individual years may not be comparable. Estimates in this series are not revised based on information that becomes available after the estimate date. Evaluate growth by looking at the growth between the last census and most current estimate.**

<b>County Municipality</b>	<b>Census <u>2000</u></b>	<b>Estimate <u>2001</u></b>	<b>Estimate <u>2002</u></b>	<b>Estimate <u>2003</u></b>	<b>Estimate <u>2004</u></b>	<b>Estimate <u>2005</u></b>	<b>Estimate <u>2006</u></b>
--------------------------------	-------------------------------	---------------------------------	---------------------------------	---------------------------------	---------------------------------	---------------------------------	---------------------------------

\* - State Certified Special Census.

+ - Informal population count. Does not meet criteria for a special census.

\$ - Indicates a correction to the federal 2000 census count and/or a revised state estimate.

@ - Incorporation Base. First Office of Financial Management April 1 estimate after incorporation.

**Office of Financial Management April 1 Population Determinations  
Official Change from April 1, 1996 to April 1, 2006**

*In accord with the Growth Management Act this table reports the percent increase in population estimates for each county over the preceeding ten years as determined by the Office of Financial Management.*

	<b>Population Estimates</b>		<b>Change</b>	
	<b>1996</b>	<b>2006</b>	<b>Number</b>	<b>Percent</b>
Washington	5,516,800	6,375,600	858,800	15.57
Adams	15,400	17,300	1,900	12.34
Asotin	19,600	21,100	1,500	7.65
Benton*	131,000	160,600	29,600	22.60
Chelan*	61,300	70,100	8,800	14.36
Clallam*	65,000	67,800	2,800	4.31
Clark*	303,500	403,500	100,000	32.95
Columbia*	4,200	4,100	-100	-2.38
Cowlitz	90,800	96,800	6,000	6.61
Douglas*	30,400	35,700	5,300	17.43
Ferry*	7,200	7,500	300	4.17
Franklin*	43,700	64,200	20,500	46.91
Garfield*	2,400	2,400	0	0.00
Grant*	66,400	80,600	14,200	21.39
Grays Harbor	68,200	70,400	2,200	3.23
Island*	70,300	77,200	6,900	9.82
Jefferson*	25,700	28,200	2,500	9.73
King*	1,628,800	1,835,300	206,500	12.68
Kitsap*	224,700	243,400	18,700	8.32
Kittitas*	30,800	37,400	6,600	21.43
Klickitat	18,700	19,800	1,100	5.88
Lewis*	66,700	72,900	6,200	9.30
Lincoln	9,800	10,200	400	4.08
Mason*	46,700	53,100	6,400	13.70
Okanogan	37,500	39,800	2,300	6.13
Pacific*	21,100	21,500	400	1.90
Pend Oreille*	11,100	12,300	1,200	10.81
Pierce*	665,200	773,500	108,300	16.28
San Juan*	12,400	15,700	3,300	26.61
Skagit*	95,500	113,100	17,600	18.43
Skamania	9,800	10,600	800	8.16
Snohomish*	538,100	671,800	133,700	24.85
Spokane*	406,500	443,800	37,300	9.18
Stevens*	36,600	42,100	5,500	15.03
Thurston*	193,100	231,100	38,000	19.68
Wahkiakum	3,800	3,900	100	2.63
Walla Walla*	53,400	57,900	4,500	8.43
Whatcom*	152,800	184,300	31,500	20.62
Whitman	41,000	42,800	1,800	4.39
Yakima*	207,600	231,800	24,200	11.66

\*Counties fully planning under the Growth Management Act.

Source: Dept. of Community, Trade and Economic Development, Growth Management Program.

Note: Percent change based on official estimates released each July 1.

Office of Financial Management, Forecasting Division June 29, 2006

**Joanna F. Valencia**

**From:** AllSeasons [Info@AllSeasonsVacationRents.com]  
**Sent:** Sunday, June 03, 2007 8:53 PM  
**To:** Alan Crankovich; David Bowen  
**Cc:** Joanna F. Valencia  
**Subject:** re: Comments on Development Code Update

Hi Alan and David,  
cc: Joanna

*(If you could forward to Mark McClain I'd appreciate it. I don't have his email address)*

I've had a chance to review the updates from the Planning Commission. Although I won't be able to attend the meetings I wanted to get my comments to you as you deliberate over the upcoming open hearings.

First, I was happy to see that the Planning Commission struck the language associated with requiring cluster platting in 3 Acre zones with no bonus densities given to the landowner. I was shocked that this was ever proposed in the first place. It would have required landowners to forfeit 50% of their land with no value in return. There's a lot of reasons why this doesn't make sense both from a financial perspective and from a long-term impact on where developments would occur. Because the language was removed I will just say that I support the Planning Commission on this edit.

My number one concern with the current recommendations is the removal of Cluster Platting from 3 Acre zones. I'm a huge fan of cluster platting as I believe it creates a win-win for land owners and community as a whole. Cluster developments are ideal for new residents and they place higher density developments where they should be, closer to town. Without this tool available in 3 acre zones you will only see Cluster Developments take place in 5 acre zoning further from town. I also fear that Developers looking for land to purchase will skip over the 3 acre zones in favor of 5 acre zoned land because they see a win-win in cluster developments in this zone. In addition they will be able to get more density than 3 acre zones (2.5 vs. 3). This will create more development further from town. In order to plan appropriately we need to get more density in 3 acre zones in order to protect natural resource land. I would strongly recommend keeping Cluster Platting available in 3 acre zones in its current format. There are some folks that don't want cluster development at all, but I don't support making important and long lasting planning decisions based on the objections from a very small percentage of the population.

Sincerely,  
Kevin Kelly

EXHIBIT #: 3  
HEARING: Dev. Code  
DATE: 6-4-07  
SUBMITTED BY: CDS

6/4/2007

RECEIVED  
MAY 08 2007  
KITITAS COUNTY  
CDS

Dated this 3<sup>rd</sup> day of May, in the year of our lord 2007

To: Honorable Board of Kittitas County Commissioners  
Honorable Board of the Planning Commission  
5<sup>th</sup> and Main Room 108  
Ellensburg, WA 98926

RE: Update of the Development Code  
Title 17, Zoning, Chapter 17.61-A Wind Farm Resource Overlay Zone

Dear Members,

I attest I am a legal voter in the County of Kittitas, Sate of Washington, on the above mentioned date.

I, the undersigned, declare that the aforementioned chapter proposed for Development Code Update April 10<sup>th</sup>, 2007 Draft as proposed by Mr. Darryl Piercy's; C.D.S. Director Section 17.61A.035 should be struck, and replaced with: the following dialog;

**17.61A.035 Pre-identified areas for siting;**

For proposed wind farms located in identified areas in Kittitas County meeting specific siting as identified in this code, a process separate from the requirement for wind farm resource overlay zone as identified in Kittitas County Code 17.61A.40 can be undertaken.

