COMMUNITY DEVELOPMENT SERVICES
STUDY SESSION
MINUTES

DATE: **August 25 , 2008**

COMMISSIONERS PRESENT: **Chairman Mark McClain, Vice Chairman Alan Crankovich and Commissioner Linda Huber**

CDS STAFF PRESENT: **Director Darryl Piercy, Administrative Assistant Mandy Weed and Office Assistant Becca Sandnes**

OTHERS PRESENT: **Jill Arrango, Skip Swenson, Noah Goodrich, Chad Bala, Lindsey Ozbalt, Pat Deneen, Jeff Slothower, Art Solbakken, Kirk Holmes, Neil Caulkins, Brent Bottoms, Jan Ollivier, Christina Wollman, Doug D'Hondt, Rick Holmstrom, Matt Morton, Michael Carpenter**

TOPIC:	1. Continued from 8/19/08 BOCC Agenda: Short Plat Appeals discussion 2. Winston Bridge: Suncadia Request 3. TDR Program: CLC Update 4. Park Models: Discussion 5. Request regarding SSB-6609: Discussion 6. City of Cle Elum annexations: Discussion 7. Other: Request for qualifications
DISCUSSION:	1. Piercy stated the purpose of the 8/19/08 agenda item was to set dates for two appeal hearings for Durkan Short Plat and J Thomas Short Plat, because of denial by Community Development Services. CDS staff originally thought the lots were Ag 20 and would not meet lot size requirements as identified in building code. Upon review of reasons for denial, CDS staff determined there was an error in the GIS layering regarding the zoning and the lots were actually in 3 acre zoning. Piercy stated the denial of the Short Plats has been reversed administratively and review of plats is expedited because of the length of time to clarify the denial. Piercy stated both applicants have written letters (see handouts) withdrawing the appeal, therefore it is not necessary to set dates for appeal. Commissioner McClain questioned if the applicant knew that it was Ag 3 but CDS stated it was Ag 20, why did this get so far. Piercy stated both were represented by a surveyor. Upon initial review of applications indicated they were not in the zones that were indicated because of the misinformation in the GIS layer. With correction, CDS is in agreement with applicant that the zoning is appropriate for the lot sizes proposed. Commissioner McClain asked if the surveyor questioned the zoning before it got to the appeal stage. Piercy stated that they did so CDS rechecked the GIS layer which came back Ag 20 and errors are rarely found in GIS layer. After the appeals were filed, some information was identified leading CDS to believe the properties were appropriately rezoned but the rezone was not mapped properly. CDS researched the errors and were able to correct the map. Piercy stated that CDS has gone through all ordinances affecting zone changes since 1990 to insure all

ordinances were appropriately mapped. Piercy stated CDS found a number of errors, have updated records and are confident the data of all rezones since 1990 are in the system and are accurate. Commissioner Huber questioned if the surveyor realized CDS error. Piercy stated that the surveyors had a recollection of the rezone and that their maps had been updated. CDS could not identify why surveyor maps had been updated but CDS records were not updated. Piercy reinstated that all ordinances since 1990 had been researched and all errors had been corrected. Commissioner Crankovich stated that both applicants requested a refund for the appeal. Piercy stated that we do not refund appeal fees because of staff effort. He also stated that the applicant is not at fault because of inaccurate information and should not be penalized and would recommend to the board that the fees be refunded. Commissioner McClain asked what the challenges to refunding the money are. Piercy stated the denial would not have been made and an appeal would not have been filed if the information would have been correct. He stated that there is a process in the county to refund application fees but questioned if this a precedent you want to set and lower the parameters. Piercy stated that in his history here, they have never refunded an application fee as it is specifically stated in the code that we do not. Commissioner Crankovich agreed with the exception the mistake was on our side. Commissioner McClain asked for a motion. Commissioner Crankovich moved to refund the $500 appeal fees since the mistake was on our side. Commissioner Huber second the motion. Commissioner Crankovich reinstated that this was clearly our mistake and he did not want to set a precedent.

