

**COMMUNITY DEVELOPMENT SERVICES
STUDY SESSION
MINUTES**

DATE: October 22, 2007

COMMISSIONERS PRESENT: Chairman Alan Crankovich, David Bowen

CDS STAFF PRESENT: Director Darryl Piercy, Assistant Director Allison Kimball, Clerk Desi Stewart

OTHERS PRESENT: Noah Goodrich, Chad Bala, Brandon Drexler, Greg Zempel, Neil Caulkins, Pat Deneen, Catherine Dunn

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| TOPIC: | <ol style="list-style-type: none"> 1. Dog Ordinance 2. DOE Construction Storm water Permits 3. Request for BOCC Special Meeting/ Flood Damage Prevention Code Update 4. Kittitas County Fire and Rescue Inter-local Agreement 5. Grant from Cted 6. Executive Session |
| DISCUSSION: | <ol style="list-style-type: none"> 1. Stephanie Happhold presented a draft ordinance. Bowen stated that he did not want a full ordinance without input from the Sherriff. Zemple stated that when it comes to dog bites and how they are handled, having a County Ordinance is easier than just having a State Statute. Bowen stated that there would have to be buy in from the Sherriff's office before they made a decision to have a full ordinance. Bowen asked for Zemple to put together information to pass to the Sherriff's office. Crankovich stated there needs to be the facilities in place before enforcing this type of ordinance. Piercy asked how the new tax law that includes funds for animal control would tie into this. Crankovich stated that the County would not pay for a full fledged Humane Society with no-kill policies. Bowen stated that the money would be used to assist a facility with additional funds. 2. Piercy distributed a hand out . Piercy stated that it is the responsibility of the local agency issue storm water permits. Caulkins stated that the County would be the SEPA lead if we had a permit involved in the development. Piercy stated that there are two options. We could determine how much land would be disturbed within an application and send it to DOE for review or DOE would determine how many acres per application and if there was a Storm water permit needed. A Storm water permit is needed if you disturb more than one acre of land when you build including all driveways, turnarounds, etcetera. Piercy stated that in the future there will need to be a SEPA review done before issuing a permit and that will become a Public Works function. At that point the County will have to plan on hiring an engineer to review the plans. |

Bowen asked who the Yakima contact is. Deneen stated that he has worked with Corey Hickman and also with Brian and Derrick. Deneen stated that he has Storm water permits on all of his property because he feared the fine. Deneen stated that is a very complicated process to obtain these permits because of the lack of participation or help from the DOE. Deneen stated that an acre is a small area and any home that is being built will more than likely require this type of permit. Piercy stated that the developers will be aware that the storm water permit is required but it is the individual homeowner that is not aware of the requirement or the fine that is the concern. Drexler stated that the phase II threshold does not apply to Kittitas County at this time. Piercy stated that is correct. Caulkins stated that the County may be able to get out of the responsibility of being the SEPA lead agency. Deneen stated that drafting a plan for a Storm water permit is very difficult as is reviewing one. Deneen stated that the County should stay away from the responsibility if possible.

3. Piercy requested that the BOCC have a special meeting to change the Flood Damage Prevention Code. Piercy stated the code now does not allow for variance. The RCW states that a County can always allow more but not less. The Growth Hearings Board said they must amend this code to come into compliance. Bowen asked for a copy of the letter that states the County must change the code. Piercy stated that this situation has come to their attention because of a man trying to get a variance to develop a camp area on the Yakima River. Crankovich stated that it would need to be scheduled near the end of November. Piercy stated he would schedule that meeting.
4. Piercy stated the current Fire Marshal has accepted a different position. We need to cover the responsibilities of the position until it is filled. Piercy stated that in the interim they need to look at an inter-local agreement to let other investigators go beyond their boundaries. Bowen stated that a certain level of expertise needs to be required when the job is posted. Piercy stated that more experience for this position will be required. Crankovich stated they do not want to take a step backwards in order to fill the position. Piercy stated that the RCW states that a Fire Marshal shall provide assistance if asked by a County. Brenda Larsen will stay on as a citizen to assist in the completion of the County Wide Fire Protection Plan.
5. Piercy stated that CTED may have a grant that is suitable for Kittitas County. The grant is for \$10,000 and would be granted to counties that are not in compliance. There are two options for our County to come into compliance with the Growth Nodes issue. We can change all Urban Growth Nodes back to rural zoning, then go through the process of Sub Area Planning and determine if the area is a LAMIRD and where the boundaries are or change the area to LAMIRD and determine where the boundary lies. The County would need to hire a consultant with the grant money. Piercy stated that he would be able to accomplish this under the \$10,000 budget. Piercy stated that CTED agrees with the tactics of the County to come into compliance. Bowen stated that we should go after the grant but he is still skeptical of the outcome. Bowen asked if we would then be in compliance. Piercy stated that this would be a step in

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| | <p>the process that would bring us into compliance. Doing this would provide credible analysis. Bowen asked if there are ways to change the boundaries of a LAMIRD once they have been determined. Piercy stated that no, when a LAMIRD boundary is set that is the way they stay. Deneen asked if the rules set in 1990 could be adjusted due to the development over the last 10 years. Piercy stated that all of the development that has occurred is vested. Deneen stated he is concerned that he has extended water and sewer past the boundaries set in 1996. Piercy stated that the boundaries would be determined in the planning process not in the compliance process. Bowen stated that the bottom line is we have to come into compliance. Piercy stated that we have the option to change everything back to rural and revisit different options for land use. Doing this would bring the County into compliance. The grant money would be used to determine the boundaries for LAMIRDs. Deneen stated that he would send Piercy the document that talks about options for LAMIRDs.</p> |
| <p>ACTION:</p> | <ol style="list-style-type: none"> 1. BOCC requested additional information to pass to the Sherriff's office. 2. BOCC requested additional information from Piercy. 3. Piercy will set a date to meet. 4. BOCC said to move forward. 5. BOCC said to move forward and Piercy to provide information. |