A map of the pre-identified areas identifies the following Townships and Ranges open to this process, this includes: \*The following list of Township and Range area commonly know as East Kittitas County in contact with Colombia River, and/or Whiskey Dick Mountain;

T.15N. Ranges 19E.,20E.,21E.,22E.,23.,

T.16N. Ranges 21E., 22E.,23E.,

T.17N. Ranges 21E., 22E.,23E.,

T.18N. Ranges 21E., 22E.,23E.,

Also includes; \*The following list of Township and Range area commonly know as "Electrical Transmission Corridor" that parallels Northern Lower Kittitas County;

T.19N. Ranges 16E.,17E.,18E.,19E.,20E.,21E.,22E.,23E.,

T.20N. Ranges 16E.,17E.,18E.,19E.,20E.,21E.,22E.,23E.,

In Kittitas County.

The following siting standards are established by professional experts, for these areas: a minimum of four (4) times the tip height of turbine height from existing structures at the time of application, vesting shall apply. If not attainable additional analysis shall be included to support the application. Further, analysis shall also be included the following as part of the application by professional analysis,: wildlife impact analysis, noise impact analysis, visual impact analysis from ½ mile away.

A wind farm may be authorized by the county in these pre-identified areas only through approval of a site plan and development agreement by the board of county commissioners. The

EXHIBIT #: 4  
HEARING: Dev Code  
DATE: 10-4-07  
SUBMITTED BY: CDS



development agreement shall be consistent as authorized in Kittitas County Code 15A.11.Development Agreements.

Sincerely,

Ronald E Nickels  
(Legal Signature )

Ronald E Nickels  
(Legal name) print

320 Cedar Cove Rd  
(Legal Voting Address) print

Ellensburg Washington 98926  
(City) print (State & Zip) print

---

---

---

---

---

---

---

---



# Rivers End, Inc.

Mr. William F. Peare  
Mr. Woodrow J. O'Rourke  
P.O. Box 7  
Roslyn, WA 98941

Bill Peare

Chairman David Black  
c/o Trudie Pettit, Clerk  
Kittitas County Planning Commission  
411 North Ruby Street, Suite 4  
Ellensburg, WA 98926

RECEIVED  
MAY 7 2007  
MAY 08 2007  
KIT TITAS COUNTY  
CDS

(509) 674-4912, P.O. Box 952, Roslyn, WA 98941

Via Electronic Mail  
[trudie.pettit@co.kittitas.wa.us](mailto:trudie.pettit@co.kittitas.wa.us)

Re: Proposed Amendment to County Development Regulations

Dear Chairman Black:

Thank you for the opportunity to provide comments on the County's proposed changes to the Development Regulations.

We are generally concerned that the public is not being asked to comment first on the existing Development Code and believe that the Community Development Services office is inappropriately proposing code changes too early in the public process.

More specifically, we disagree with omitting the R-3 and Ag-3 zones and have seen no justification from the county for proposing this change. At the very least, it's inconsistent with the county's position before the Eastern Washington Growth Management Hearings Board where the county is defending R-3 zoning. We do not support the proposed changes to KCC 17.30.040 (R-3 Zone) and believe that the language limiting lot size and requiring 50% open space in perpetuity is being required with no guiding criteria or flexibility in land use planning.

We also disagree with the proposed change to KCC 16.09 (Performance Based Cluster Plat) that seeks to preclude cluster plats on R-3 and Ag-3 land. First, it's inconsistent with the proposed change to KCC17.30.040 that mandates clustering development in R-3. Secondly, and most importantly, it removes a key development tool for preventing rural sprawl.

Several months ago, we submitted a letter to the County regarding cluster plats and a need to update the permitted uses in the underlying R-3 zone to include multi-family dwellings. We never got a response from the county and have attached that letter to be incorporated herein by reference and included in the record for these proposed Code changes.

Thank you again for the opportunity to provide these comments.

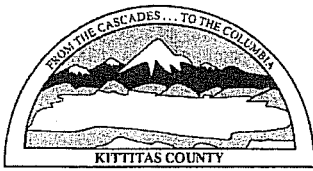
Sincerely,

William F. Peare

Woodrow J. O'Rourke

Enclosure

EXHIBIT #: 5  
HEARING: Dev. Code  
DATE: 6-4-07  
SUBMITTED BY: CDS



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

## MEMORANDUM

TO: Kittitas County Board of County Commissioners

CC: Julie Kjorsvik, Clerk of the Board  
Darryl Piercy, CDS Director

FROM: Joanna Valencia, Staff Planner  
Scott Turnbull, Staff Planner

DATE: June 1, 2007

SUBJECT: Transmittal of Planning Commission Recommendations

Please find attached the following documents for your Development Code Binders that weren't previously included.

1. *Staff Report- Conduct June 4, 2007 Development Code Hearing*
2. *Planning Commission Findings*
3. *Chapter 14.08, Flood Damage Prevention: Planning Commission Recommendation*
4. *Title 15A, Project Permit Application Process: Planning Commission Recommendation*
5. *Title 17B, Forest Practices: Planning Commission Recommendation*
6. *Title 17, Zoning Code: Planning Commission Recommendation*
7. *Chapter 16.09 Performance Based Cluster Platting: Planning Commission Recommendation*
8. *Chapter 17.99 Design Standards: Planning Commission Recommendation*
9. *Planning Commission Minutes May 21 and 22, 2007 Hearings: Deliberation (draft)*

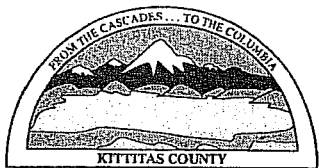
If you have any questions or need more information, feel free to contact me. Audio tapes of the meetings are also available upon request. Thank you.

EXHIBIT #:   0    
HEARING:   Dev. Code    
DATE:   6-4-07    
SUBMITTED BY:   CDS  

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

## STAFF REPORT

**HEARING DATE:** June 4, 2007

**ACTION REQUESTED:** Public Hearing for the Kittitas County Development Code Update

---

### BACKGROUND:

On December 11, 2006, the Kittitas County Board of County Commissioners signed Ordinance 2006-63 adopting the 2006 Amendments to the Kittitas County Comprehensive Plan and 2006 Update to the Kittitas County Comprehensive Plan. As part of the process, Kittitas County is required to review the Development Regulations in order to implement and ensure consistency with the goals, policies and objectives identified in the Kittitas County Comprehensive Plan.

Notice was given and published in the Daily Record on May 17 and May 24, 2007 and the Northern Kittitas County Tribune on May 24 and May 31, 2007.

Public hearings were held by the Kittitas County Planning Commission on May 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>, 2007. Continued hearings for Planning Commission deliberation and decision were held on May 21 and May 22, 2007.

On May 31, 2007 the Planning Commission approved the Findings of Fact and Recommendations to be forwarded to the Board of County Commissioners with a vote of 5-0 (with 2 members absent).

**INTERACTION:** The Planning Commission held public hearings and forwards their recommendations for the Kittitas County Development Code Update to the Board of County Commissioners.