2. Piercy stated that we have been working with Suncadia for years on the development of the Winston Bridge. He stated that as a precursor, we developed a safety plan providing a second access into Tumblecreek. Piercy stated that there have been a number of issues resulting in a number of delays. Piercy stated that we have finalized most of the general arrangements in regards to easement and those issues have been settled. He also stated that we have yet to go through environmental review, final bridge design and actual construction. Piercy stated that the point of the letter (See handout) is to bring to the Commissioners' attention that it will be a matter to be brought forth in a future agenda session for formal action. Piercy also stated that there a number of factors involved, the additional delay is not going to affect emergency vehicles access, safety code or homes in the area. He also stated that the Jenkins Drive plan (see handouts) is in place and seems to be working very well. Piercy stated that there Suncadia representatives here to expand on the reasons of the delays. Piercy stated that the general request is to delay the bridge construction an additional two years. Steve Lathrop stated that the forest service is about half way through with its legal review because the bridge is being construction on forest service land. Lathrop stated they would like to target having their agreements in place with the County by the end of this year. Lathrop stated that the first quarter of 2009 would be the time to get through with the forest service and that would allow for completion of engineering late next year and timing this with the various requirements for work around the Cle Elum River. Lathrop stated that

there is a fair amount of work to be done within the county. One being Public Work giving Suncadia the maintenance schedule. The Commissioners preliminarily determined Suncadia would make a maintenance contribution but the County would maintain the road. Commissioner McClain stated that he didn't remember getting to that point but he did remember the discussion. McClain thought there was still some discussion left to determine if the County was willing to take this on. Lathrop stated that they thought they had passed that but until something is documented, anything can happen. Commissioner McClain asked to be brought up to speed on the deposit. Lathrop stated if this bridge were to not be built, a second access has been preliminarily approved on Jenkins Drive to reconstruct road to appropriate standards and will stay in place until the Winston Bridge is open. ?? stated that if it sounds like nothing is happening, something is happening every day. Piercy stated that we plan on bringing this to the BOCC September 16 Public Meeting at which time you can consider the amendment to the safety plan which can provide for the extension. Holmes questioned if there an action item that Public Works is supposed to be undertaking. Piercy stated before it is brought forward, we want to make sure Public Works is involved.

3. Piercy stated we are under contract with the Cascade Land Conservatory to develop a draft TDR program. The draft has been provided by Cascade Land Conservatory and a copy had been provided to Commissioners and staff. The draft has been reviewed internally and discussed with the Commissioners the elements of the TDR program proposed. Piercy stated that we believe we are ready to move forward to present the document to the public for their review and consideration and comments. Piercy stated that we would like to schedule public open houses and formal public hearings before the Planning Commission over the course of the next several months, specifically September and October. Piercy also stated following the schedule of the comp plan amendment cycle, we would like to bring this forward to the BOCC in November or December so public hearings can be conducted in regards to the proposed change of ordinance. Piercy stated that we would like to seek authorization to release the document to the public and begin the process for public review, comments and formal public hearings to move this project forward. Commissioner Crankovich motioned to move forward, Commissioner Huber second that motion. Piercy stated that as information comes available, we will forward comments to the Board and keep them updated. Commissioner McClain stated that he thinks it would helpful to forward all comments on to CLC. Piercy stated that as our contractor, they will be actively involved.
4. Piercy stated that we are getting a rash of inquiries regarding recreational vehicles, mobile homes and manufactured homes (see handout). We are seeing illegal placings of models known as Park Models. Park models are sold with all sorts of amenities which might lead you to believe they are single family residences. Piercy stated that under our code, they are not. Park models are licensed as recreational vehicles and licensed by the Department of Labor and Industries. Manufactured homes are built under HUD standards and under code, are considered residential but

recreational vehicles have significant limitations in terms on how you can use them as a residential structure. Piercy stated recreational vehicles can be used as temporary residences during construction in certain zones, be left on property for a period of time for weekend use or other recreational uses but they are not intended for primary residence or to be hooked up to utilities. Park models are being marketed as residential structures so people are purchasing them are assuming they can be residences. Piercy stated that our Code Enforcement Officer has been actively busy in terms of having to deal with these. Piercy stated that we have been told there is a dealership in Idaho making the price very attractive; therefore we are seeing a lot of inquiries and illegal placings. Piercy stated that it was apparent that one of our enforcement actions would be brought to the attention of the Board and we want to be proactive and bring the issues to the attention of the Board. Piercy stated there are two ways to deal with this. One being to continue our Code Enforcement or look at our code to see if we need to make modifications to allow for limited use. The second not being the direction he would like to make. Commissioner McClain questioned if they were equipped to handle snow loads, Piercy stated that they were not so if they were placed in Upper County, they would eventually collapse. Commissioner Crankovich stated he would like to see if we could use them short term, if we don't allow them completely we'll have a rash in code enforcement or people claiming they didn't know. Piercy stated you use them as you would any other recreational vehicle. In certain zones, up to 30 days or up to 1 year while constructing. Commissioner Huber questioned how our code enforcement is coming across these cases. Piercy stated most cases are because of complaints. Commissioner McClain stated from his perspective, our code already deals with this issue. Piercy stated that it does fairly effectively but because of the influx of inquiries, we want to bring it to your attention to let you know we are enforcing the code. Commissioner Crankovich questioned if migrant housing been brought up in regards to the trailers. Piercy stated that it had not but the heavy equipment operating school wanted to bring in surplus FEMA trailers to use as student housing but it was indicated to them it was prohibited under code. Piercy stated that there are Park Models that can meet HUD standards and are licensed and inspected differently. Those models are acceptable which causes some confusion because of similar product with the same name but built to different standards. Commissioner Huber questioned if there is anything we could do proactively. Piercy stated that we could get a message out to the news media to let them know. Most issues are coming from outside the area so it is a statewide education that needs to occur. Commissioner Huber suggested letting the local realtors know also.

5. Piercy stated that the Substitute Senate Bill 6609 states that counties will charge no more than $75 for building permits if it is associated with accessory agricultural uses, as long as it is not residential. Piercy stated we had issued about 70 permits so far this year at a total of about $65,000. If we charged $75.00 cap, our fees would total only $5,000. Piercy stated it would impact our County by about $60,000 if the bill were passed. Piercy stated that we have not yet responded as we wanted

	to make sure we responded in a manner the Commissioners felt appropriate for Kittitas County. Piercy questioned if we respond, do we identify the total amount of permits and the dollar value that would apply to us or do we go into additional detail. Piercy also stated at the $75 cap, it would not cover our costs. Commissioner McClain suggested to share the facts with legislative. Commissioners Huber and Crankovich agreed. 6. Piercy stated that Matt Morton is here to address the board concerning City of Cle Elum annexations. Matt Morton cam to see if the Board had any questions. He stated that he would have any further discussions regarding annexations with CDS. Commissioner Huber asked for more information as this was the first she had heard of this. 7. Piercy stated he would like to add an item to the agenda regarding the request for qualifications. Michael Carpenter, director of Facilities Maintenance, stated he had a request for qualifications for architectural services for the County's new administrative building he would like to move forward on (see handout). Commissioner McClain asked if it had been reviewed by legal which Carpenter replied it had. Commissioner Crankovich moved and Commissioner Huber second to approve the review of qualifications for the County administrative building.
ACTION:	1. BOCC gave approval to refund $500 appeal fees for J Thomas Short Plat and Durkan Short Plat 2. None 3. BOCC gave approval to release the TDR program to the public. 4. None 5. Piercy will share facts with legislative concerning how SSB-6609 will directly affect Kittitas County. 6. None 7. Commissioners moved to approve the review of qualifications for the County Administrative Building.