**RECOMMENDATION:** Conduct public hearing for the Development Code Update.

**ATTACHMENTS:** Complete Written Record  
Planning Commission Minutes  
Planning Commission Transmittal

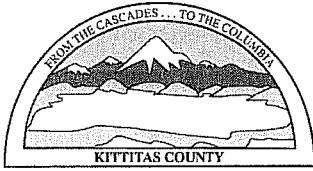
**LEAD STAFF:** Joanna Valencia, Staff Planner

---

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

---

### **The following attachments per the June 1, 2007 Memorandum are available for review at the following locations:**

- Community Development Services Office (411 N Ruby St. Suite 2, Ellensburg, WA 98926, (509)962-7506)
  - Commissioners' Office (Kittitas County Courthouse #108, Ellensburg, WA 98926, (509)962-7508)
  - Online (<http://www.co.kittitas.wa.us/cds/developmentcode.asp>)
1. *Chapter 14.08, Flood Damage Prevention: Planning Commission Recommendation*
  2. *Title 15A, Project Permit Application Process: Planning Commission Recommendation*
  3. *Title 17B, Forest Practices: Planning Commission Recommendation*
  4. *Title 17, Zoning Code: Planning Commission Recommendation*
  5. *Chapter 16.09 Performance Based Cluster Platting: Planning Commission Recommendation*
  6. *Chapter 17.99 Design Standards: Planning Commission Recommendation*

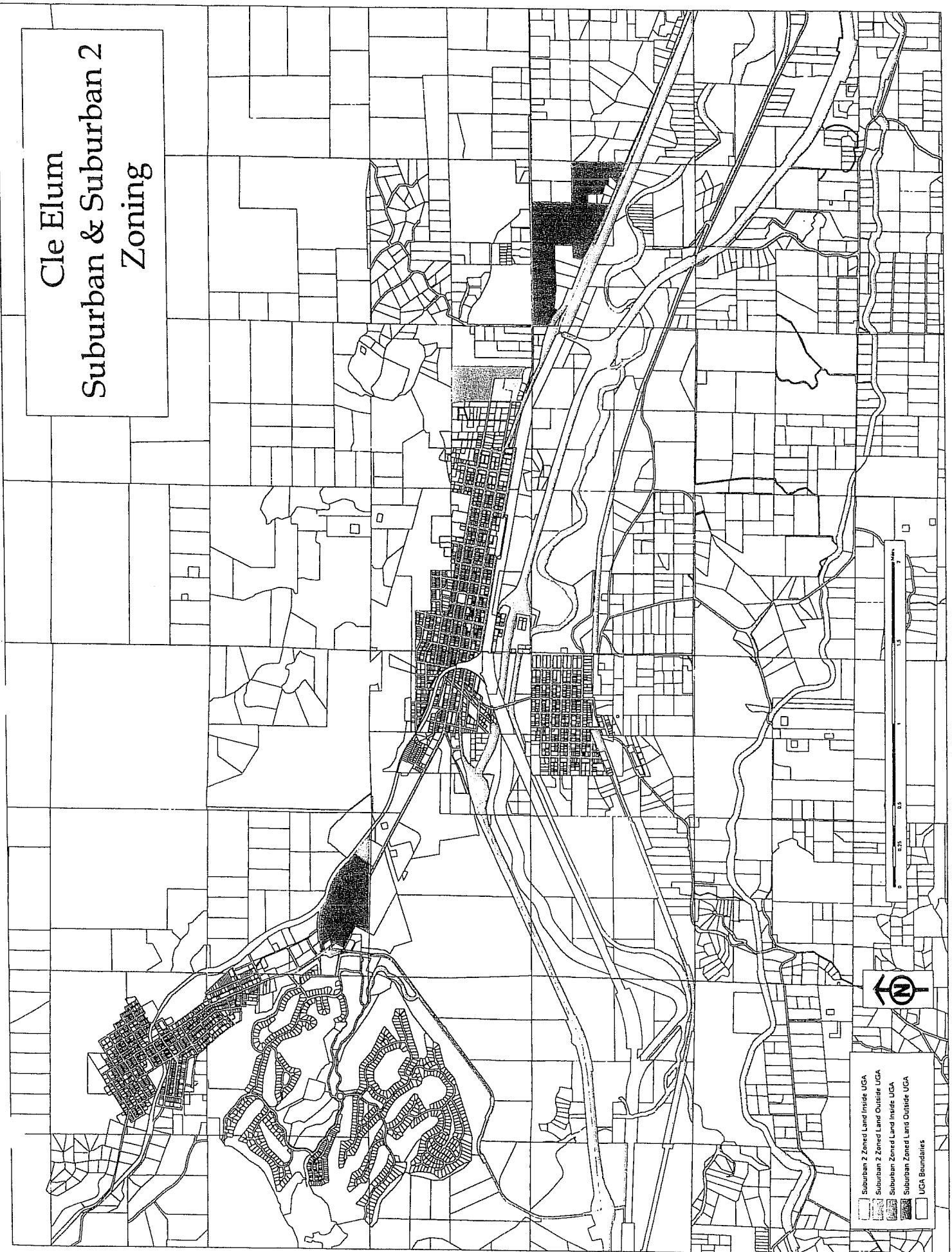
---

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

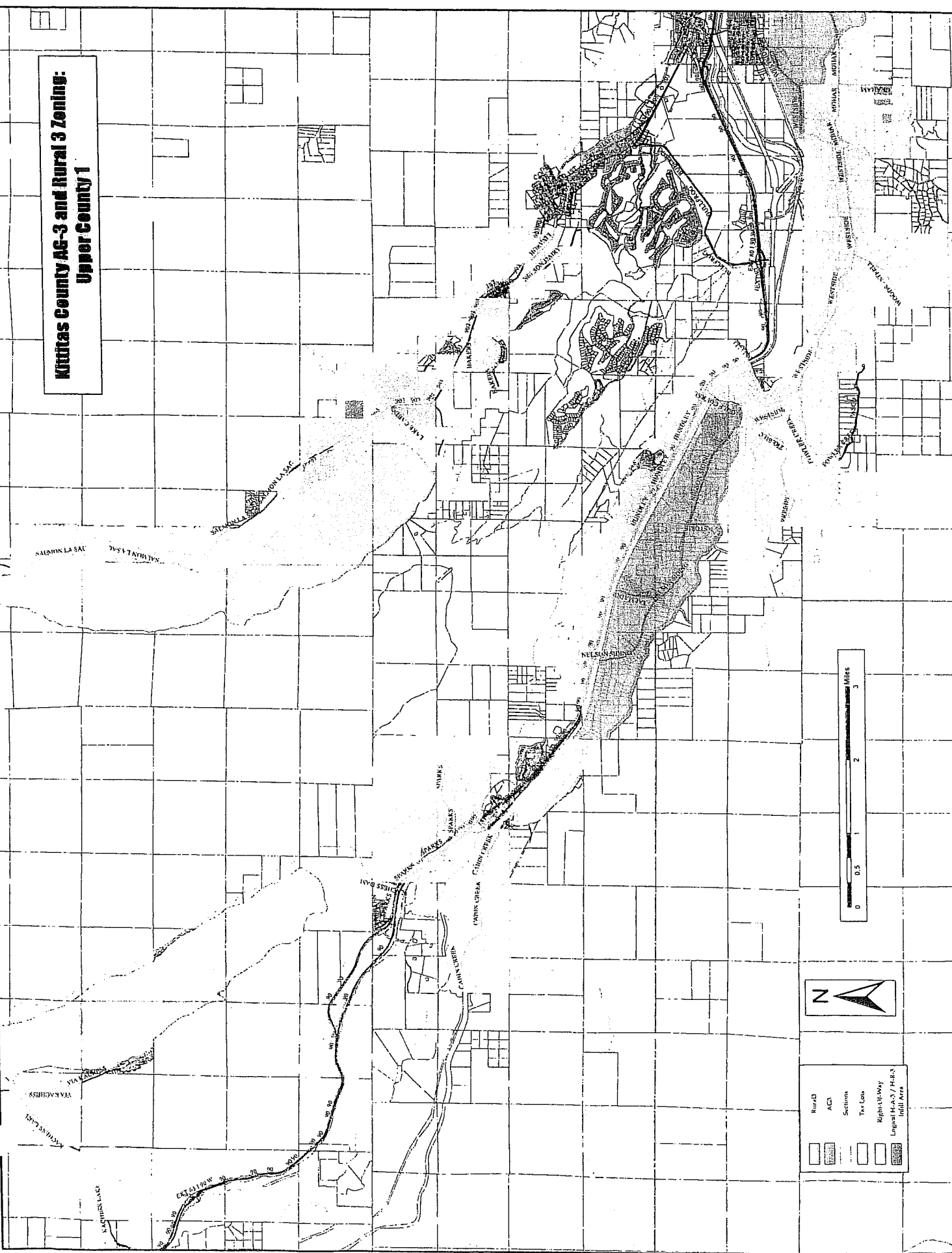
# Cle Elum Suburban & Suburban 2 Zoning



- Suburban 2 Zoned Land Inside UGA
- Suburban 2 Zoned Land Outside UGA
- Suburban Zoned Land Inside UGA
- Suburban Zoned Land Outside UGA
- UGA Boundaries

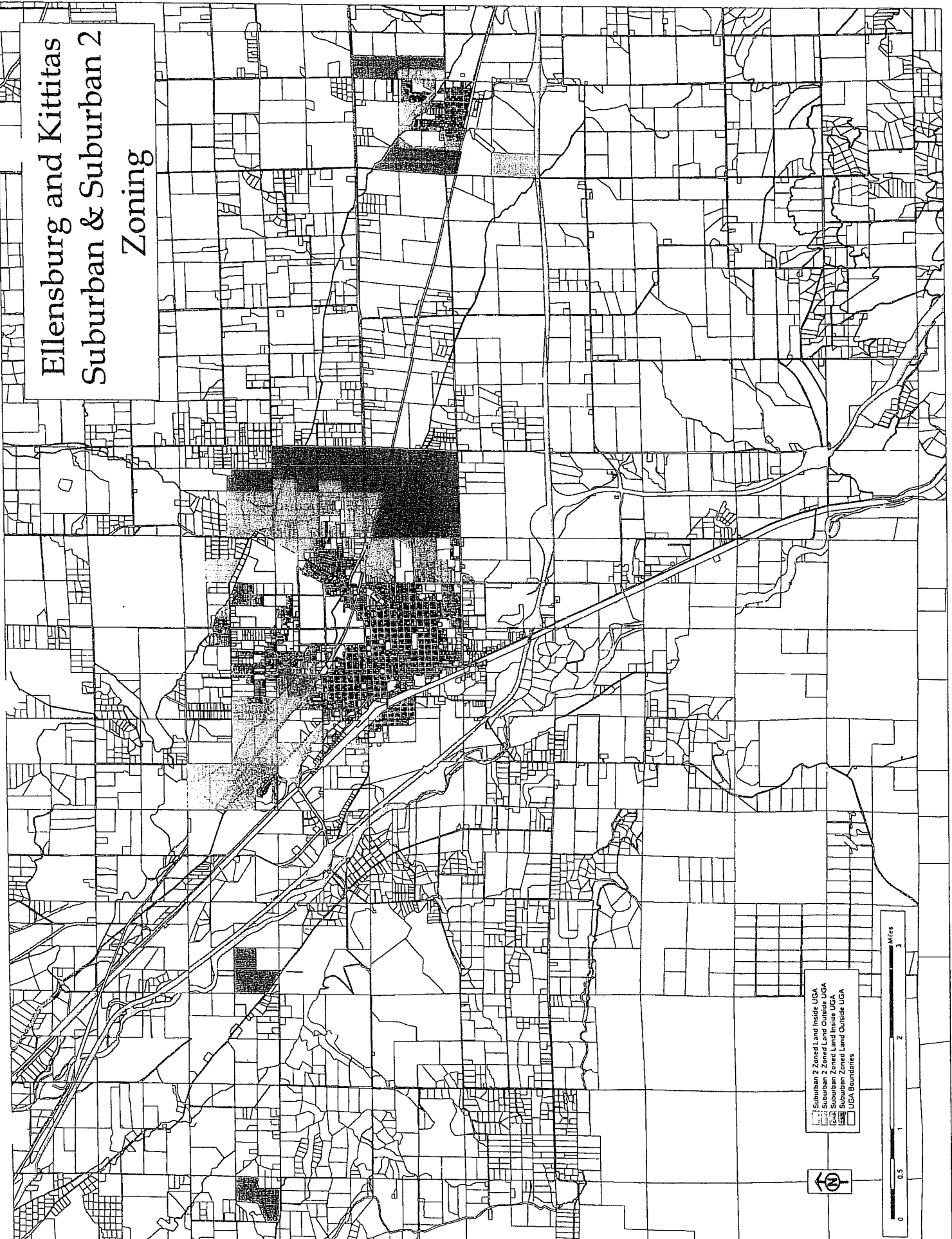


**Kittitas County AG-3 and Rural 3 Zoning:  
Upper County 1**



	Rural 3
	AG-3
	Sections
	Tax Lots
	Right-of-Way
	Unplatted H.A.3 / H.R.3 Infill Area

# Ellensburg and Kittitas Suburban & Suburban 2 Zoning

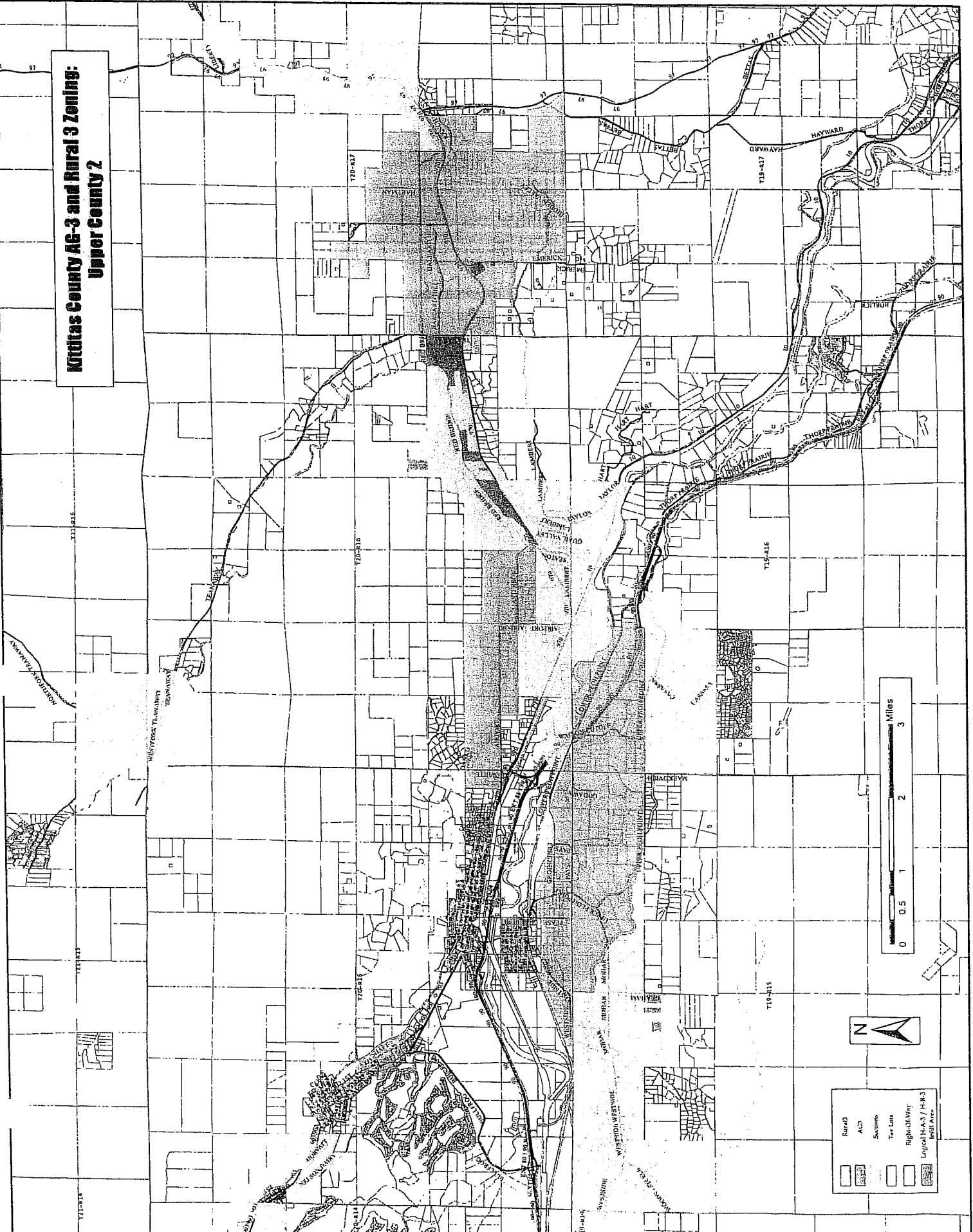


- Suburban 2 Zoned Land Inside UGA
- Suburban 2 Zoned Land Outside UGA
- Suburban Zoned Land Inside UGA
- Suburban Zoned Land Outside UGA
- UGA Boundaries





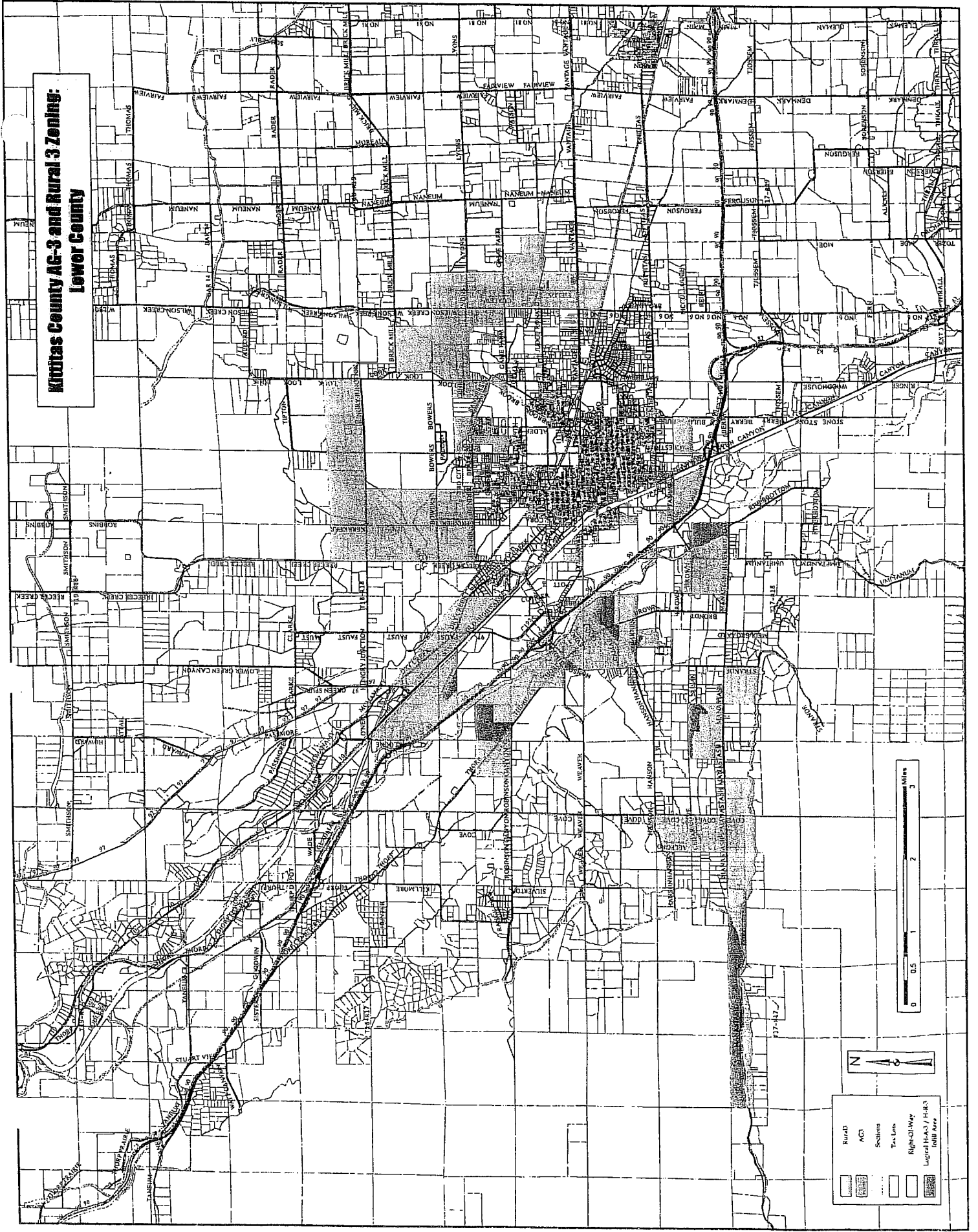
**Kittitas County AG-3 and Rural 3 Zoning:  
Upper County 2**



	Rural D
	AG3
	Section
	Tax Lots
	Right-of-Way
	Unplanned H-A-3 / H-R-3
	Infill Area



# Kittitas County AG-3 and Rural 3 Zoning: Lower County



**KITTITAS COUNTY PLANNING COMMISSION MEETING**

**Tuesday, May 22, 2007 @ 6:00 P.M.**

Continued from May 21, 2007

Commissioner's Auditorium

**I. Call to order and introduction of members and staff.**

**Chairman Black** called the meeting to order at 6:00 p.m.

Those present: Chairman David Black, Grant Clark, Kim Green, Larry Fuller, Rick Daugherty.

Also present: CDS Director Darryl Piercy, CDS Assistant Director Allison Kimball, Staff Planners Scott Turnbull and Joanna Valencia, Planning Commission Clerk Trudie Pettit and approximately 10 individuals representing the public.

**II. Old Business**

**A. Development Code Update**

**Chair opened the hearing to deliberation and discussion of 17.40.**

**Black** stated the only comment he had was on page 74, trailer courts should be struck.

**Kim Green** moved to pass forward Chapter 17.40 to the Board of County Commissioners as written with corrections with a recommendation of approval. **David Black** seconded and the motion carried with 5/0 poll of the board.

**Chair opened the hearing to deliberation and discussion of 17.44.**

**Black** stated we had testimony concerning the size of grocery stores and recommends 4000 square feet.

**Daugherty** asked why we are limiting the size.

**Black** stated we have a 4000 square foot limit outside of urban areas.

**Piercy** stated they are limited under the County wide planning policy.

**Daugherty** asked about the yard requirements and stated he has issues with having a yard for grocery stores.

**Piercy** stated one of the requirements for front yard setbacks is because most of the businesses are along major arterials and they have higher speed limits.

**Daugherty** stated his issue with the word yard.

**Piercy** stated this means that the building must have a setback.

**Daugherty** asked if we could bump up that minimum and change the wording to setback.

**Green** asked if we increase the minimum wouldn't we have to increase the setback.

**Piercy** stated that is a design element issue.

**Fuller** asked if the setback from the building requires parking away from the road.

**Piercy** stated the parking would start at 15 feet from the road.

**David Black** moved to pass forward Chapter 17.44 to the Board of County Commissioners as written with corrections with a recommendation of approval. **Grant Clark** seconded and the motion carried with 5/0 poll of the board.

**Chair** opened the hearing to deliberation and discussion to 17.48.

**Black** stated there was a comment stating there is not sufficient land available.

**Rick Daugherty** moved to pass forward Chapter 17.48 to the Board of County Commissioners as written with a recommendation of approval. **Kim Green** seconded and the motion carried with 5/0 poll of the board.

**Chair** opened the hearing to deliberation and discussion of 17.52.

**Black** stated there was a comment stating there is not sufficient land available.

**Fuller** stated this might be updated with uses permitted in the future as new technology comes in.

**Daugherty** stated maybe including some kind of fuel.

**Fuller** stated we should be able to have new technologies in this zone when they become available.

**Black** stated we could include a statement like similar manufacturing.

**Piercy** stated we have a statement in the light industrial zone that could be carried over.

**Black** asked to carry that over.

**Piercy** stated yes.

**Larry Fuller** moved to pass forward Chapter 17.52 to the Board of County Commissioners as written with corrections with a recommendation of approval. **Kim Green** seconded and the motion carried with 5/0 poll of the board.

**Chair** opened the hearing to deliberation and discussion of 17.56.

**Black** stated this was already discussed to leave as Forest and Range zone and on page 83 bed and breakfast is in two times.

**Green** asked if Forest and Range zone is 20 acres so does page 32 contradict that.

**Piercy** stated the testimony you heard was confusing the old code with new code.

**Daugherty** asked about the farm labor shelters being allowed.

**Piercy** stated the interpretation would be you need four lots for a conforming use, you could plat through a cluster plat process to get to that point.

**Daugherty** stated this is a backdoor way to get in.

**Clark** stated as long as they met all the applicable building and platting requirements they would not have to be removed.

**Daugherty** stated he would like to have the language tighter.

**Clark** stated how about adding meet the applicable requirements or be removed to the end of the sentence.

**Rick Daugherty moved to pass forward Chapter 17.56 to the Board of County Commissioners as written with corrections with a recommendation of approval. Kim Green seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.57.**

**Fuller** stated he had a comment regarding changing the setback to 200 feet.

**Piercy** stated the intent is to have a 400 foot buffer, 200 feet on each side.

**Clark** asked if this is a unique situation that affects what you can do with your property.

**Piercy** stated you would have a short lot but there is a process in the code to take it to the next level which would be a variance.

**Fuller** asked if mining is allowed in this zone.

**Piercy** stated mining is an allowed use in the commercial forest zone.

**Rick Daugherty moved to pass forward Chapter 17.57 to the Board of County Commissioners as written with a recommendation of approval. Kim Green seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.58.**

**Daugherty** stated the only thing he has is regarding the airport.

**Fuller** stated most of this pertains to the Ellensburg area.

**Piercy** stated the original code was for the Ellensburg airport and we need to include the other airports that have public use.

**Fuller** stated turning approach and setback would be the same for all the airports.

**Piercy** stated this would lead to the airport overlay zones for each of the public use airports.

**Fuller** stated his concern with the densities surrounding the turning approach being the same for each airport.

**Piercy** stated the criteria would be specific for each airport.

**Daugherty** asked who is going to do the Easton overlay.

**Piercy** stated we will be working directly with the state and committees from each airport.

**Kim Green moved to pass forward Chapter 17.58 to the Board of County Commissioners as written with corrections with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.59.**

**Black** stated we had some testimony stating we might want to add a mining overlay designation to existing land use maps.

**Piercy** stated there was a process through the comp plan for the district but is not specifically shown in the maps and if you want to include it in the maps you would have to go through a comp plan amendment.

**Daugherty** asked when we could do that.

**Piercy** stated this year as part of the annual review.

**Daugherty** asked if cluster plats are allowed.

**Black** stated no.

**Daugherty** stated strike the cluster plats.

**Kim Green moved to pass forward Chapter 17.59 to the Board of County Commissioners as written with corrections with a recommendation of approval. Larry Fuller seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.60A.**

**Black** stated we had some testimony regarding extending the expiration to 5 years and the extension to 10 years.

**Piercy** stated we would have to go back before the board to ask for an extension.

**Rick Daugherty moved to pass forward Chapter 17.60A to the Board of County Commissioners as written with corrections with a recommendation of approval. Kim Green seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.60B.**

**Daugherty** asked if administrative uses should be conditional.

**Piercy** stated it should read administrative uses.

**Black** asked about the fees being returnable

**Piercy** stated there was some confusion about what is returnable.

**Black** stated only the SEPA appeal fees would be partially refundable if the application is withdrawn and only the money that has not been spent is refundable.

**Daugherty** asked if we were going to change the permit expiration.

**Piercy** stated the only administrative use in the code is ADU and do you really want to extend this to 5 years.

**David Black moved to pass forward Chapter 17.60B to the Board of County Commissioners as written with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.61.**

**Piercy** stated we have changed Forest and Range back throughout the code.

**Black** asked if any comments or changes and additions.

**Grant Clark moved to pass forward Chapter 17.61 to the Board of County Commissioners as written with corrections with a recommendation of approval. Kim Green seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.61A.**

**Black** stated we had considerable testimony about this issue, and asked for clarification.

**Piercy** stated this would expedite the process of locating the wind farms and under the current process anything outside of this area would have to go through a public process and we are trying to identify the locations up front to allow that process to move more quickly.

**Daugherty** asked if the revenue would benefit all the schools.

**Piercy** stated this would have to be clarified with the Assessor's office and this is an issue outside of the code.

**Black** asked if we could have the information from the Assessor's office by the Findings of Fact.

**Piercy** stated this is the same issue as light industrial located in the city and the city gets the benefits.

**Black** stated there was testimony to broaden this group to follow the utility corridor.

**Fuller** stated he objects to stopping someone to put one that meets all the requirements in an area they choose.

**Piercy** stated there is no restriction within the code to prevent individual project as long as they are less than 100 feet.

**Black** stated this speeds up the process.

**Daugherty** stated he would like to see that all the schools benefit.

**Piercy** stated there was some testimony to add language to #1 stating except as noted in 17.61A.035.

**Rick Daugherty moved to pass forward Chapter 17.61A to the Board of County Commissioners as written with corrections with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.62.**

to discussion.

**Larry Fuller moved to pass forward Chapter 17.62 to the Board of County Commissioners as written with a recommendation of approval. Rick Daugherty seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.65.**

**Black** stated that was repealed.

**Valencia** stated that was part of ordinance 2005-35.

**Chair opened the hearing to deliberation and discussion of 17.72.**

No discussion.

**Rick Daugherty moved to pass forward Chapter 17.72 to the Board of County Commissioners as written with a recommendation of approval. Kim Green seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.74.**

**Green** stated she has a note to include the changes of crop changes and include the right to farm.

**Fuller** asked to have bee keeping added.

**Piercy** stated our definition all ready includes the agriculture uses and we will add bee keeping.

**Larry Fuller moved to pass forward Chapter 17.74 to the Board of County Commissioners as written with corrections with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.80.**

**Green** stated she had a comment about changing the expiration from 1 year to at least 2 years.

**Black** asked what years would you like.

**Green** stated 3 would be good.

**Kim Green moved to pass forward Chapter 17.80 to the Board of County Commissioners as written with corrections with a recommendation of approval. Larry Fuller seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.84.**

No discussion.

**Rick Daugherty moved to pass forward Chapter 17.84 to the Board of County Commissioners as written with a recommendation of approval. Larry Fuller seconded and the motion carried with 5/0 poll of the board.**

**Chair opened the hearing to deliberation and discussion of 17.92.**

**Green** stated no public comments were received.



**Daugherty** asked if this is where we wanted the list of names for LLC's.

**Black** stated no that was done last night.

**Rick Daugherty** moved to pass forward Chapter 17.92 to the Board of County Commissioners as written with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.

**Chair** opened the hearing to deliberation and discussion of 17.96.

No discussion.

**Larry fuller** moved to pass forward Chapter 17.96 to the Board of County Commissioners as written with a recommendation of approval. Grant Clark seconded and the motion carried with 5/0 poll of the board.

**Chair** opened the hearing to deliberation and discussion of 17.98.

**Green** asked if we are going to have rezones one time a year is this applicable under #6.

**Piercy** stated there is a possibility for rezones and if they are non-project actions would be heard as part of the Comp Plan cycle.

**Daugherty** asked if # 6 should include the language of non-project actions.

**Clark** stated he likes that addition.

**Grant Clark** moved to pass forward Chapter 17.98 to the Board of County Commissioners as written with corrections with a recommendation of approval. Rick Daugherty seconded and the motion carried with 5/0 poll of the board.

**Piercy** stated there is a request for clarification on 17.74.020; definitions of agricultural activities, you will want to add language consistent with the legislation.

**Rick Daugherty** moved to amend Chapter 17.74.020. Kim Green seconded and the motion carried with a 5/0 poll of the board.

**Piercy** stated he would like to board to add Chapter 17.38, fully contained communities to the code and submitted into the record **Exhibit A**.

**Daugherty** asked about not hearing public testimony.

**Piercy** stated there was testimony entered into the record

**Kim Green** moved to add Chapter 17.38, Fuller Contained Communities to the code. Grant Clark seconded and the motion carried with a 5/0 poll of the board.

**Black** asked if anyone had questions regarding Chapter 17.

**Fuller** stated his concerns with the one time splits.

**Black** stated we decided the Agriculture Advisory Committee would have recommendations and we will go through this again later this year.

**Piercy** stated he would like to commend the Planning Commission on getting through Chapter 17.

**Chair** opened the hearing to deliberation and discussion of 16.09.

**Piercy** stated the real change would be that the cluster platting with bonus density would not be allowed in the 3 acre zone.

**Black** stated we have had testimony everywhere from throw it out to leave it like it is.

**Clark** stated he does not have problem with it if you start with the larger parcels.

**Fuller** would like to see it restricted to the urban growth area.

**Daugherty** asked if they would be able to rezone down to five.

**Fuller** stated that would restrict.

**Daugherty** stated we would get a lot of rezones down to five acres and would like to eliminate the Forest and Range 20 from being able to cluster plat.

**Fuller** stated this includes areas for recreation.

**Piercy** stated the cluster subdivision code is reviewable yearly and adjust changes that need to be made and look at it later this year.

**Black** asked when this would be seen again.

**Piercy** stated near the end of summer.

**Clark** stated if we are going to view in a few months why amend the 3 acre zones.

**Daugherty** asked if the recommendation is to wait until the next review.

**Fuller** stated we have already eliminated the cluster platting in 3 acre zones.

**Piercy** stated now the proposal is not to allow bonus densities with a cluster plat and asked do we want to exclude the bonus densities from the cluster code in the 3 acre zone.

**Fuller** stated he is not in favor.

**Green** asked if on page 5 the Forest Service documentation should be taken out.

**Daugherty** asked if we can include something that like this has been submitted to these agencies.

**Piercy** stated we are having issues with this currently.

**Black** stated we have had testimony about giving to many points and would like to review this at the next review.

**Rick Daugherty moved to pass forward Chapter 16.09 to the Board of County Commissioners as written with a recommendation of approval. Kim Green seconded and the motion carried with 4/1 poll of the board with Grant Clark voting against.**

**The Chair opened the hearing to deliberation and discussion of 17.99.**

**Piercy suggested to move this forward with no recommendation.**

**Black stated he is not ready to endorse this yet.**

**Rick Daugherty moved to pass forward Chapter 17.99 to the Board of County Commissioners as written with no recommendation. Larry Fuller seconded and the motion carried with 5/0 poll of the board.**

**Kim Green moved to continue the Findings of Fact to May 31, 2007 at 5:00 p.m. in the Commissioner's Auditorium. Larry Fuller seconded and the motion carried with a 5/0 poll of the board.**

**B. Teanaway Ridge and Sinclair Rezone (Z-06-57)**

**The Chair opened the hearing to Board approval of Findings of Fact.**

No discussion.

**Grant Clark moved to approve the Findings of Fact as written. Kim Green seconded and the motion carried with a 4/0/1 poll of the board with Rick Daugherty abstaining.**

**III. New Business.**

**Jurnbull stated we received a request from the applicants of the McMechan and Tacoma Motorcycle Club rezones to continue them to the June 12, 2007 meeting because they didn't know how long the hearings would go tonight.**

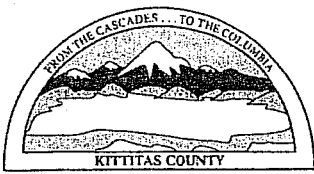
**Kim Green moved to continue the McMechan Rezone (Z-06-50) and Tacoma Motorcycle Club Rezone (Z-07-01) to June 12, 2007. Rick Daugherty seconded and the motion carried with a 5/0 poll of the board.**

The Planning Commission meeting was adjourned at 8:30 p.m.

The next regularly scheduled meeting is June 12, 2007 at 6:30 p.m.

---

Trudie Pettit, Planning Commission Clerk



## PLANNING COMMISSION FINDINGS OF FACT

### Kittitas County Development Code Update

**The Planning Commission submits the following, findings of fact, conclusions at law and recommendations to the Kittitas County Board of County Commissioners related to the Kittitas County Development Code Update:**

1. The Planning Commission finds that on December 11, 2006, the Kittitas County Board of County Commissioners signed Ordinance 2006-63 adopting the 2006 Amendments to the Kittitas County Comprehensive Plan and 2006 Update to the Kittitas County Comprehensive Plan. As part of the process, Kittitas County is required to review the Development Regulations in order to implement and ensure consistency with the goals, polices and objectives identified in the Kittitas County Comprehensive Plan.
2. The Planning Commission finds that a legal notice was issued on April 11, 2007 and published on April 13 and 20, 2007 in the Daily Record and April 19 and 26, 2007 in the Northern Kittitas County Tribune, and display ads were published on April 16, 18, 19, 21, and 26 advertising the May 1, 2, and 3<sup>rd</sup> Planning Commission Hearings. This notice was published in the official county paper of record and the Northern Kittitas County Tribune.
3. The Planning Commission finds that written comments were solicited and the final date to submit written comments was on May 7, 2007 by 12:00pm. Comments were received and were included as part of the record.
4. The Planning Commission finds that Community Open Houses for the Development Code were held in locations in the county. Lower county open houses were held on April 16<sup>th</sup> and 17<sup>th</sup>, 2007 in Ellensburg, and an Upper County Open House was held on April 26, 2007 in Cle Elum.
5. The Planning Commission finds that public hearings were held on May 1, 2, and 3, 2007. Notice of said public hearing was published in the Daily Record and Northern Kittitas County Tribune as required by State Statute and County Code. Testimony was taken from those persons present at said hearing that wished to be heard and the necessary inquiry has been made into the public interest.
6. The Planning Commission finds that a continued hearing where the record was closed was held on May 21 and May 22, 2007 for Planning Commission deliberation and decision.
7. The Planning Commission finds that a continued hearing where the record was closed was held on May 31, 2007 to consider Planning Commission Findings.

---

DARRYL PIERCY, DIRECTOR

ALISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

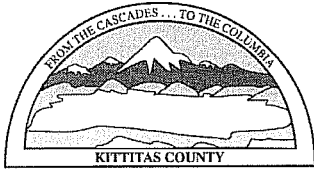
8. The Planning Commission forwards to the Board of County Commissioners their recommendations for the Kittitas County Development Code Update as follows and as attached hereto and incorporated:
- a. ***Kittitas County Code Chapter 14.08, Flood Damage Prevention***
    - i. The Planning Commission forwards their recommendation of approval as attached with a vote of 5-0 (with 2 members absent).
  - b. ***Kittitas County Code Title 15A, Project Permit Application Process***
    - i. The Planning Commission forwards their recommendation of approval as attached with a vote of 5-0 (with 2 members absent).
  - c. ***Kittitas County Code Title 17B, Forest Practices***
    - i. The Planning Commission forwards their recommendation of approval as attached with a vote of 5-0 (with 2 members absent).
  - d. ***Kittitas County Code Title 17, Zoning***
    - i. The Planning Commission forwards their recommendation of approval of Chapters 17.29 and 17.31 with a vote of 4-1 (with 2 members absent), recognizing the formation of the Agriculture Land Use Committee and the opportunity to revisit the chapter per the findings of the committee.
    - ii. The Planning Commission forwards their recommendation of approval of Chapter 17.59 with a vote of 5-0 (with 2 members absent), recognizing the 2005 Comprehensive Plan docket for the Historic Mining Overlay.
    - iii. The Planning Commission forwards their recommendation of approval of the rest of the Chapters of Title 17 with a vote of 5-0 (with 2 members absent).
    - iv. The Planning Commission forwards their recommendation of approval for the entire Title 17 as attached with a vote of 5-0 (with 2 members absent).
  - e. ***Kittitas County Code Chapter 16.09, Performance Based Cluster Platting***
    - i. The Planning Commission accepts the proposed draft as written and recognizes the next review period available for Chapter 16.09 per Kittitas County Code 16.09.010 allowing for a yearly review of the Performance Based Cluster Platting chapter.
    - ii. The Planning Commission forwards their recommendation of approval as attached with a vote of 5-0 (with 2 members absent).
  - f. ***Kittitas County Chapter 17.99, Design Standards***
    - i. The Planning Commission forwards no recommendation per the attached with a vote of 5-0 (with 2 members absent).

 for David Black

David Black, Chairman, Kittitas County Planning Commission

6/1/07

Date



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

**Exhibit #7:** 2 Binders with the Kittitas County Development Code Update (submitted by CDS) are available for review at the Community Development Services Office, 411 N Ruby St. Suite 2, Ellensburg, WA 98926 or at the Commissioners' Office, Kittitas County Courthouse #108, Ellensburg, WA 98926

---

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION