

Responses to Comments November 2009

Prepared by ICF Jones & Stokes

Introduction

Correspondence and verbal testimony that is not otherwise included with the Public Workshop summaries is provided in this document, and listed in Table 1. Responses to Comments appear in the same order below.

Table 1. List of Commenters

| Number and Name of Commenter | Date | Study Area |
|---|--|---|
| 1. Rod Dembowski | September 22, 2009 | Snoqualmie Pass |
| 2. Kent Scudder | October 6, 2009 | Snoqualmie Pass |
| 3. David Dembowski | October 21, 2009 | Snoqualmie Pass |
| 4. Michael L. Darland | October 6, 2009 | Snoqualmie Pass |
| 5. Shane and Wendy Manion | October 15, 2009 | Snoqualmie Pass |
| 6. Eric Bosworth | Undated | Easton |
| 7. Lana Kurilova Rich PLLC | October 5, 2009 | Easton |
| 8. Ray Siderits | Submitted at Joint Meeting October 6, 2009; undated and unsigned | Easton |
| 9. Bonnie Trim | October 8, 2009 | Easton |
| 10. Nancy Beveridge | October 15, 2009 | Easton |
| 11. James Boyle | Undated | Ronald |
| 12. Jean Carr, Shea Carr Jewell | October 8, 2009 | Thorp |
| 13. Paula Thompson and Jan Sharar, Kittitas County Conservation Coalition Doug Kilgore, RIDGE Tim Trohimovich, Futurewise | October 12, 2009 | Snoqualmie Pass, Easton, Ronald, Thorp, Vantage, Kittitas, Resource Lands and other Countywide issues |
| 14. Rod Dembowski | November 5, 2009 – verbal testimony | Snoqualmie Pass |
| 15. Jan Sharar | November 5, 2009 – verbal testimony | Ronald |
| 16. Roger Weaver | November 5, 2009 – verbal testimony | Thorp |
| 17. Jim Boyle | November 5, 2009 – verbal testimony | Ronald |
| 18. Dick and Adrienne Fields | November 5, 2009 – verbal testimony | Thorp |
| 19. Paula Thompson | November 5, 2009 – verbal testimony | Thorp |
| 20. Randy Shannon | November 5, 2009 – verbal testimony | Thorp |
| 21. Craig George | November 5, 2009 – verbal testimony | Thorp |
| 22. Roger Olsen | November 5, 2009 – verbal testimony | Thorp |

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| Number and Name of Commenter | Date | Study Area |
|--|-------------------------------------|--|
| 23. Marge Brandsrud | November 5, 2009 – verbal testimony | General |
| 24. Chad Bala | November 5, 2009 – verbal testimony | Ronald |
| 25. Catherine Clerf | November 5, 2009 – verbal testimony | Thorp, Ronald, Snoqualmie Pass, City of Kittitas |
| 26. Ray Siderits | November 5, 2009 – verbal testimony | Easton |
| 27. Ken Jacobsen | November 5, 2009 – verbal testimony | Vantage |
| 28. Bryan Stockdale | November 5, 2009 – verbal testimony | Vantage |
| 29. Joyce Stockdale Palelek | November 5, 2009 – verbal testimony | Vantage |
| 30. Chad Rupert | November 5, 2009 – verbal testimony | Ronald |
| 31. Tanner Dotzaver | November 5, 2009 – verbal testimony | Thorp |
| 32. Rick Repin | November 5, 2009 – verbal testimony | Ronald |
| 33. Dennis Fry | November 5, 2009 – verbal testimony | Ronald |
| 34. Lisa Parks | November 5, 2009 – verbal testimony | City of Kittitas |
| 35. _____ Fudacz | November 5, 2009 – verbal testimony | Thorp |
| 36. Trevor Kostanich | November 5, 2009 – verbal testimony | Snoqualmie Pass |
| 37. Mike Cameron | November 5, 2009 – verbal testimony | Ronald |
| 38. Deidre Wing | November 5, 2009 – verbal testimony | Snoqualmie Pass, Ronald |
| 39. Jack M_____ | November 5, 2009 – verbal testimony | Thorp |
| 40. Larry Fudacz | November 5, 2009 – verbal testimony | Thorp |
| 41. Chris Cutlip | November 5, 2009 – verbal testimony | Vantage |
| 42. Lois _____ | November 5, 2009 – verbal testimony | Ronald |
| 43. Tracy Rooney | September 4, 2009 | Forest Lands |
| 44. Anne Watanabe | November 5, 2009 | Easton and Ronald |
| 45. Jan Sharar | November 5, 2009 | Ronald |
| 46. James Boyle | November 5, 2009 | Ronald |
| 47. William and Adrienne Fields | November 5, 2009 | Thorp |
| 48. Roger Weaver | November 5, 2009 | Thorp |
| 49. Marge Brandsrud | November 5, 2009 | General |
| 50. Ken Jacobsen | November 5, 2009 | Vantage |
| 51. Bryan Stockdale | November 5, 2009 | Vantage |
| 52. John Mathews | November 6, 2009 | Thorp |
| 53. Lindsey Ozbolt | November 6, 2009 | General |
| 54. Roger Weaver | November 6, 2009 | Thorp |
| 55. Un identified (County staff will confirm source) | November 6, 2009 | Forest and Agriculture Lands |

Responses to Comments Letters 1 through 12

Table 2 presents responses to comments Letters 1 through 12.

Table 2. Responses to Comments Letters 1 through 12

| Name | Summary of Comments | Response |
|-----------------------|---|---|
| 1. Rod Dembowski | Requested copy of node area assessment prior to September workshops. | A link to the report was provided on September 23, 2009. |
| 2. Kent Scudder | Described the various options studied for the Dembowski property, and requested any information on whether residential uses were possible, and the likely designation for the property. | The recommendations show the subject parcel as Commercial Lodging/Forest and Range which allows residential uses. A link to the preliminary staff recommendations was provided. |
| 3. David Dembowski | A summary of a telephone call indicated the various options under study for the Dembowski property, the basis for the staff recommendations, and the upcoming hearing process. | The commenter asked questions about the options which were described in an email response October 26, 2009. |
| 4. Michael L. Darland | <p>The Limited Areas of More Intensive Rural Development (LAMIRD) option for Snoqualmie pass disregards Snoqualmie Pass Utility District planning. The LAMIRD leaves out a significant portion of the SPUD water and sewer district yet property owners have been assessed taxes based on the long-range water and sewer plans. The SPUD is preparing a buildout plan now. There are existing sewer hookups on the SnoCadia property (since 1973) and there is a sewer trunk line and manholes on Coal Creek on the east side of the SnoCadia PUD. Water hook ups and lines were extended and installed in the vicinity in 1987. In 2005, 192 more sewer hookups were granted to the SnoCadia site with Certificates of Availability for 15 years.</p> <p>Transient population estimates should supplement OFM population estimates. There are up to 30,000 persons who visit the pass on weekends.</p> <p>Annual per capita vehicle miles traveled are to be reduced by 2050 – there should be overnight accommodations and services to reduce vehicle miles travelled. The LAMIRD option excludes land planned for accommodations and services without justification.</p> | <p>Several options have been studied for the Pass including LAMIRD, Master Plan Resort, and Urban Growth Area (UGA). County decision-makers will make a policy choice regarding whether the area should be rural, recreational, or an urban area with services.</p> <p>The LAMRID proposal is based on built conditions, both above and below ground, as well as parcel patterns considering potential for infill. LAMIRDs are to be limited and small scale, providing for infill rather than extensive development. The LAMIRD option does not fully recognize the extent of recreational facilities that are in the study area.</p> <p>Staff recommendations are for a Master Planned Resort. The provisions for a Master Planned Resort recognize the existing resort, the recreational nature of the surrounding area, and long-standing subarea plan and approved developments that plan for accommodations and services as well as other recreational uses.</p> <p>The Master Planned Resort option recognizes the seasonal population. As noted in the September 2009 “Assessment of Five County Areas for Land Use Designations”:</p> <p>Temporary visitors to the pass can be substantial. Staff from the Summit-at-Snoqualmie have estimated the following visitors to their facilities:</p> <ul style="list-style-type: none"> ▪ During the core winter season, approximately 15,000 visitors come each day on weekends. About 13,000 are downhill skiers and snowboarders |

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| | | <p>and the other 2,000 are tubers.</p> <ul style="list-style-type: none"> ▪ Additionally, there are those who come to the Pass to snowshoe, sled, or sight-see. A very rough estimate would equal 2,000 to 3,000 on a busy winter day. (pers. com. Dan Brewster, Summit-at-Snoqualmie, September 14, 2009). <p>Master planned resorts can be supported by infrastructure such as sewer and water and may, but are not required to, have a population allocation.</p> <p>The UGA option also includes greater territory based on the SPUD sewer service plans as well as other factors.</p> |
| 5. Shane and Wendy Manion | Would like to see Pass kept as rural as possible. Have lived several decades at Pass and have seen lots of progress. Would like to see it stop. As little as possible. | Several options have been studied for the Pass including LAMIRD, Master Plan Resort, and UGA. County decision-makers will make a policy choice regarding whether the area should be rural, recreational, or an urban area with services. |
| 6. Eric Bosworth | Own parcel #371734, currently zoned General Commercial – should be included in a Type 3 LAMIRD. Parcel is bounded by BNSF and I-90 and is ill-suited for residential. Parcel is subject to noise. Received health department approval for construction of a commercial building. | Revised staff recommendations dated October 26, 2009 restore the commercial land use and zoning to the area. Prior recommendations for residential use and zoning were based on inaccurate Assessor data about present land uses which identified residential and public uses. There are several businesses and the area is located between the railroad and freeway. Thus, retaining commercial land use and zoning classifications is appropriate. |
| 7. Lana Kurilova Rich PLLC | The LAMIRD area boundary around Easton’s historic town center needs to be expanded to include the wedge of land “east” of the town (between I-90 and RR). Ray Siderits property should not be designated R-3, as it is currently zoned and used as commercial property. The property has been in use for commercial storage from 1990. Parcel is bounded by BNSF and I-90 and is subject to noise. | See response to letter 6. |
| 8. Ray Siderits | Seven parcels are currently zoned General Commercial in Easton, and should not be changed to R-3. The parcels are wedged between I-90 and the railroad and noise is significant. Five of the seven properties have rentals. There are existing businesses, two of which started prior to 1990. The parcels have water service, are in the fire district, and are contiguous with the town. Consider designating the historic town a LAMIRD Type 3. | See Response to letter 6. |

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| 9. Bonnie Trim | Keep General Commercial rather than rural. The parcels are between I-90 and the railroad which produce noise. Need services like groceries. | See Response to Letter 6. |
| 10. Nancy Beveridge | Owner of Parcel # 611634 currently zoned General Commercial in Easton, and should not be changed to R-3. | See Response to Letter 6. |
| 11. James Boyle | <p>Reasons for not designating Ronald as a UGA:</p> <p>There is no capital facilities plan in place.</p> <p>The PUDs and plats are served by private water and sewer systems designed for a rural area and are inadequate for urban development.</p> <p>The authorized number of water connections is 419, 65 of which are already in use. In comparison the UGA was found to have capacity of 2,880 persons. The number that can be serviced is 1,048 leaving 1,134 persons without service.</p> <p>The County must demand an adequate performance bond be in place.</p> <p>Countywide planning policies indicate that capital facility planning shall be concurrent, that impact fees should be developed and that the KCCOG shall review the cumulative effect of PUD development when reviewing population allocations. Has anyone determined whether the facilities are truly adequate?</p> | <p>Two options are under review for Ronald – a LAMIRD and an Urban Growth Area (UGA).</p> <p>Capital Facilities Plan. In order to allow for an UGA, a Capital Facilities Plan would need to be prepared. See the October 29, 2009 memo “Kittitas County GMA¹ Compliance – Steps for Capital Facilities Plan.”</p> <p>Water Connections. The Evergreen Valley water system plan dated April 2006 was approved by the Department of Health in February 2008. The plan addresses 520 connections and a population of 1,212 by the year 2025. The Department of Ecology indicates there are 419 approved connections, of which 122 were estimated in place in September. (See page 5-3 of the September 2009 report prepared for this project.) A more recent estimate of existing connections is 175 (Chad Bala, Terra Design Group, November 4, 2009). There are some additional connections available in District #2 for the historic town area (about 35 connections available).</p> <p>For the UGA option, the September 2009 land capacity analysis identified a range of growth of 2,406 to 2,615 in population based on the following assumptions: 1) Urban Residential at 4 units to 6.05 units per acre; 2) the <u>upper</u> end of proposed PUDs that had a range of 96 to 464 dwellings planned; and 3) a household size of 2.57 based on Year 2000 Census information. If one were to use a household size of 2.33 per the water system plan the projected population would be 2,181 to 2,371.</p> <p>If the County limited growth in the UGA as follows, and the household size matched the water plan at 2.33 persons per household, the land capacity would generally match the water and sewer plans:</p> <ul style="list-style-type: none"> ▪ Urban Residential and PUD zoning at 4 units per acre and proposed PUDs at low range of 96 units: New capacity of 451 |

¹ GMA refers to the Growth Management Act.

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| Name | Summary of Comments | Response |
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| | | <p> dwellings and 1,052 population.</p> <ul style="list-style-type: none"> ▪ Urban Residential at 4 units per acre, PUD zoning at 6.05 units per acre and proposed PUDs at low range of 96 units: New capacity of 568 units and 1,324 population. <p>Sewer Plan and Performance Bond. As described in the September 2009 “Assessment of Five County Areas for Land Use Designations,” Evergreen Valley Utilities operates community septic systems that serve portions of the Ronald study area. These systems consist of individually owned and maintained septic tanks that pump wastewater effluent to Evergreen Valley Utilities collection pipes that convey the flows to community drainfields. In order to reduce demand on local water sources and increase the availability of potable water for residents, Evergreen Valley Utilities is planning for the construction of a new wastewater treatment plant that utilizes a membrane bioreactor treatment process. The plan addresses 563 connections.</p> <p>The appropriate means to ensure the completion of the sewer system such as a bond can be considered in the development of a Capital Facilities Plan.</p> <p>PUD Review. PUD zoning is not expanded with the 2009 compliance effort. PUDs that have been approved or proposed in the nodes have been considered in the land capacity analysis for a conservative development estimate. The land capacity analysis is being provided to the COG.</p> <p>The timing of COG review is not specified in the policy. The County intends to include this item on a COG agenda after the Hearings Board decision on compliance and when the Court of Appeals has ruled on the PUD regulations. A process and schedule will be developed at that point.</p> |
| 12. Jean Carr, Shea Carr Jewell | Recommend that the southwest quadrant of the LAMIRD at the Thorp interchange be expanded from 12 acres to 36.5 acres to allow a planned development of a travel stop, hotel, restaurant and associated uses. There is a committed end user. The General Commercial zoning will allow the types of planned land uses. | The requirements for Type 3 LAMIRD are: (iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale |

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| | | <p>businesses conform with the rural character of the area as defined by the local government according to *RCW 36.70A.030(14). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;</p> <p>The Type 3 LAMIRD is proposed with boundaries intended to limit the amount of commercial growth at that interchange recognizing current and past development patterns while retaining rural character. The current zoning for a portion of the southwest interchange is Limited Commercial which is intended to remain. The Limited Commercial zone purpose is to "... provide a district with a limited range of shopping and service businesses consisting primarily of small retail shops, stores and eating establishments."</p> <p>Discussion of a site specific employment request appears appropriate for an individual docket review. Application for a docket application may be made in accordance with KCC 15B.03.030 Docketing. In addition, the County may consider the needs of the agricultural industry in 2010; an overlay zone is proposed where there are prime farmland soils in the former node boundaries.</p> |

Responses to Comments Letter 13: KCC, RIDGE and Futurewise

Table 3 presents responses to comments Letters 13.

Table 3. Response to Comment Letter 13

Questions Regarding Land Use Designations

| Comment Summary | Response |
|---|---|
| <p>Rural residential is currently a zone in the county code Title 17 but the documents show it as a land use designation.</p> | <p>Rural residential appears on the current County Comprehensive Plan Land Use Map in the Easton area. It is proposed in several of the proposed LAMIRDs in Easton, Ronald, and Thorp.</p> <p>As stated in Chapter 4 of the Assessment of the Five County Areas for Land Use Designations, Rural Residential is included in the Easton Subarea Plan, which is</p> |

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| | <p>referenced as a historical document in the Comprehensive Plan.</p> <p>“Per the Subarea Plan, consist of 3-20 acre parcels close to roads having view, vegetation, or topography desirable for residential sites: 1 du/3 acres to 1 du/20 acres. The Comprehensive Plan does not define this use.”</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>Forest multiple-use and Public Recreation do not appear in the Kittitas County Comprehensive Plan. Where may we find these definitions? Where has the discussion occurred regarding these new proposed land use designations?</p> | <p>Forest Multiple Use and Public Recreation appear in the Easton area; and Public Recreation is also shown on the Snoqualmie Pass and Thorp areas on the current County Comprehensive Plan Land Use Map. Forest Multiple Use is also referenced in Comprehensive Plan Chapter 2 regarding the Liberty area. Public land is referenced in the Comprehensive Plan in general in Section 2.3(B), Other Public Lands.</p> <p>As stated in Chapter 4 of the Assessment of the Five County Areas for Land Use Designations, Forest Multiple Use and Public Recreation are included in the Easton Subarea Plan, which is referenced as a historical document in the Comprehensive Plan.</p> <p>“Forest Multiple Use – Per the Subarea Plan, consist of forested areas along roads suitable for recreational/residential development: 1 du/20 acres. The Comprehensive Plan does not define this use.”</p> <p>“Public Recreation – The Comprehensive Plan indicates this designation to include State and Federal lands. The Subarea Plan does not include a description.”</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |

Easton

| Comment Summary | Response |
|---|---|
| <p>1. Why Rural Residential where Rural is used now?</p> | <p>Rural Residential appears on the current County Comprehensive Plan Land Use Map in the Easton area.</p> |
| <p>2. How does Rural Residential fit outside of a LAMIRD?</p> | <p>Generally, as proposed the implementing zoning is generally of a greater density in the LAMIRD than outside the LAMIRD though Rural Residential is the umbrella Comprehensive Plan designation. The lot pattern is generally smaller in the proposed LAMIRD.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>3. Forest –multiple use is not shown on Table 6-1.</p> | <p>In the October 26, 2009 Staff Recommendations, Corrections, and Clarifications, Forest-Multiple Use is added to the Rural portion of Table 6-1, implemented by Rural 3 and Forest and Range zones.</p> |
| <p>4. Why is Highway Commercial zoning shown under Public Recreation when the Highway Commercial zone is currently under Commercial land use?</p> | <p>This is not applied in Easton. It is applied in Snoqualmie Pass.</p> <p>Highway Commercial implements Public Recreation because the zone allows for commercial recreation which is not allowed in the Forest and Range zone.</p> |
| <p>5. On maps, why does the Rural Employment boundary overlap Easton Airport runway? (see note)</p> | <p>The boundary overlap was not intentional, and is corrected in the October 26, 2009 Staff Recommendations, Corrections, and Clarifications.</p> |
| <p>6a. The maps show Rural 3 zoning in</p> | <p>Forest Multiple Use is not intended to be a designation noting forest land of long-term commercial significance. The County’s current zoning of Rural 3 implements</p> |

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| <p>areas designated Forest-multiple use.</p> | <p>Forest Multiple use based on the original Easton Subarea Plan as noted above. Generally, outside of LAMIRDS zoning was largely maintained.</p> <p>Through an oversight the maps were not corrected to match the Hearings Board direction that the Easton Forest Multiple Use be implemented by alternative zoning as requested by Futurewise, such as applying the Forest and Range zone instead of the Rural-3 zone. The October 26, 2009 staff recommendations are proposed for correction. There are nine parcels designated Forest Multiple Use and currently zoned Rural-3 that are proposed for change to the Forest and Range Zone as presented at the Planning Commission Hearing November 5, 2009. These are either publicly owned or railroad owned parcels. See Attachment A for a revised Figure 4.</p> |
| <p>b. Some of the Rural 3 surrounding the airport is publicly owned land and should not be zoned for any type of development.</p> | <p>The County does not currently have a Public zone. All property should have a zone regardless of ownership status. Being in public ownership it is unlikely that residential development would occur. See also the Response to 6a; some parcels are proposed for reclassification to Forest and Range.</p> |
| <p>c. It looks like the State Park is designated as Rural Residential and zoned R 3. It appears that only the lake itself is identified as Public Recreation.</p> | <p>The Rural Residential designation and Rural-3 zone are currently applied to the park. Being in public ownership it is unlikely that residential development would occur.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>d. The lands bordering the study area adjacent to the north is national forest and should be identified with the appropriate designation and zone.</p> | <p>No change is proposed north of the study area, which is currently designated and zoned Commercial Forest. See also response to comment 6a.</p> |
| <p>e. Some areas are shown as rural residential designation but are zoned forest and range.</p> | <p>Areas currently designated Rural Residential and also currently zoned Forest and Range are not proposed for change. The Forest and Range zone is a rural zone.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>7. The John Wayne Trail should be included in the Public Recreation designation.</p> | <p>Generally areas outside of the proposed LAMIRD were not proposed for change in this Compliance 2009 project. The trail is an existing use not proposed for change.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>8. Why is 3 acre minimum zoning allowed next to Commercial Forest when it presents a potential conflict to resource lands? Have the required setbacks for Commercial Forest and their adjoining zones been considered.</p> | <p>See response to 6a.</p> <p>One plat on the northwest designated as Urban Residential with Forest and Range zoning is proposed to be designated/zoned Rural Residential recognizing the currently built plat and small lot sizes that exist.</p> |
| <p>Recommendation – For all of the LAMIRDS, we recommend against the use of the 3 acre minimum lot size zones in areas outside areas that had that density in 1990. The zoning in LAMIRDS must be consistent with the built densities in 1990, so for this zone to be used in a LAMIRD in must have had that density in 1990. In rural areas outside of LAMIRDS these zones violate the Growth Management Act because</p> | <p>Proposed residential zoning within the Easton Type 1 LAMIRD is Residential, not Rural-3. Outside the LAMIRD, the current Rural-3 zoning is largely maintained. The rural density topic is held in abeyance and is under review by the Court of Appeals.</p> |

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| they allow urban development and are inconsistent with the county's rural character. | |
| <p>Note – in Kittitas County Conservation, Ridge, Futurewise v. Kittitas County, EWGMHB Case No. 07-1-0015 the Eastern Board held that the county airport safety regulations violated the Growth Management Act. While we understand this decision has been appealed and stayed, these are very dangerous places to build that put the future operation of the airport at risk. The county was directed by WSDOT Aviation Division in 2006 to identify and designate airport safety zones. To our knowledge this has not been done. There has been development in the runway safety zones. This area still must be identified and land uses must conform to the requirements of that zone. The light industrial and northerly portion of the commercial zoned property has not been developed and is impacted by the airport safety zone.</p> | <p>The airport in Easton is zoned “unclassified” but is proposed as “Airport” which is a zone in the County code. Next to the Airport, the Comprehensive Plan shows an Industrial classification but the zoning Rural-3 did not implement the Comprehensive Plan, and thus the proposal is Industrial matching the Comprehensive Plan.</p> <p>The proposed Industrial property is owned by State of Washington Department of Natural Resources.</p> <p>WSDOT guidance materials on airport land use safety do not prohibit non-residential uses, but suggest population density and special function land use guidelines. (http://www.wsdot.wa.gov/NR/rdonlyres/5983B7EF-5061-48FF-8829-1359F783CD10/0/AirportsLandUse.pdf#14)</p> <p>As noted, the decision on the County's airport safety regulations has been appealed and stayed.</p> |

Ronald

| Comment Summary | Response |
|---|---|
| LAMIRD | |
| <p>1. On page 6-18, we wonder how the north central portion of the proposed LAMIRD is justified within the statement “ongoing development” when the aerial was taken sometime after 1990 and there is no evidence of ongoing development.</p> | <p>The north central portion of the potential LAMIRD is based on a 1990 USGS aerial photo showing cleared land with buildings and storage on the north side of SR 903. (See Attachment B for aerial photo.) The photo indicates that buildings and storage development was ongoing in this area in 1990. Some comments provided in early September note industrial and commercial operations prior to 1990 and following that date (Terra Design Group, September 1, 2009).</p> |
| <p>2. Wood processing mills are a permitted use in forest and range and commercial forest zones and therefore are not appropriate to inclusion in rural lands of more intensive rural development. The old mill site does not fit the Type 1 LAMIRD criteria.</p> | <p>The subject site is an area that has been more intensively used. RCW 36.70A.070 indicates Type 1 is appropriate for “infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas.” Existing areas is defined as follows: “Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl.”</p> <p>The subject site is industrial in character. Some comments provided in early September note industrial and commercial operations prior to 1990 and continuing afterwards. (Terra Design Group, September 1, 2009). The area has been intensively</p> |

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| | used for resource oriented businesses as well as other industrial and commercial activity (e.g. veneer plant). The site has public facilities or can be served with such. Infill is possible on the site that has already been used for a variety of purposes. |
| 3. Residential zoning allows 1 acre density and we wonder how this is allowed to occur outside of a Type 1 LAMIRD in the rural designation when rural residential designation is used elsewhere (see Easton). | Rural-3 zoning applies currently throughout much of Ronald west of the historic town. Outside of the proposed LAMIRD the current zoning was maintained. The rural density topic is held in abeyance and is under review by the Court of Appeals. |
| 4. General Industrial is shown on the key to the map but not on an applicable parcel. | Acknowledged. The October 26, 2009 Staff Recommendations, Corrections and Clarifications now show General Industrial consistent with the location of the parcel currently zoned General Industrial. |
| 5. The fact that the land was once in an Urban Growth Node (UGN) has no bearing on whether or not it is included in a LAMIRD. | See Response to Comment 2 above. |
| 6. The UGNs have been found to violate the Growth Management Act and the Eastern Board had imposed a finding of invalidity on the UGNs which requires that most developments must comply with the new Growth Management Act compliant regulations when they are finally adopted and found compliant. This finding has not been appealed and is final. | <p>The Comprehensive Plan Compliance 2009 project is intended to provide for GMA compliant solutions to the former nodes. Future development that is not currently vested will need to comply with the regulations in effect.</p> <p>The rural density topic is held in abeyance and is under review by the Court of Appeals.</p> |
| UGA | |
| 1. How will the County manage to provide urban services to the proposed non-municipal UGA for Ronald (water, sanitary sewer, stormwater sewer, etc.) | In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan." |
| 2. The response time for the Roslyn/Cle Elum/So. Cle Elum Police Department is 2 to 5 minutes. Ellensburg Police respond in 3 to 10 minutes. The Kittitas County Sheriffs Department response times average 25 minutes to Ronald. How will the residents of the UGA be guaranteed a more urban like shorter response time? | In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan." |
| 3. There is no Capitol (sic) Facilities Plan in Place. In 2003 the WWGMHB found that a CFP, stating the levels of service and having a fiscal analysis of how <u>adequate</u> public facilities will be funded. | In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan." |
| 4. Who will pay for urban level services for replacement of rural services such as private water systems and community septic when they fail in the future? | <p>In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan."</p> <p>The appropriate means to ensure the completion of the facilities such as a bond can be considered in a capital facilities plan.</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
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| <p>5. How can a UGA be justified without the police and fire protection response time being comparable to other urban areas? This must be in place before setting the UGA boundaries.</p> | <p>In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan."</p> |
| <p>6. The old veneer plant cannot be considered an urban use – it was a local resource based use cited in forest land and abandoned before 1990.</p> | <p>The subject site is industrial in character. Some comments provided in early September note industrial and commercial operations prior to 1990 and continuing afterwards. (Terra Design Group, September 1, 2009). The area has been intensively used for resource oriented businesses as well as other industrial and commercial activity (e.g. veneer plant). The site has public facilities or can be served with such. Infill is possible on the site that has already been used for a variety of purposes.</p> <p>In any case, under the UGA option, the 1990 date is not a factor. Additionally, UGAs can include areas for employment.</p> |
| <p>7. The Countywide Planning Policies ("Contiguous and Orderly Development", no 6, Densities within the County, Policy A) state "<u>KCCOG shall review the cumulative effects of PUD development when reviewing population allocations.</u>" To our knowledge COG has never had such a review of the PUDs within the boundaries of the former Ronald UGN, or anywhere in the county.</p> | <p>PUD zoning is not expanded with the 2009 compliance effort. PUDs that have been approved or proposed in the nodes have been considered in the land capacity analysis for a conservative development estimate. The land capacity analysis is being provided to the COG.</p> <p>The timing of COG review is not specified in the policy. The County intends to include this item on a COG agenda after the Hearings Board decision on compliance and when the Court of Appeals has ruled on the PUD regulations. A process and schedule will be developed at that point.</p> |
| <p>8. The UGA option, if approved, will create an urban enclave of almost 3,000 people. In general, cities are the units of local government most appropriate to provide urban governmental services. In general it is not appropriate that urban governmental services be extended in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment (see note).</p> | <p>This language has not been interpreted to limit UGAs to cities.</p> <p>GMA does not prohibit services provided by private sources. See RCW 36.70A.110(3):</p> <p>(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. Urban growth may also be located in designated new fully contained communities as defined by RCW 36.70A.350.</p> <p>See also the discussion about capital facilities above and population below.</p> |
| <p>Note – County planners have claimed that the proposed UGA can sustain a population of 2,880 persons. Allowing 2.5 persons per EDU the Town of Ronald, with a permitted 150 connections can service 375 persons. The community of Pine Loch Sun III with 129 residential lots can service 373 persons. They total 698 persons. Remove these 698 bodies from the projected 2880 and you have 2182 persons to furnish water to. The Evergreen Valley Water System has a permitted 419 connections. At 2.5 persons per connections, only 1048 persons can be provided with water. This leaves 1134 persons or 453 EDU's</p> | <p>The Evergreen Valley water system plan dated April 2006 was approved by the Department of Health in February 2008. The plan addresses 520 connections and a population of 1,212 by the year 2025. The Department of Ecology indicates there are 419 approved connections, of which 122 were estimated in place in September. (See page 5-3 of the September 2009 report prepared for this project.) A more recent estimate of existing connections is 175 (Chad Bala, Terra Design Group, November 4, 2009). There are some additional connections available in District #2 for the historic town area (about 35 connections available).</p> <p>For the UGA option, the September 2009 land capacity analysis identified a range of growth of 2,406 to 2,615 in population based on the following assumptions: 1) Urban Residential at 4 units to 6.05 units per acre; 2) the <u>upper</u> end of proposed PUDs that had a range of 96 to 464 dwellings planned; and 3) a household size of 2.57 based on Year 2000 Census information. If one were to use a household size of 2.33 per the water system plan the projected population would be 2,181 to 2,371.</p> <p>If the County limited growth in the UGA as follows, and the household size matched the water plan at 2.33 persons per household, the land capacity would generally</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
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| without service. | <p>match the water and sewer plans:</p> <ul style="list-style-type: none"> ▪ Urban Residential and PUD zoning at 4 units per acre and proposed PUDs at low range of 96 units: New capacity of 451 dwellings and 1,052 populations. ▪ Urban Residential at 4 units per acre, PUD zoning at 6.05 units per acre and proposed PUDs at low range of 96 units: New capacity of 568 units and 1,324 populations. |

Thorp

| Comment Summary | Response |
|---|--|
| Type 3 LAMIRD | |
| 1. What does the 1990 aerial photo show exists for the west portion of the Type 3 LAMIRD by the Interstate? | <p>The 1990 date does not apply to Type 3 LAMIRDs, just Type 1 LAMIRDs.</p> <p>The requirements for Type 3 LAMIRD are:</p> <p>(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform to the rural character of the area as defined by the local government according to *RCW 36.70A.030 (14). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;</p> <p>See also response to comment 3 below.</p> |
| 2. What if any public water and sewer services were there then and what are there now? | <p>Sewer is not available at that site. It is not a required rural service. Public water service is not available; public water service is not required in a LAMIRD. Water sources and supply would need to meet State and county requirements.</p> |
| 3. The old Bingo Station (toxic cleanup site) is a part of a larger parcel and the PSE parcel is zoned Ag-20... | <p>The old gas station is currently zoned Limited Commercial and proposed to remain with that zone; it is a small area and as contaminated likely not a location for residential or agricultural use at this time. The PSE parcel is proposed for a rezone to Limited Commercial as the site is presently used as an office and utility building and is not used for agriculture.</p> |
| 4. Commercial Agriculture is designated and zoned for much of the surrounding land – how can these proposed zones be justified located against Commercial Ag? | <p>The boundaries of the LAMIRDs are fixed, and development is limited and contained. Significant impacts are not anticipated. An overlay zone is proposed for areas in the former node outside the LAMIRD boundary that contain prime farmland soils and meet some though not all designation criteria. These would have some land use and lot size restrictions pending the County’s review of the needs of the industry.</p> |
| 5. What is envisioned for this LAMIRD for sources for the 96 jobs that could be created? | <p>Use allowed in the Limited Commercial, Highway Commercial and General Commercial zones identify the possible types of businesses. This is a programmatic review of land capacity, and not a precise prediction. Note that with the change in extent of commercial zoning in the Type 1 LAMIRD compared to October 6, 2009 preliminary recommendations, the job capacity is reduced to 78.</p> |
| 6. The westerly portion should be commercial ag designated and zoned – no justification for a LAMIRD. | <p>See responses above.</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
|--|--|
| Type 1 LAMIRD | |
| 1. Rural 3 zoned land is served by the community water district but is not in the LAMIRD and some Ag 20 land is served by the community water district but excluded from the LAMIRD – appears incongruous with the Vantage LAMIRD where the water district service area is used to define the LAMIRD boundary. | LAMIRD boundaries should be based primarily on presence of physical facilities, not district boundaries. See Vantage discussion below. The LAMIRD criteria allow the County some judgment and discretion in identifying LAMIRDs, so long as they are consistent with the Growth Management Act. Water service by itself is not a determining factor, but is part of the overall picture. |
| 2. The Thorp Mill should be designated and zoned as a historic land mark. | The County does not have a historic zone. However, the Thorp Mill at Thorp Highway off of US 10 is listed on the National Register, and Washington Heritage Register. |
| 3. Why is a UGA not considered for Thorp if sewer is not a requirement – see Ronald – <u>community septic is not a sewer!</u> | See responses regarding Ronald above. The Ronald area has an approved wastewater plan for future sewer service, which was approved by the Department of Health in February 2008. |
| 4. In land use, where does Agriculture appear in CP – is this a new designation? Has the land so designated been evaluated? Where has this been defined and when has it been discussed at community meetings? | Agricultural is currently shown on the County’s Comprehensive Plan land use map. It is referenced in GPO 2.125. As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications. |
| 5. Have the old fire station and post office lots been discussed for inclusion in the commercial designation? Nothing built as of 1990 in the NW section of the Commercial designated area along the railroad tracks so why included? | In town, three parcels in the northwest that have historically had commercial businesses or nonresidential uses are proposed as General Commercial. The parcels were part of a rezone action in Ordinance 83-Z-4; the proposed zoning of General Commercial restores the previous zoning applied in 1983. The northwest area along the railroad tracks is currently zoned General Commercial. However, the October 26, 2009 staff recommendations propose Residential. See also Attachment G which presents proposed Ag-3 or Ag-20 options. |
| 6. The water district service area to the south of the proposed LAMIRD should be included so the district can complete its remaining hookups. | Water service is allowed outside of LAMIRDs. |
| 7. The area currently zoned R-3 should be downzoned to address the fact that it is returning to its wetland status – critical areas review should be done. | The area currently zoned R-3 is not proposed for change through this 2009 Compliance process. Individual docket requests may be submitted to the County. Critical areas regulations apply whether zoned R-3 or not. |
| 8. The residential density inside the LAMIRD appears to calculate out to an average of 4.55 residences per acre and does not address the limits for use of septic systems due to natural constraints (high water table). | The land capacity analysis is a theoretical programmatic look at capacity based on plans and zoning and is not intended to imply that the full density is possible in the absence of services. |

Vantage

| Comment Summary | Response |
|--|--|
| 1. Why is the large area to the west identified as Rural residential | The parcel included to the west has an improvement value of \$709,660 greater than the land value, and contains residential and commercial buildings clustered towards Main Street. For most of the parcel, the proposed land use designation is Rural |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
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| designated and multi-family zoned? | <p>Residential and the proposed zoning is Residential. The Residential zone allows new one and two family dwellings. Some portions of the lot are also split designated Commercial with General Commercial zoning reflecting the portion of the lot with motel and other commercial structures.</p> <p>For consistency with location of clustered commercial structures small modifications are proposed to Figures 11 and 12 in Attachment C.</p> |
| 2. What in the 1990 built environment justifies this inclusion into the Type 1 LAMIRD? | <p>The property contains multiple residential and commercial structures along the roadway built prior to 1990 according to Assessor records. There are some maps from the 1960s showing the extent of water infrastructure service within the Vantage study area and the location of existing buildings in this area.</p> <p>The LAMIRD boundary follows the parcel line that contains these mixed uses. However the land on the western side of the parcel is subject to steep slopes and likely would be difficult to develop; topography forms a natural barrier.</p> <p>Most of the future dwellings in the LAMIRD are possible as infill in the partially developed plat to the east.</p> |
| 3. Why is County property on the river not uniquely identified but rather included in rural residential? | <p>Rural is the current designation implemented by Forest and Range zoning, neither of which is proposed for change.</p> <p>The County does not currently have a Public zone. All property should have a zone regardless of ownership status. Being in public ownership it is unlikely that residential development would occur.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |

Snoqualmie Pass – Master Planned Resort (MPR)

| Comment Summary | Response |
|--|--|
| 1. Has there been discussion in the community meetings about this proposal? | <p>The MPR option was discussed at community meetings in August and September 2009.</p> |
| 2. What are the practical advantages of this designation over another? | <p>MPR recognizes the recreational aspect of the area and allows for growth and services to be provided, both of which have occurred in the study area. It captures more of the property that has been used for tourist and recreation purposes compared to a UGA or LAMIRD. No population allocation is required.</p> |
| 3. Will this set a precedence for the county to identify other areas of recreation as MPR? | <p>The Snoqualmie MPR addresses an existing resort area. There may be other existing resorts though not likely at the same scale. Any future requests for an MPR will need to meet GMA and County policies.</p> <p>The Countywide Planning Policies allow for an MPR. An additional GMA cross reference is proposed in Attachment D.</p> |
| 4. How specifically is the MPR designation compatible with the vision of the subarea plan? | <p>The Subarea Plan land use designations are largely retained except where WSDOT and the Cascade Land Conservancy has purchased property in which case the designation is proposed as Open Space recognizing the long-term protection for habitat.</p> <p>Permanent residences are allowed under the MPR designation, as well as an emphasis on different recreational uses at different times of the year. Thus, this designation would be compatible with the Snoqualmie Pass Sub-area Master Plan goal of creating a vibrant year-round community (Section D, Goal 2).</p> |
| 5. RCW 36.70A.360(1) provides that “[a] master planned resort means a self- | <p>The Snoqualmie Pass area is identified as an existing master planned resort. RCW 36.70A.362 says "significantly self-contained and integrated." The Pass area has been</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
|---|---|
| <p>contained and fully integrated planned unit development, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities.” We are concerned that Snoqualmie Pass does not the required for “a self-contained and fully integrated planned unit development.” Rather it is a collection of a number of many independent developments. How will this requirement be addressed?</p> | <p>the subject of a coordinated subarea plan, a ski-resort plan, and several PUDs combined which provide a basic framework for a coordinated area. See Attachment E for a map of these boundaries.</p> |
| <p>Recommendation – Gold Creek is planned as a wildlife corridor connecting the north and central Cascades with passage over or under the freeway for wildlife. These areas should not be designated for resort or urban development.</p> | <p>The area purchased by WSDOT and CLC is proposed as Open Space and Forest and Range and excluded from proposed MPR boundaries.²</p> <p>Nor were these properties included in the UGA option.</p> |

Focusing on Zoning for LAMIRDs

| Comment Summary | Response |
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| <p>Page 6, Paragraph 1 Summary: Residential Zone KCC 17.18? Can't be used in Easton and Thorp LAMIRDs due to the purpose statement saying it's designated for areas with public water and sewer.</p> <p>If applied in Easton and Thorp LAMIRDs must be consistent with built densities in 1990.</p> | <p>The Residential zone is a rural zone. Thorp and Easton LAMIRDs have public water systems. The minimum lot sizes of the zone are minimums not maximums; if greater lot area is required for septic, lot sizes will be greater than a lot having sewer service.</p> <p>Residential lot sizes are generally smaller in the LAMIRDs. See the September 2009 “Assessment of Five County Areas for Land Use Designations.” Chapter 4 of the assessment gives median and average parcel sizes for properties in residential use.</p> <p>As part of its 2010 docket, the County intends to review comprehensive plan land use definitions and applicable implementing zones and to propose any appropriate modifications.</p> |
| <p>Page 6, paragraph 2 summary: Is there capacity for water and sewer to serve the western parcel? This land was not developed in 1990, and inclusion is not a logical outer boundary.</p> | <p>See responses to Vantage comments above.</p> |

² The Hearings Board in its Final Decision and Order concurred that there were some land use and zoning inconsistencies such as where Commercial Forest land use was implemented by Forest and Range zoning. There is one privately held parcel in the former Snoqualmie UGN designated as Commercial Forest land use with Forest and Range zoning. Recognizing that there is a need for consistency between land use and zoning, that the resource lands review showed no land grade meeting the Commercial Forest designation, and that Cascade Land Conservancy recently purchased the private property, the October 26, 2009 Staff Recommendations, Corrections, and Clarifications are further modified as of the November 5, 2009 hearing by showing the far eastern property as Open Space rather than Commercial Forest. The implementing zoning would continue as Forest and Range. The property would be located outside of the Master Planned Resort. See revised Figure 1 in Attachment F.

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| Comment Summary | Response |
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| <p>Page 7 summary: What is the effect of the new zoning in Thorp which is a primarily agricultural community? What have been the discussions with the public? The LAMIRD can't interfere with conservation of adjacent agricultural lands.</p> <p>Make area Rural and Commercial Agriculture.</p> | <p>LAMIRD boundaries in general:</p> <p>The boundaries of the LAMIRDs are fixed, and development is limited and contained. Significant impacts are not anticipated.</p> <p>Residential lot sizes are generally smaller in the LAMIRDs than on the periphery and are an existing lot pattern. See Chapter 4 of the assessment referenced above which gives median and average parcel sizes for properties in residential use.</p> <p>Agricultural activities: See below.</p> |
| <p>Note, the following additional verbal comments were provided to Jan Ollivier by Paula Thompson, one of the authors of this letter, on October 30, 2009:</p> | |
| <p>Concern expressed about the recommended Residential zoning for some properties within the proposed LAMIRD, because it does not allow for agricultural uses such as raising of swine, which is an existing use on some properties.</p> | <p>Existing uses of individual properties have helped inform the recommendations within the study areas. It is not the intent for recommendations to prohibit uses on individual properties that are currently in place.</p> <p>Two options that modify the Staff Recommendation have been developed for consideration (See Attachment G for land use and maps):</p> <p>Option A (developed prior to Hearing) - To address the issue related to livestock, recommended zoning could alternatively be Rural-3 or Agriculture-3 for the parcels in question – both allow livestock including swine. The properties that were identified are located directly to the southeast of the Old Mill – since that property is already recommended as Agriculture-3, this zoning could be extended farther to the east (on the north side of the road) to capture the properties where swine raising is an issue.</p> <p>Option B (developed after Hearing) – An option for a reduced LAMIRD has been developed, based upon testimony and comments provided at the Public Hearing. This option retains the commercial core and smaller surrounding area as a LAMIRD, and re-applies agricultural designations and zoning outside the boundary.</p> |
| <p>Concern expressed about the inclusion of the property with the equestrian facility in the LAMIRD, and with the recommended Residential zoning.</p> | <p>A logical boundary was identified between the main town west of the railroad, and housing located east of the railroad (north of the equestrian facility) – which includes the equestrian facility. East of the railroad, access to the houses and the equestrian facility is shared. The recommended boundaries do not induce additional growth.</p> <p>The potential for a future more intense use replacing the existing facility could be addressed by changing the recommended zoning of this property from Residential to Agriculture-3 or retaining Agriculture-20. See Attachment G.</p> |
| <p>Pages 7/8 summary: Address lands between the node and Commercial Agriculture as to whether they meet Commercial Agriculture designation criteria.</p> <p>Lands in UGNs have never been evaluated for inclusion as forest or agriculture resource lands of long-term commercial significance.</p> | <p>Where the County is potentially taking an action, such as designating rural lands around Nodes or expanding a UGA around Kittitas, an areawide review of resource lands criteria is appropriate – such an analysis has been prepared. See the October 26, 2009 Staff Recommendations, Corrections and Clarifications.</p> <p>No countywide analysis is proposed as a result of the modified resource lands criteria (based on First Compliance Order direction from GMHB – the County does not have to revisit past de-designations). However, the County does believe a review of the “needs of the industries” is appropriate and that a countywide analysis would be appropriate perhaps in tandem with the County’s update of its critical areas ordinance next year.</p> <p>Where as a result of the Nodes areawide review some lands appear to meet several criteria, an overlay zone is proposed pending the completion of the countywide review.</p> |

City of Kittitas UGA

| Comment | Response |
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| <p>Page 9, second paragraph summary: Employment uses cannot exceed the amount of land needed to provide jobs and goods and services for the county and cities projected population. See also amendments to RCW 36.70A.115.</p> | <p>The Supreme Court case did not state that the amount of land needed to provide jobs and goods and services for the county and cities had to be based on the projected population. The cited Supreme Court decision essentially says that there needs to be a reasonable basis and justification for the employment land included in a UGA. The Kittitas UGA analysis (e.g., jobs/housing ratios, etc.) provides that. OFM does not provide official employment projections for GMA purposes.</p> <p>RCW 36.70A.115 does not specify a limit on employment – it means that plans need to have sufficient capacity of land for not only housing but also employment growth. Consistency with population forecasts does not preclude sizing a UGA to meet local economic visions. (see above)</p> |
| <p>The number of jobs at 885 to 1,512 seems high compared to the population allocations of 2,056 to 2,250. Request the basis for the job calculations.</p> | <p>The number of jobs is less than 1 per resident. It does create a significant increase in the jobs-housing balance.</p> <p>Table 9 in the September 24, 2009 City of Kittitas Land Capacity Analysis Evaluation memo provides the basis for employment calculations in the footnotes. The calculations in Table 9 build on example approaches and net acres in Tables 7 and 8.</p> <p>Nevertheless, for reference Attachment H provides a supplemental new Table 10 that explains the job calculations.</p> |
| <p>The Kittitas UGA cannot be considered alone. The County needs to take into account that the other UGAs are also oversized.</p> | <p>The 2009 Compliance project focuses on the EWGMHB order – which was to examine the Kittitas UGA and the former Nodes. Based on the County’s approach, designating one or more new UGAs would not affect population allocations to existing UGAs.</p> |
| <p>The UGA expansions were found to violate GMA; expansion is not justified; repeal the expansions and designate them as agricultural lands</p> | <p>Portions of the study area appear to meet some of the criteria such as being primarily devoted to agricultural uses, specifically hay and pasture. Most of the property has been included as part of an open space tax exemption since 1978 according to Assessor Records. Comparing the soil types on the subject properties to the total soils of those types in the County, the sites represent a small fraction of the same countywide soil types.</p> <p>However, public services appear available. The predominant parcel size is larger than properties in the City limits which may fulfill some City economic development and tax base strategies.</p> <p>Their proximity to the city and freeway and availability of services, and the possibility of more intense uses of the land indicate the property may not have long-term significance for agriculture. The County considered commercial agriculture criteria in the mid-1990s and classified the properties as Rural rather than as Commercial Agriculture (which lies west of Fairview Road and South of I-90).</p> |

Designation Criteria for Agricultural Lands of Long-Term Commercial Significance

| Comment Summary | Response |
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| <p>We appreciate that the proposed criteria for designating and de-designating agricultural lands of long-term commercial significance incorporate the basic Growth Management Act criteria. Also appreciate that many of the non-compliant provisions have been proposed to be deleted. We had hope that Kittitas County would further define these criteria in a Growth Management Act compliant way, but we acknowledge that is optional.</p> | <p>The County intends to adopt Growth Management Act compliant criteria.</p> |

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| <p>The proposed criteria provide that the County may consider the needs and nature of the agriculture industry. While the Washington Supreme Court has held this criterion can be considered, it has been difficult to project the needs of the agricultural industry. Lewis, County for example, has chosen not to include this criterion in its designation and de-designation criteria. Given the lack of planning staff in Kittitas County, we believe this criterion will be difficult for the county to apply and recommend it not be included.</p> | <p>The Washington Supreme Court has held this criterion can be considered. The County intends to study the needs of the industry in 2010 while it is also updating its critical areas ordinance.</p> |
| <p>The proposed policies retain policy GPO 2.114B. The Eastern Washington Growth Management Hearings Board has twice found this policy to violate the Growth Management Act. We urge you to delete it.</p> | <p>Through an oversight, the County has not deleted the policy, but does agree it should be deleted. See Attachment I for potential additional revision to Resource Land text.</p> |
| <p>However, we are concerned that the narrative on pages 1 and 2 does not address any of the eastside mills, including the mill in Kittitas County in the Teanaway Valley. It also does not address the <i>Future of Washington Forests</i> report concludes that a stable land base is needed to support more investment in mills in Washington State. This narrative should be revised to make it more balanced and to recognize that the forest products industry has long-term commercial significance for Kittitas County.</p> | <p>The County does believe a review of the “needs of the industries” is appropriate and that a countywide analysis would be appropriate perhaps in tandem with the County’s update of its critical areas ordinance next year. However, in the meantime, some text revisions are proposed.</p> |

Additional Update Issues that must be addressed

| Comment Summary | Response |
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| <p>Summary, bullet 1, pp. 11 and 12: do a countywide analysis applying the new criteria to county rural lands.</p> | <p>Where the County is potentially taking an action, such as designating rural lands around Nodes or expanding a UGA around Kittitas, an area-wide review of resource lands criteria is appropriate – such an analysis has been prepared. See Attachment F of the October 26, 2009 Staff Recommendations, Corrections, and Clarifications.</p> <p>No countywide analysis is proposed as a result of the modified resource lands criteria (based on First Compliance Order direction from GMHB – the County does not have to revisit past de-designations). However, the County does believe a review of the “needs of the industries” is appropriate and that a countywide analysis would be appropriate perhaps in tandem with the County’s update of its critical areas ordinance next year.</p> <p>Where as a result of the Nodes area-wide review some lands appear to meet several criteria, an overlay zone appears appropriate pending the completion of the countywide review. See Figures 15 and 16 and Attachment C of the October 26, 2009 Staff Recommendations, Corrections, and Clarifications. If alternative LAMIRD boundaries are implemented in Thorp, as shown in Attachment G, then Figure 16 will be revised accordingly.</p> |
| <p>Bullet 2, page 12 summary: Analyze Kittitas UGA for commercial agriculture based on criteria.</p> | <p>Portions of the study area appear to meet some of the criteria such as being primarily devoted to agricultural uses, specifically hay and pasture. Most of the property has been included as part of an open space tax exemption since 1978 according to Assessor Records. Comparing the soil types on the subject properties to the total soils of those types in the County, the sites represent a fraction of the same countywide soil types.</p> <p>However, public services appear available. The predominant parcel size is larger than properties in the City limits which may fulfill some City economic development and tax base strategies.</p> <p>Their proximity to the city and freeway and availability of services, and the possibility of more intense uses of the land indicate the property may not have long-term significance for agriculture. The County considered commercial agriculture criteria in</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Comment Summary | Response |
|---|--|
| | the mid-1990s and classified the properties as Rural rather than as Commercial Agriculture (which lies west of Fairview Road and South of I-90). |
| Bullet 3, page 12: Address Legal Issues 5 and 12. Bring all UGAs and nodes into compliance. | <p>The Board found the County out of compliance for the improper designation of the UGNs and for failing to conduct a proper land quantity analysis and failing to adopt an updated Capital Facilities Plan to designate and accommodate the UGA expansions for the City of Kittitas.</p> <p>The focus of the County’s Comprehensive Plan Compliance 2009 process is to address the nodes and the possible GMA compliant options of LAMIRDs, MPR, or UGAs, and to conduct the appropriate analysis for the Kittitas UGA.</p> |
| Bullet 4, page 12: Bring Comprehensive plan and zoning map into compliance per Legal Issue 7. | The October 26, 2009 Staff Recommendations, Corrections, and Clarifications include Attachment I addressing Issue 7 of the Final Decision and Order by the Eastern Washington Growth Management Hearings Board. Additional refinements or clarifications were included in the November 5, 2009 staff presentation. |

Public Participation

Commenters indicated they needed more time to review recommendations, and want to ensure there is access to the documents for the public.

It should be noted that the planning options were available to the public in late September and the staff recommendations are based on the range of options. Additionally, the Planning Commission public hearing was rescheduled to November 5, 2009. All documents are posted to the project website.

In addition, the Board of County Commissioners will consider public comments in December 2009.

Responses to Verbal Testimony 14 through 42

Table 4 presents responses to verbal testimony 14 through 42.

Table 4. Responses to Verbal Testimony 14 through 42

| Name | Summary of Comments | Response |
|-------------------|---|--|
| 14. Rod Dembowski | Supports staff recommendation of MPR for Snoqualmie Pass; including recommended Commercial Lodging designation and Forest & Range zoning on the Dembowski property. Believes residential should be allowed due to presence of sewer and water, and based upon site-specific studies, does not believe the property is capable of commercial timber. | Comment on designation and zoning preference is noted. |
| 15. Jan Sharar | Opposed to UGA designation in Ronald; supports LAMIRD. Questions how County would be able to provide services if Ronald is designated as UGA; indicates that a funding plan would be needed; questions how residents would be guaranteed services and who would pay. Particular concern noted about the current police response time for Ronald. | <p>Comment on designation preference is noted.</p> <p>In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo “Kittitas County GMA Compliance – Steps for Capital Facilities Plan.”</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|------------------------------|--|---|
| 16. Roger Weaver | Wants boundary of proposed Type 3 LAMIRD in Thorp to be extended to include parcel to the south. Plans are being developed for the area including an RV campground, truck stop, restaurant and hotel. | See response to Letter 12 (Table 2). |
| 17. Jim Boyle | <p>Opposed to UGA designation in Ronald. Does not feel that private water and sewer systems are adequate; indicates that a Capital Facilities Plan would be needed.</p> <p>Support LAMIRD designation but thinks that the property with the old veneer mill site should not be included, due to concerns that it will develop at urban levels.</p> | <p>Comment on designation preference is noted.</p> <p>See responses to Letter 11 (Table 2); and Letter 13, Comment 2 under Ronald/LAMIRD sub-category (Table 3).</p> |
| 18. Dick and Adrienne Fields | <p>Opposed to proposed designations in Thorp. Opposed to specific land use and zoning recommendations for the Fields property. Take recreation use out of Thorp; designate as agriculture; on the water district board and indicates that there are only 4 water hook-ups left for Thorp – until there is funding Thorp can't grow. Support inclusion of commercial core area in LAMIRD.</p> | <p>The land capacity calculations provide a general assessment of the additional population that could be accommodated based upon developable land and zoning – it is not a recommendation for an increase in population or employment. The land capacity analysis is not intended to imply that full density is possible in the absence of services.</p> <p>It is acknowledged that the potential for new development in Thorp is constrained by the number of available water connections.</p> <p>To address concerns about the size of the recommended Type I LAMIRD, as well as recommended land use and zoning, two alternatives to the Staff Recommendation have been developed for consideration (See Attachment G for land use and zoning maps):</p> <p>Option A (developed prior to Hearing) - To address the issues related to allowed livestock, recommended zoning could alternatively be Rural-3 or Agriculture-3 for the parcels in question – both allow livestock including swine. The properties that were identified are located directly to the southeast of the Old Mill – since that property is already recommended as Agriculture-3, this zoning could be extended farther to the east (on the north side of the road) to capture the properties where swine raising is an issue.</p> <p>Option B (developed after Hearing) – An option for a reduced LAMIRD has been developed, based upon testimony and comments provided at the Public Hearing. This option retains the commercial core and smaller surrounding area as a LAMIRD, and re-applies agricultural designations and zoning outside the reduced boundary.</p> |
| 19. Paula Thompson | Feels Thorp LAMIRD boundaries are too large Opposes proposed residential zoning and also | See response to Commenter 18. |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|---------------------|---|--|
| | <p>the alternate suggestion of Agriculture-3. Can't fill the land capacity due to lack of sewer and water capacity; feels a Capital Facilities Plan would be needed. Wants Thompson property to be Commercial Ag because it is prime soil. Feels re-evaluation for Commercial Ag should occur before evaluating for LAMIRD. Believes that Thorp should have been one of the workshop locations.</p> | <p>Public participation activities conducted for this project have been set up to try to accommodate as many people as possible. Each set of workshops was held in four locations across the county (Snoqualmie Pass, Cle Elum, Ellensburg Vantage), two in the morning and two in the evening. All topics were covered at each meeting, so that interested citizens could participate in the meeting held at the most convenient time and place, no matter what study areas they were interested in. All materials presented at the workshops and meetings have been provided on the County website; and the contact name, phone and email for the project manager, Jan Ollivier, has been provided on all outreach materials. Comments and questions could be submitted by handing them in at the workshops, by mail, email, the County website, or by calling the County Project Manager.</p> <p>All comments that have been submitted through these various means since the first set of workshops have been summarized and provided to County decision-makers, either through the workshop summaries, or this summary for the public hearing. Many of the refinements to the initial assessments, options, and recommendations, have been a direct result of feedback provided by citizens.</p> |
| 20. Randy Shannon | Opposed to any changes in Thorp designations or zoning. | Comment on designation preference is noted. |
| 21. Craig George | Opposed to residential rezones in Thorp – feels that they would have severe impact on current agricultural uses of land. Concerns about capacity of water and sewer; and also indicates issues with groundwater. | Comment on designation preference is noted See response to Commenter 18. |
| 22. Roger Olsen | Supports the Ridge/Futurewise comments. Feels that recommendations for Thorp are a 'good start' but that the proposed LAMIRD boundaries are too large. Supports containing growth and avoiding sprawl. | Comment on designation preference is noted See response to Commenter 18. |
| 23. Marge Brandsrud | Feels issues under assessment are serious concerns and that documentation is very important; and needs to support the requirements of the Growth Management Act. Requests that public input be taken into account. | It is acknowledged that the purpose of this project is to bring the Comprehensive Plan into compliance with the GMA. Community input has been solicited throughout the project; public input has to help inform and refine recommendations, and will continue to through final adoption of the Comprehensive Plan amendments. |
| 24. Chad Bala | Supports UGA for Ronald, including development of a Capital Facilities Plan. Feels majority of growth should be planned for | Comment on designation preference is noted. Assessment of the water and sewer plans completed for this project did verify that |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|-----------------------------|---|--|
| | Snoqualmie Pass and Ronald. Indicated that the financial elements of the Evergreen Valley water and sewer plans include budgets and sources of revenue. | financial elements were included. |
| 25. Catherine Clerf | Feels there is currently a surplus of lots in the county. Opposed to Type 3 LAMIRD south of I-90 – feels it should all be used for farming. Supports Type 1 LAMIRD around commercial area in Thorp but no larger. Opposed to UGA in Ronald – feels it would need to be supported by taxpayers. Supports more growth at Snoqualmie Pass. Opposed to expansion of the City of Kittitas UGA – feels all UGAs are too large. Thinks that KCCOG cities will not support population reallocation. | Comments on designation preferences are noted. Any proposed reallocation of population to the City of Kittitas will only affect allocation to the former UGN areas and rural allocations. No changes to other city allocations are being considered. Staff briefed the KCCOG in September on this approach to potential reallocation. An additional meeting is planned in mid-November. |
| 26. Ray Siderits | Supports proposed boundaries for Type 1 LAMIRD in Easton. Would prefer that it be Type 3, but accepts that it does not meet Type 3 criteria. | Comment on designation preference is noted. |
| 27. Ken Jacobsen | Would like to hear more discussion about industrial parks and jobs. Feels LAMIRD boundaries for Vantage are too small; questions where expansion can take place if state parks can't be included in the boundary. Feels Vantage has potential to support natural power and other similar businesses. | The boundaries recommended for a Type 1 LAMIRD in Vantage are based on 1990 built environment and logical outer boundaries based on natural features among other aspects, as per GMA criteria. |
| 28. Bryan Stockdale | Wants UGA designation for Vantage. Feels GMA is polarizing. Indicates that Vantage comprises less than 1% of the county; encourages conservative approach to expanding boundaries. Indicates that the area has sewer and water; and that there are answers questions of future capacity. Wants as much flexibility as possible. | Comment on designation preference is noted. It is acknowledged that water and sewer are provided within the area inside the recommended boundaries of the proposed Type 1 LAMIRD. The water system has approximately 50 available connections. The land capacity analysis projects a potential for 79 additional homes. However, the area does not qualify as a UGA because no state-approved plans are in place for additional capacity that would be needed to support urban-level development. |
| 29. Joyce Stockdale Palelek | Wants UGA designation for Vantage. Has vision for new clean industrial development in Vantage; feels that obstacles should not be put in that path, and that dreaming should be welcome. | Comment on designation preference is noted See response to Commenter 28. |
| 30. Chad Rupert | Opposes UGA in Ronald. Does not feel water system is adequate. Supports rural level of development. | Comment on designation preference is noted. |
| 31. Tanner Dotzaver | Supports commercial LAMIRD in Thorp. Overall supports rural character; indicates that capacity is limited due to water supply. Opposed to proposed residential zoning for Hutchinson property. | Comment on designation preference is noted See response to Commenter 18. |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|----------------------|---|---|
| 32. Rick Repin | Opposes UGA in Ronald. Supports comments submitted by Jim Boyle. | Comment on designation preference is noted. See responses to Letter 11; and Letter 13, Comment 2 under Ronald/LAMIRD sub-category. |
| 33. Dennis Fry | Opposes UGA in Ronald. Supports comments submitted by Jim Boyle. | Comment on designation preference is noted. See responses to Letter 11; and Letter 13, Comment 2 under Ronald/LAMIRD sub-category. |
| 34. Lisa Parks | Commenting on behalf of City of Kittitas, as their contract planner. City has adopted a resolution that supports Option 1 of the proposed City of Kittitas UGA boundaries. Indicated that the City's vision is to be a regional employment center; that the City has a Capital Facilities Plan that supports future growth. | Comment on UGA preference by the City of Kittitas is noted. The Staff Recommendation is to implement Option 1. |
| 35. _____ Fudacz | Wants to keep Thorp agricultural. OK with LAMIRD in the core part of the town. Supports commercial agriculture. | Comment on designation preference is noted See response to Commenter 18. |
| 36. Trevor Kostanich | Commenting on behalf of the Summit at Snoqualmie. Opposes LAMIRD for Snoqualmie Pass. Supports the staff recommendation of MPR, and would also support a UGA, though understands some of the challenges associated with UGA. Indicated that a lot of work has been done on the Ski Resort plan, and also the sub-area plan. | Comment on designation preference is noted. |
| 37. Mike Cameron | Opposes UGA in Ronald. Does not feel that one road as access is adequate to support urban area. Does not feel water quality is adequate. | Comment on designation preference is noted. In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan." |
| 38. Diedre Wing | Feels that because Planned Unit Developments have covenants, codes, and restrictions, that they do not belong inside UGAs. They should stand alone. | UGAs are intended to be a focus for more intensive growth. Planned Unit Developments may have covenants, codes, and restrictions whether inside or outside of a UGA. |
| 39. Jack M_____ | Opposed to proposed residential zoning in Thorp; supports long-term agricultural use in the area, and believes that all land past the school should be commercial agriculture. Questions commercial zoning in the railroad right-of-way. Water supply is limited; and feels that groundwater is contaminated. Only supports LAMIRD around core commercial area in Thorp. Opposes additional development south of the freeway due to traffic concerns. | Comment on designation preference is noted See response to Commenter 18. |
| 40. Larry Fudacz | Supports commercial agriculture in Thorp; feels that the proposed LAMIRD boundary is | Comment on designation preference is noted |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|------------------|--|---|
| | too large. Feels that meetings related to this project should have been held in each of the study areas. | See response to Commenter 18. |
| 41. Chris Cutlip | Concerned about a LAMIRD designation in Vantage because it would limit future options. Would like Vantage to be a UGA. | Comment on designation preference is noted See response to Commenter 28. |
| 42. Lois _____ | Opposes UGA in Ronald. Does not feel services are adequate; has issues with drainfields associated with the community septic system. | Comment on designation preference is noted. In order to allow for an UGA, a capital facilities plan would need to be prepared. See the October 29, 2009 memo "Kittitas County GMA Compliance – Steps for Capital Facilities Plan." |

Responses to Letters 43 through 55

Table 5 presents responses to verbal testimony 43 through 55.

Table 5. Responses to Comments Letters 43 through 55

| Name | Summary of Comments | Response |
|------------------|--|---|
| 43. Tracy Rooney | Takes issue with Comprehensive Plan Commercial Forest Land Use text regarding: <ul style="list-style-type: none"> - change in ownership of Commercial Forest lands since 1993 - effect of the Endangered Species Act on the forest industry - assessment of the viability of new markets - assessment of long-term conditions for commercial timber production - Portion of GPO 2.133 referencing de-designated lands without a specific development proposal | This text was carried over from the original Comprehensive Plan language. Additional revision has been provided for consideration that would strike all of this text. (see Attachment I for potential additional revision to Resource Land text) |
| | Supports GPO 2.138 and GPO 2.139 Feels that five hundred foot noticing requirement for designated resource lands, defined under GPO 2.142B, should be farther; and that land swaps should not allow designated resource lands to be placed next to properties that have not had those uses next to them in the past. | Comment is noted and will be taken into consideration as part of Planning Commission deliberation. |
| | Takes issue with an annual timeframe for de-designation consideration. Suggests that consideration be done as part of the 7-year GMA update cycle. | Revised text has been provided for consideration. Proposed revisions define the 7-year GMA review cycle for consideration of de-designation. This has been added to the text for both Agriculture and Forest lands. (see Attachment I for potential additional |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|--|--|---|
| | | revision to Resource Land text) |
| 44. Anne Watanabe, Easton Ridge Land Company | Understands that the project is focused on compliance issues, but wishes that the effort had also included assessment of areas outside the study area boundaries, and existing UGAs within the county. | It is acknowledged that this effort is addressing compliance issues. Countywide assessments of rural areas and UGAs can occur as part of the next regular update, scheduled to be completed by 2013. |
| | Unclear which parcels were in existence as of July 1, 1990. | Per GMA, the focus is on built environment conditions. Aerial photographs and other resources that were used by the project team to determine 1990 land use (cited in the September 2009 report, "Assessment of Five County Areas for Land Use Designations") have been put on the County's website for this project. "Year built" data from assessors' records was also used in some cases to supplement this information. |
| | Requests verification of the date on which the County opted in to the GMA. | Department of Commerce materials indicate the year Kittitas opted in was 1990. County staff are verifying the exact date. |
| | Additional area has been annexed into the Easton Water District. | The area identified in Figure 5-4 was provided by the Easton Water District. District information shows the subject area as a future water service/retail area. The annexation to the district is noted and made part of the record. |
| | In table 3 of the Staff Recommendation, the area in which for the industrial designated area is located is incorrectly referenced as Type 1 instead of Type 3. | This is a typographical error. The correct text is: <i>The industrial designation in the Type 1 <u>3</u> LAMIRD was corrected to include the easternmost portion of the same parcel, adjacent to the airport, which is consistent with zoning.</i> |
| | Requests verification of why the inclusion of the industrial designated area in the proposed Type 3 LAMIRD in Easton is appropriate since it is owned by Washington DNR. | The County has identified an employment center in Easton at exit 70 since the subarea plan was developed in the mid- 1990s, due to the location of the property location between I-90 and the airport. |
| | Questions whether numbers are correctly added for the Easton area, in Appendix B of the Staff Recommendation. | The numbers are rounded. Formulas were checked and are accurate. |
| | Request clarification of what land was considered undevelopable in Easton. | Undeveloped lots are vacant according to the Assessor. Appendix A of the report "Assessment of Five County Areas for Land Use Designations" includes assumptions and identified redevelopable lands as those lands in which land value exceeds structure value by 50%. |
| | Feel that the land analysis needs to take adjacent areas outside of the Ronald study area into consideration before making a UGA | Comment on designation preference is noted. In order to allow for an UGA, a capital |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|-----------------------------------|--|---|
| | <p>designation. Also questions how a Capital Facilities Plan will be coordinated.</p> <p>Believes a UGA designation in Ronald is premature, and supports a LAMIRD designation for this area.</p> | <p>facilities plan would need to be prepared. See the October 29, 2009 memo “Kittitas County GMA Compliance – Steps for Capital Facilities Plan.”</p> |
| 45. Jan Sharar | <p>Comments provided in letter also entered verbally into the record as testimony. See Commenter 15 (Table 4) for summary and response.</p> | |
| 46. Roger Weaver, ReMax | <p>Comments provided in letter also entered verbally into the record as testimony. See Commenter 16 (Table 4) for summary and response.</p> | |
| 47. James Boyle | <p>Comments provided in letter also entered verbally into the record as testimony. See Commenter 17 (Table 4) for summary and response.</p> | |
| 48. William and Adrienne Fields | <p>Comments provided in letter also entered verbally into the record as testimony. See Commenter 18 (Table 4) for summary and response.</p> | |
| 49. Paula Thompson | <p>Comments entered verbally into the record as testimony. See Commenter 19 (Table 4) for summary and response. Map with proposed Thorp LAMIRD boundaries and soils data submitted as supplement to verbal comments.</p> | |
| 50. Marge Brandsrud | <p>Comments provided in letter also entered verbally into the record as testimony. See Commenter 23 (Table 4) for summary and response.</p> | |
| 51. Chad Bala, Terra Design Group | <p>Comments entered verbally into the record as testimony. See Commenter 24 (Table 4) for summary and response.</p> <p>Previous letters resubmitted, and Evergreen District Water and Sewer plans submitted as supplement to testimony. Copies of the submitted plans may be reviewed at the County offices. Letters are summarized as follows.</p> | |
| | <p>Chad Bala, Terra Design Group, August 31, 2009</p> <p>Presents LAMIRD criteria and white paper; requests analysis prepared by consultant to support assessments (not available at workshops in August). Indicates concerns with a LAMIRD designation in Ronald.</p> | <p>The purpose of the workshops in August was to present the overall project purpose and initial assessments with summary data and maps. Prior to the September workshops, the September 2009 “Assessment of Five County Areas for Land Use Designations.” The September 2009 document presents background information and criteria for LAMIRDs.</p> |
| | <p>Lindsey Ozbolt, Terra Design Group, September 1, 2009</p> <p>There are some discrepancies regarding present uses in Ronald Area. Letter provides a detailed history of industrial and commercial activities, particularly on property north of SR 903. Existing land use maps do not match zoning or what’s on the ground – what is source? Extent of manufacturing not accurate. Questions location of Rural designation on north in UGN. Need to see back up information and data. Involve KCCOG early to ensure proper population assignment. Stress that consultants need to show their work.</p> | <p>The purpose of the workshops in August was to present the overall project purpose and initial assessments with summary data and maps. Prior to the September workshops, the September 2009 “Assessment of Five County Areas for Land Use Designations” was prepared. The report included detailed analysis on a variety of topics. The history of the site has been considered in the proposed LAMIRD boundaries. The current land use information is based on Assessor information regarding land use codes. Some verification in the field was made as well as through aerials; however, the data are not perfect but do present overall patterns. Additional zoning maps were provided in the report. The KCCOG</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|--|--|--|
| | | was briefed in September and will have another meeting in November 2009. |
| 52. Catherine Clerf | Submitted one-page document about countywide parcels and capacity. | Consideration of countywide data is outside the scope of this compliance effort. Countywide capacity and allocations will be reviewed as part of the County's next regular Comprehensive Plan update, scheduled for completion in 2013. |
| 53. Ken Jacobsen | Comments provided in letter also entered verbally into the record as testimony. See Commenter 27 (Table 4) for summary and response. Additional materials provided include ideas for provision of capital facilities to Vantage; and ideas for future types of development. | |
| 54. Bryan Stockdale | Comments provided in letter also entered verbally into the record as testimony. See Commenter 28 (Table 4) for summary and response. Additional materials provided include ideas for provision of capital facilities to Vantage; and ideas for future types of development. | |
| 55. John Mathews | Opposed to land use and zoning recommendations in Thorp. Provides suggestions for areas that should remain as agricultural and map of suggested LAMIRD boundaries. | See response to Commenter 18. Revised recommendations have been developed in response to comments (see Attachment G). LAMIRD proposed by commenter closely resembles Option B, as presented in the attachment. |
| 56. Lindsey Ozbolt, Terra Design Group | Takes issue with the size of the meeting location. | Based on attendance at previous meetings and workshops conducted for this project, it was thought that the Commissioner's Auditorium would be sufficient in size. The County was very pleased to see the high turnout at the Public Hearing. Although the room was crowded, a break was provided mid-way through the evening, and all citizens who wanted to give testimony were provided the opportunity. |
| | Takes issue that the CDS Director was not in attendance. | The County was well represented at the Hearing, even though the CDS Director was unable to attend. Key County staff involved with this project, including the Project Manager, Prosecuting Attorney, and two staff planners were in attendance. |
| | Takes issue with the presentation being similar to presentations at other meetings/workshops. | Because numerous meetings and workshops have been conducted for this project, there has been some repetition as preliminary assessment was refined into options, which was refined into a preliminary staff recommendation, and ultimately refined into the staff recommendation. For the record and for the benefit of any citizens new to the process, a presentation was given at the meeting. The project team was very pleased to hear from hearing participants that they were comfortable enough with the |

Responses To Comments: Comprehensive Plan Compliance Project 2009

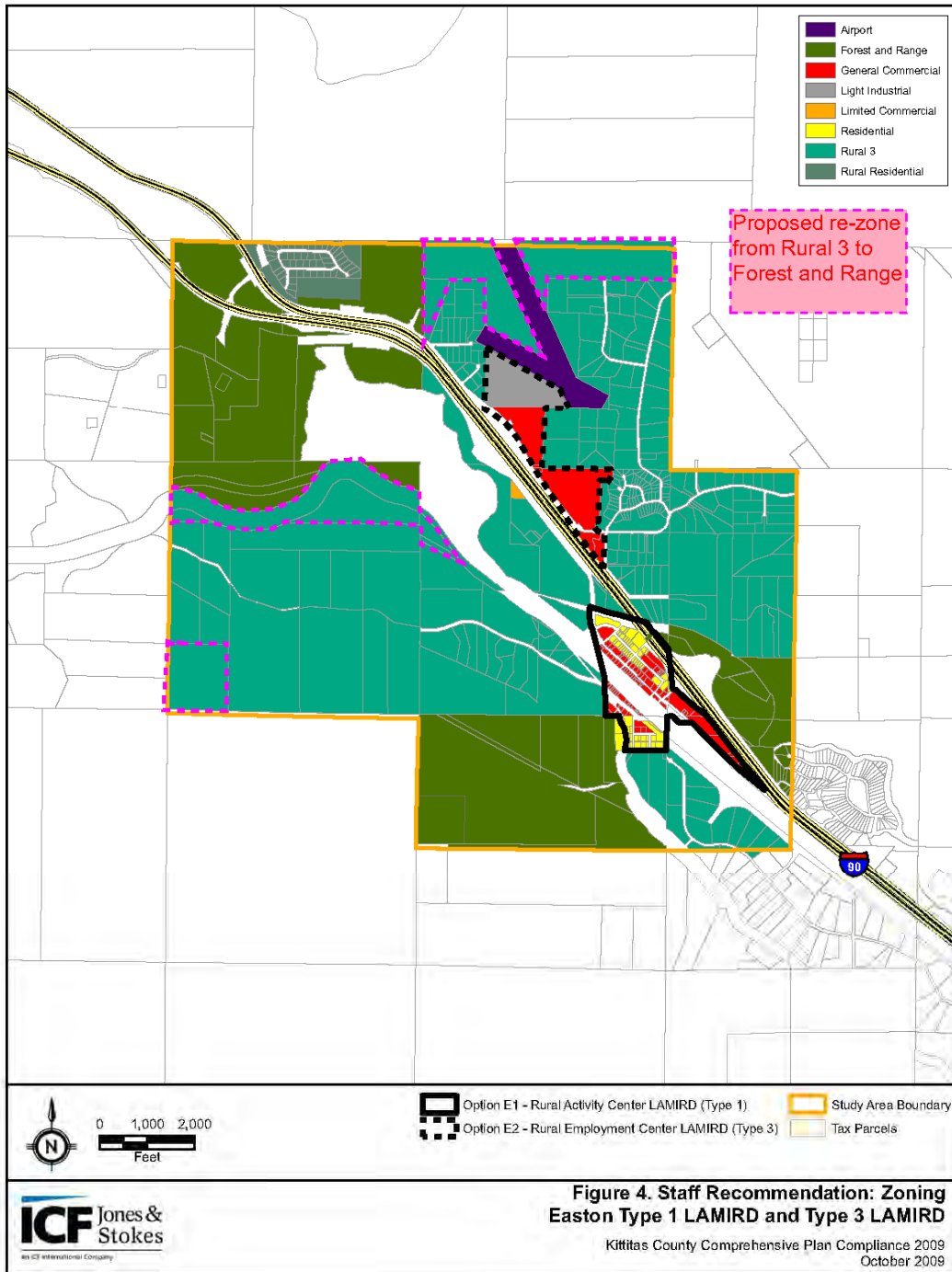
| Name | Summary of Comments | Response |
|------|--|--|
| | | background material that it was not necessary to explain it again. However, the staff recommendations were still presented, so that they could be entered into the public record. |
| | Takes issue with interruptions by hearing Participants. | The Planning Commission meetings are run by the Planning Commission Chair. The Planning Commission chair did provide direction at the beginning of the Hearing that all comments were to be directed to the Commission via formal testimony, and provided a reminder in the course of the hearing. The Chair also provided direction that testimony be focused on the compliance issues under consideration. Twice the project team was asked to clarify terms or procedures that were brought up in testimony. |
| | Concerned that there were insufficient copies of meeting handouts. | <p>The hearing was on the Staff Recommendation, which was made available to the public on October 27, 2009, nine days before the hearing. For comments that had been provided earlier than the November 5 hearing date, the project team did provide some preliminary responses in the presentation for consideration by the Planning Commission (all are included in this summary document). Like all other responses provided in this document, the preliminary responses were provided to help inform the Planning Commission's deliberation, scheduled for November 10, 2009.</p> <p>The recommended refinement to the Agriculture and Forest criteria was provided in response to Comment 43, summarized in this table.</p> |
| | Concern about submittal of preliminary Findings of Fact | <p>The Findings of Fact is produced by the Planning Commission as part of deliberation.</p> <p>The preliminary Findings of Fact was based upon the Staff Recommendation, which has been under public review, and was provided as a courtesy to the Planning Commission for purposes of review prior to the meeting scheduled on November 10, 2009. They may opt to use the preliminary document as a starting point in their deliberation. Copies were made available to community members at the same time they were provided to the Planning Commissioners.</p> |
| | Takes issue with the public testimony being closed at noon, the day following the Hearing; and overall timeline. | <p>It is typical to close testimony at the end of the hearing. The extension was provided to give extra time to participants.</p> <p>The overall timeline, in which development of</p> |

Responses To Comments: Comprehensive Plan Compliance Project 2009

| Name | Summary of Comments | Response |
|--|---|--|
| | | <p>staff recommendations, Planning Commission hearing, and deliberation, and Commissioner hearing and deliberation, take place in the months of October through December is typical for Comprehensive Plan updates, which occur on an annual basis. For this compliance project, workshops and meetings have been conducted at major milestone points since August 2009, to allow interested citizens to stay informed and involved as the project has progressed.</p> |
| <p>57. Roger Weaver</p> | <p>Provided follow-up response to some issues raised at the November 5 hearing, with respect to area south of the interchange at Thorp.</p> | <p>See response to Letter 12 (Table 2).</p> |
| <p>58. Unidentified (County staff will confirm source)</p> | <p>Suggest that the Forest Land criteria, the purpose statement and section 4(D) include the GMA planning requirement in RCW 36.70A.170.</p> <p>Same suggestion for the purpose statement in the Agriculture purpose statement.</p> <p>For GPO 2.142.B, suggests additional language included in RCW 36.70A.060.</p> <p>Suggestion for clarifying text in GPO 2.114A regarding ESA.</p> | <p>Comments are noted and will be taken into consideration as part of Planning Commission deliberation.</p> |

Attachment A

Revised Figure 4 regarding Easton Zoning



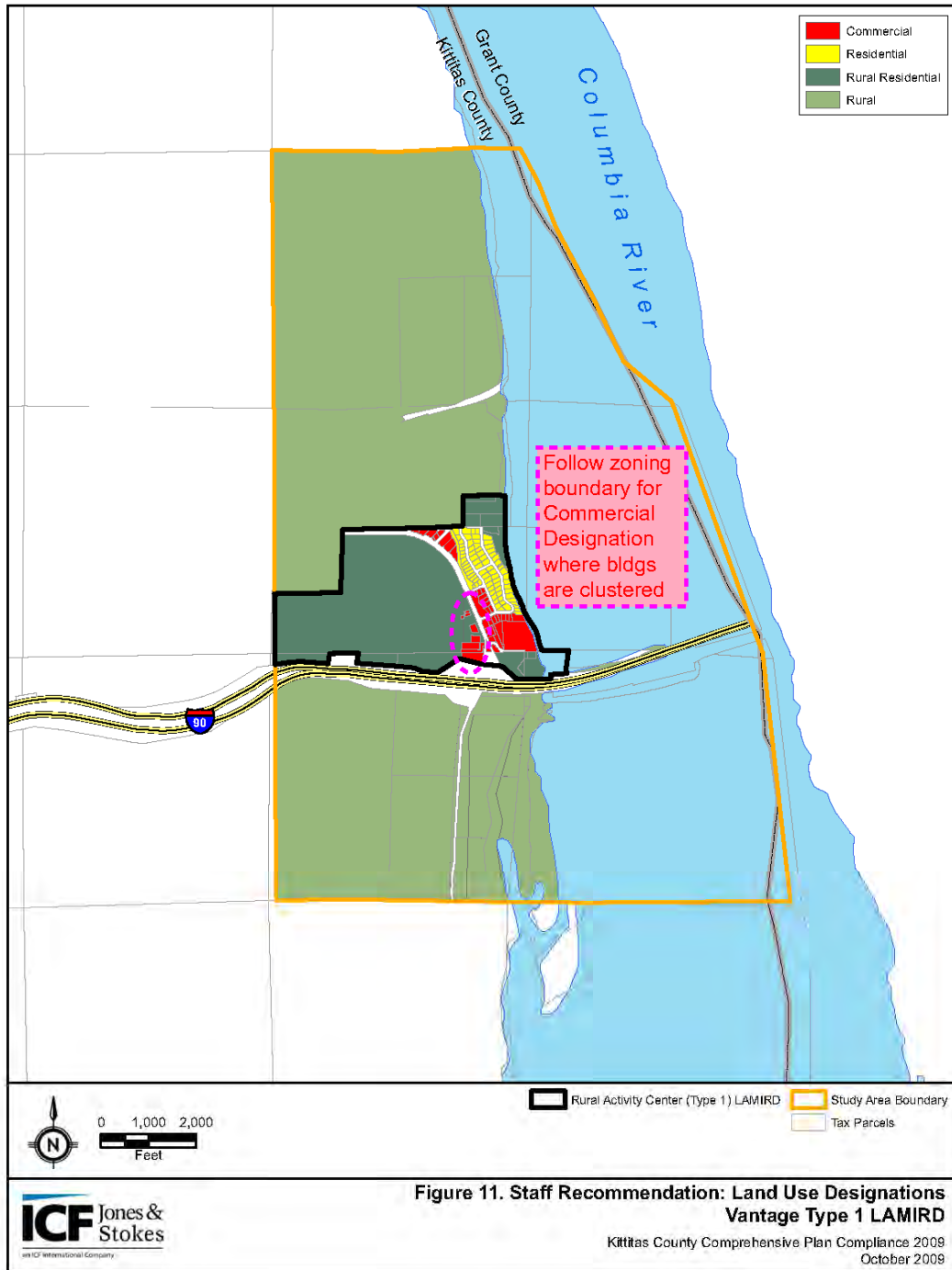
Attachment B

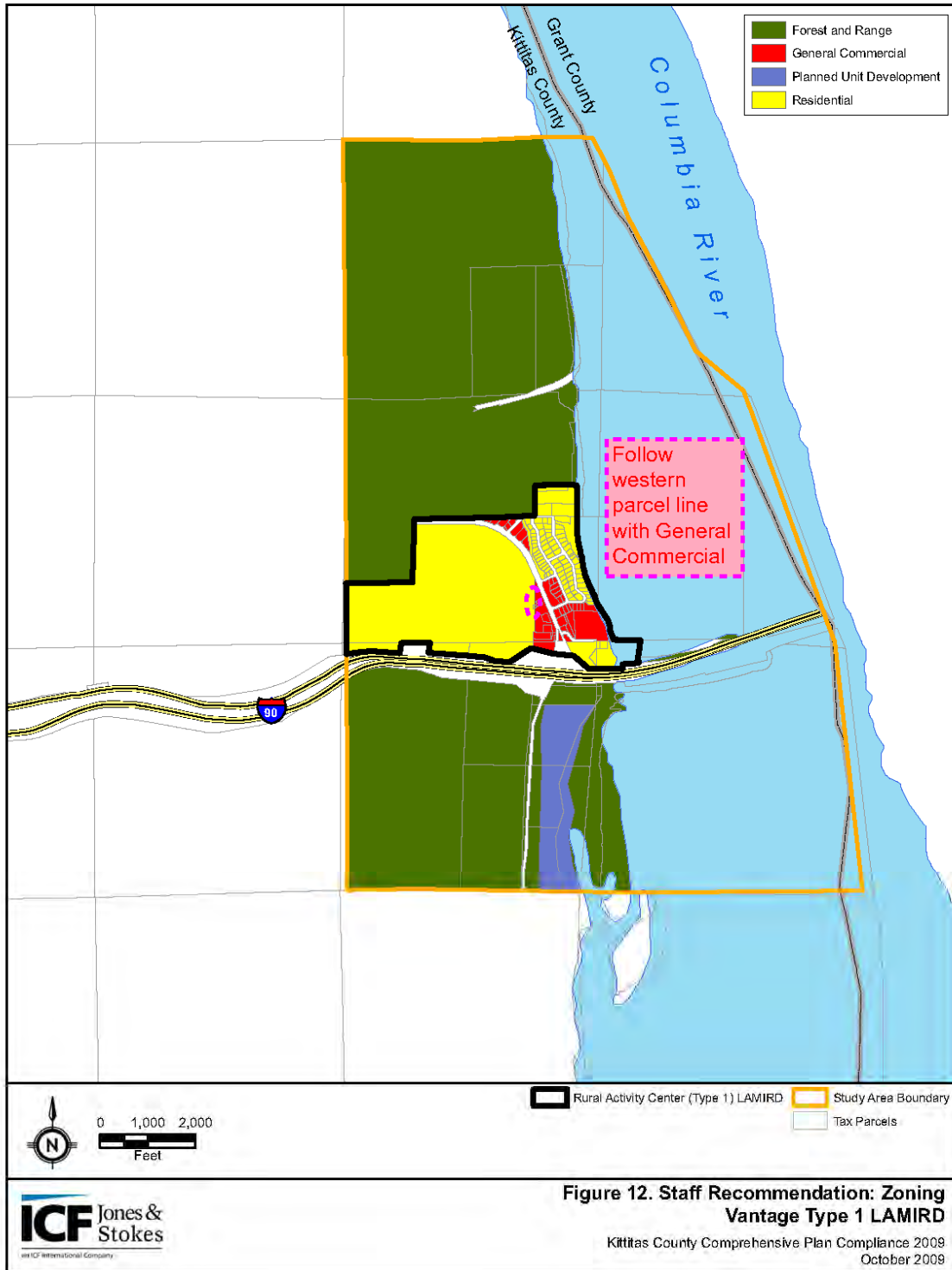
Ronald Aerial Photo 1990



Attachment C

Revised Figures 11 and 12, Vantage Comprehensive Plan Map





Attachment D

Supplemental Amendment to Countywide Planning Policies on Master Planned Resorts

Add reference to all GMA provisions regarding master planned resorts.

MASTER PLANNED RESORTS

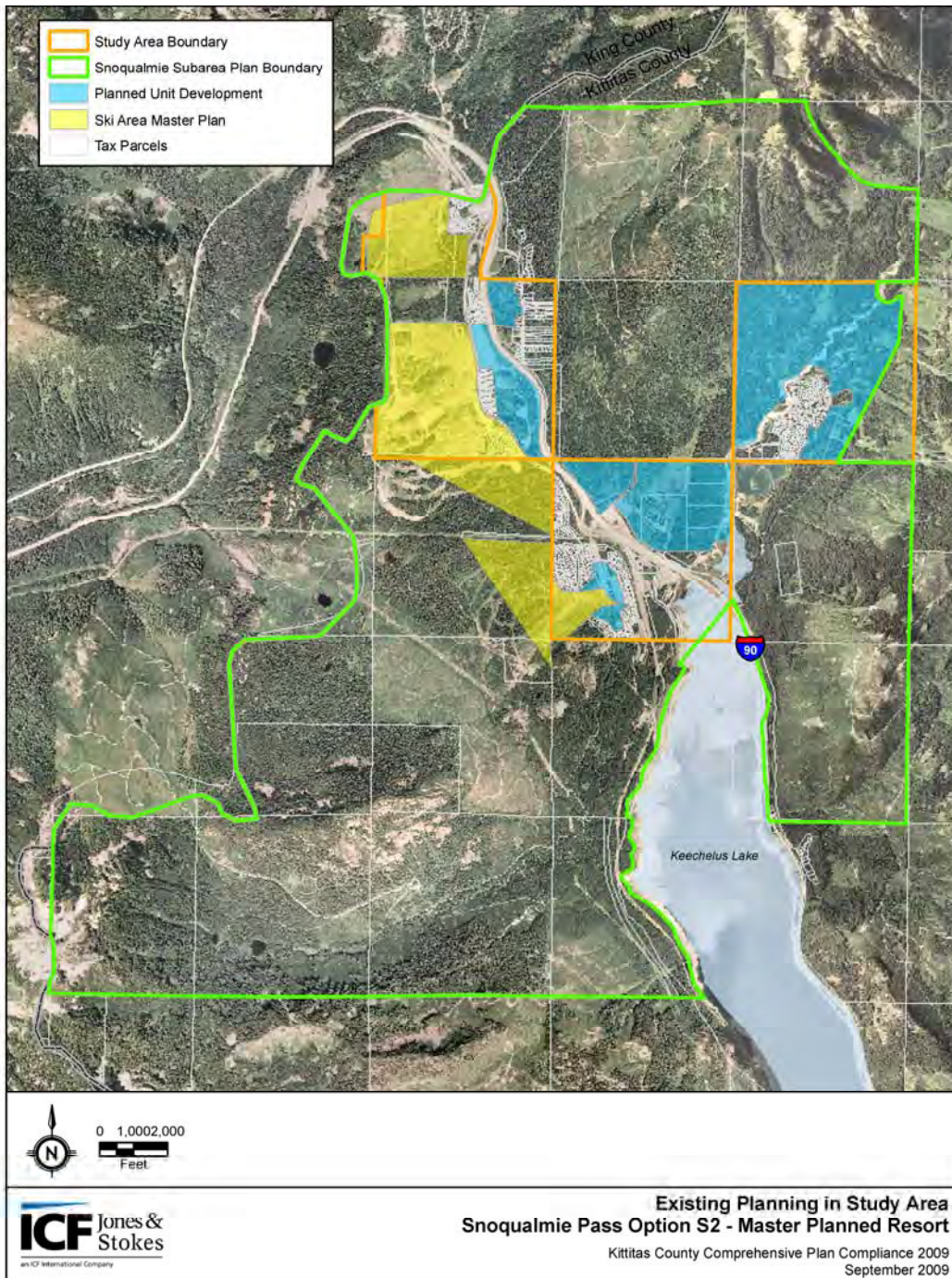
I. Issues

1. Master Planned Resorts

Policy A: The County may authorize master planned resorts in Kittitas County pursuant to RCW 36.70A.360 and 362 and the County's Comprehensive Plan MPR Policies.

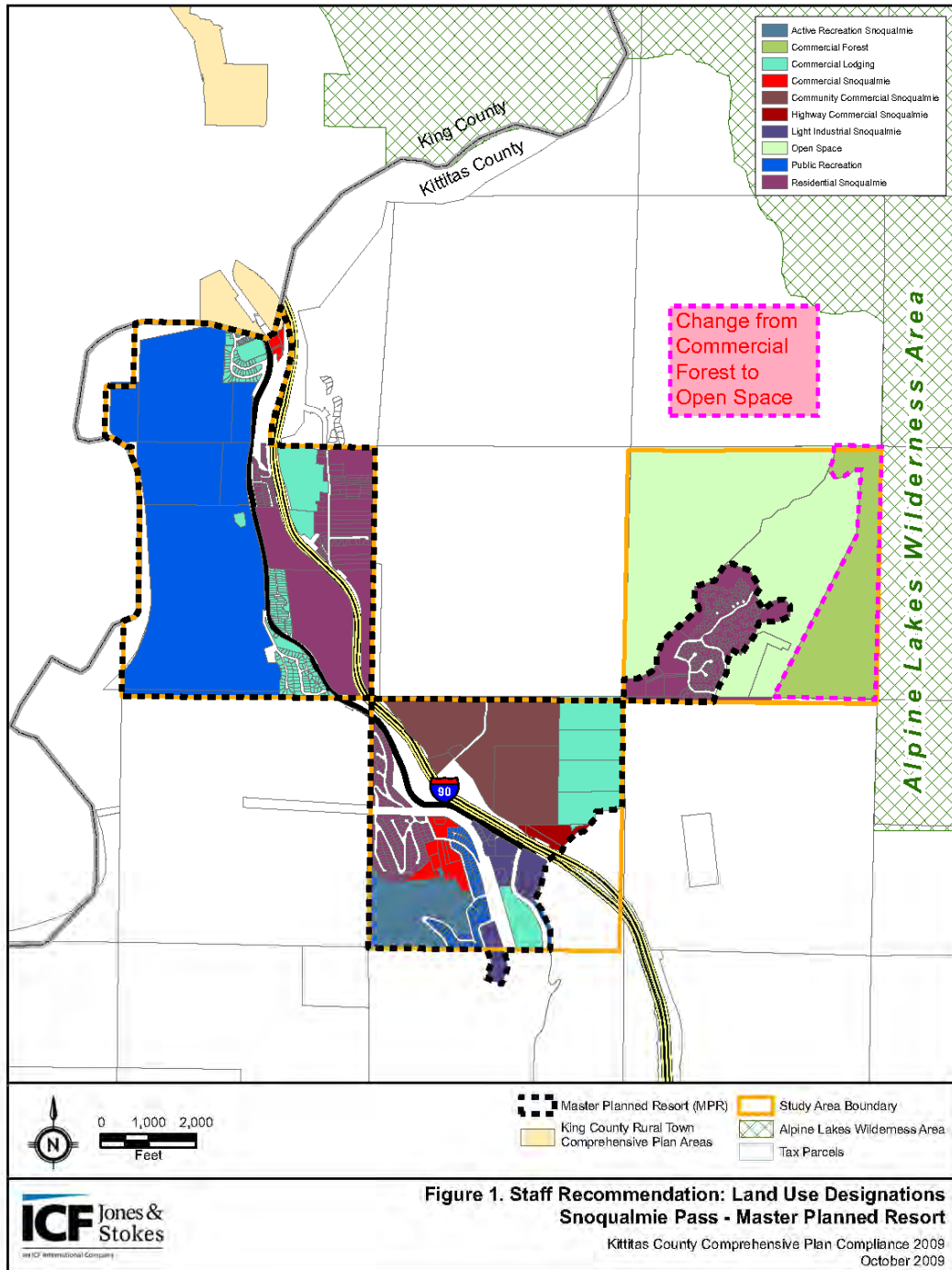
Attachment E

Snoqualmie Pass Planning Boundaries Map



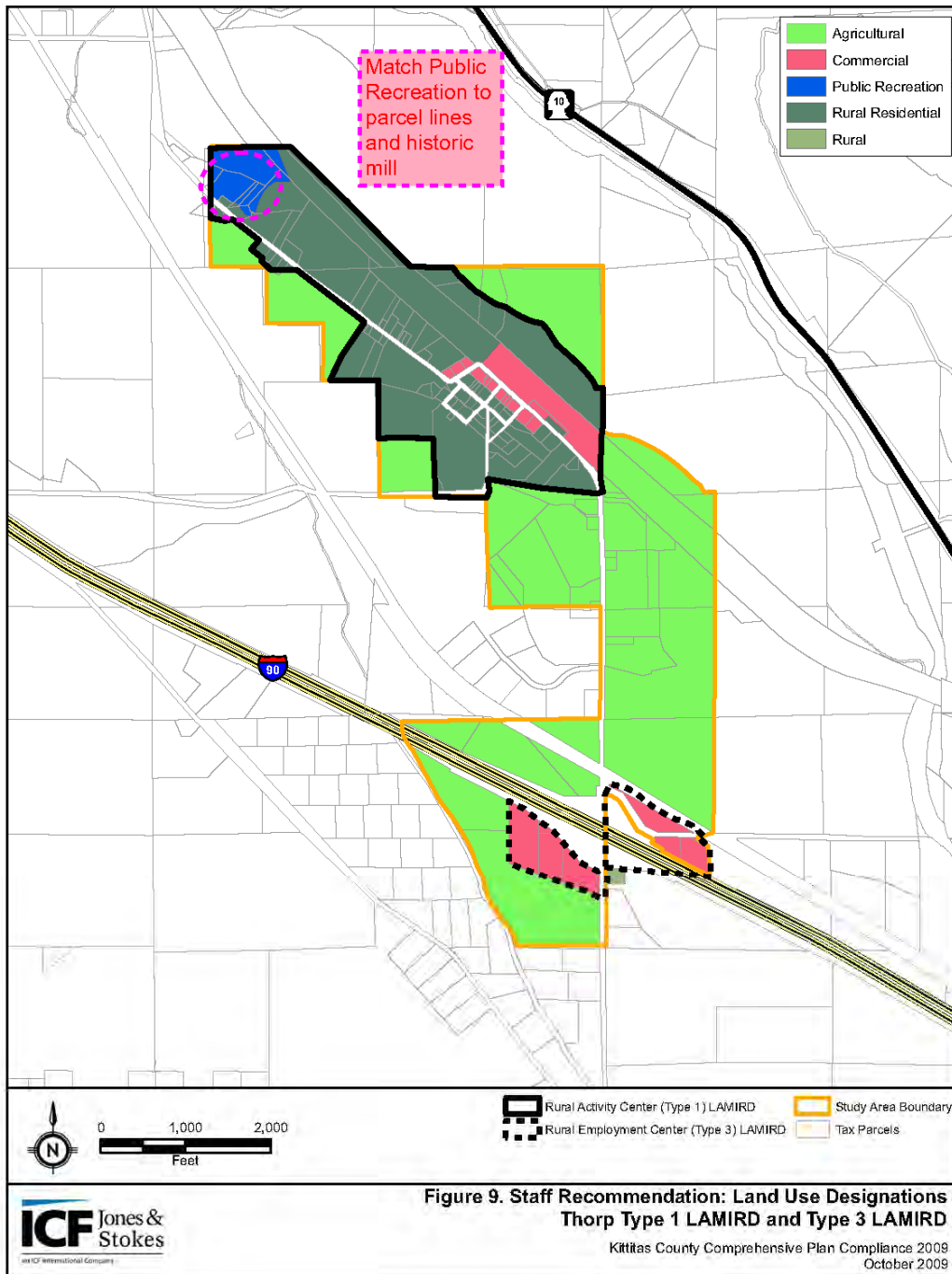
Attachment F

Revised Figure 1 regarding Snoqualmie Pass Land Use Designations

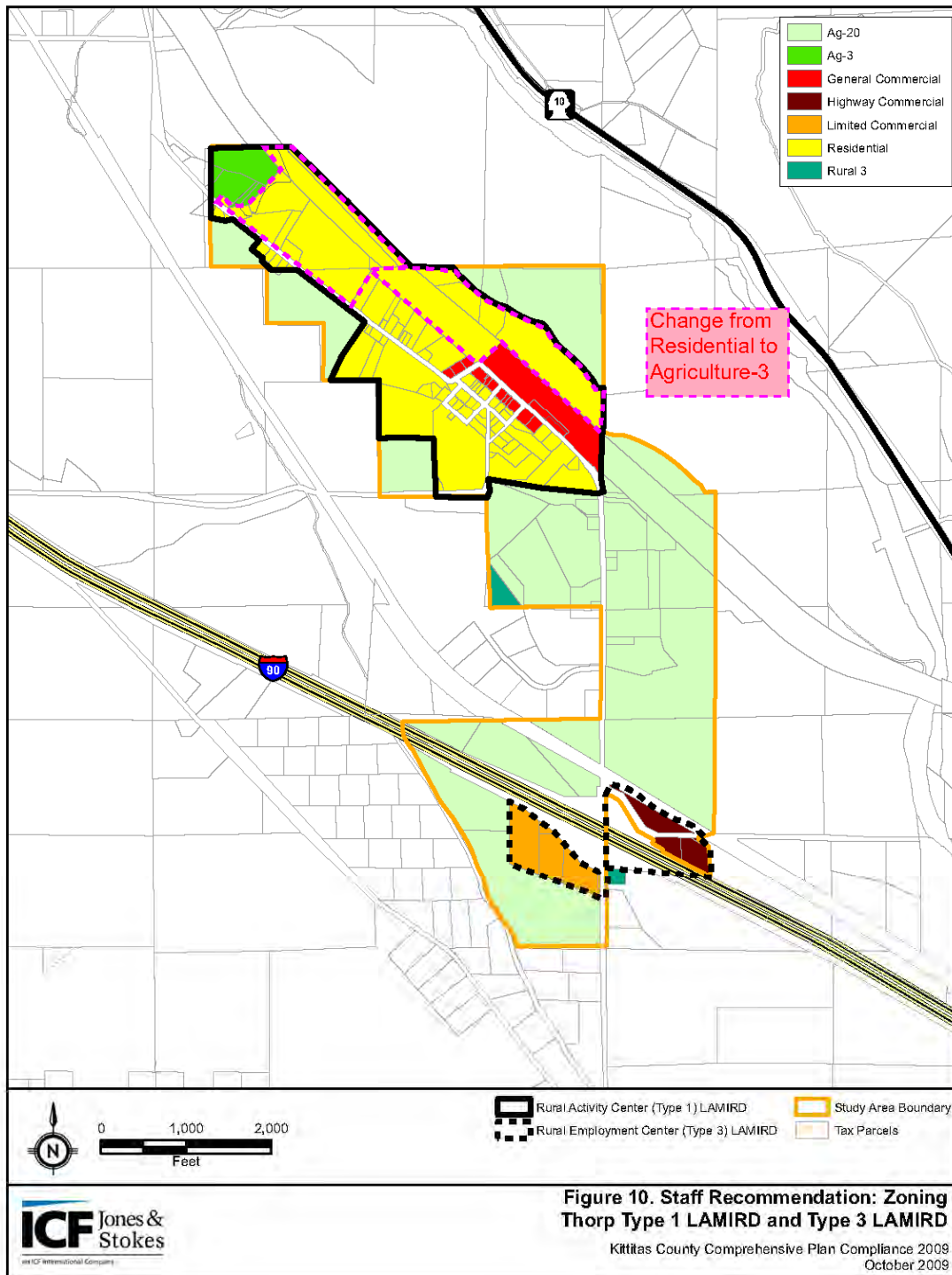


Attachment G

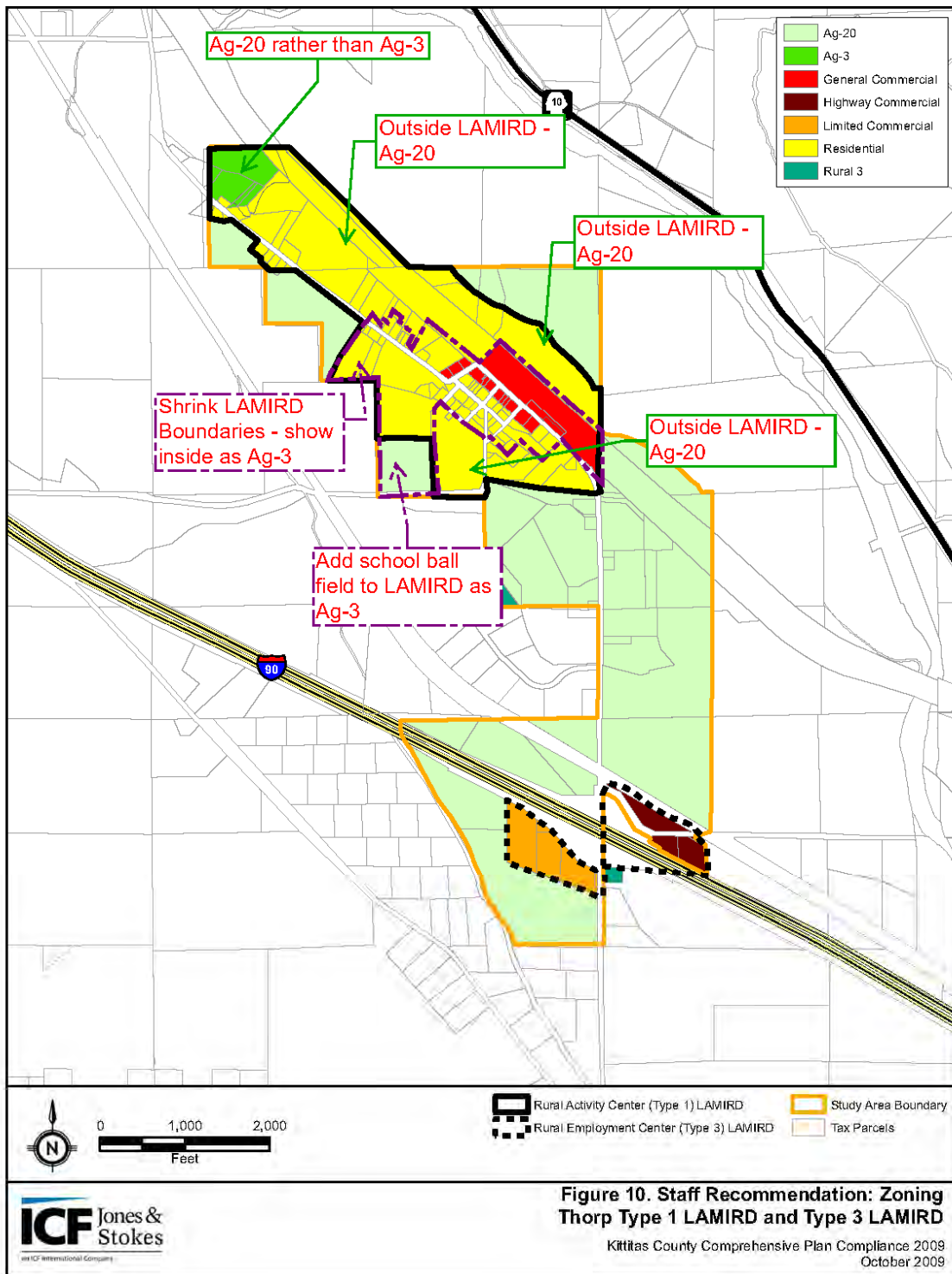
Revised Figure 9 (Recommended Land Use Designations) for Thorp – OPTION A



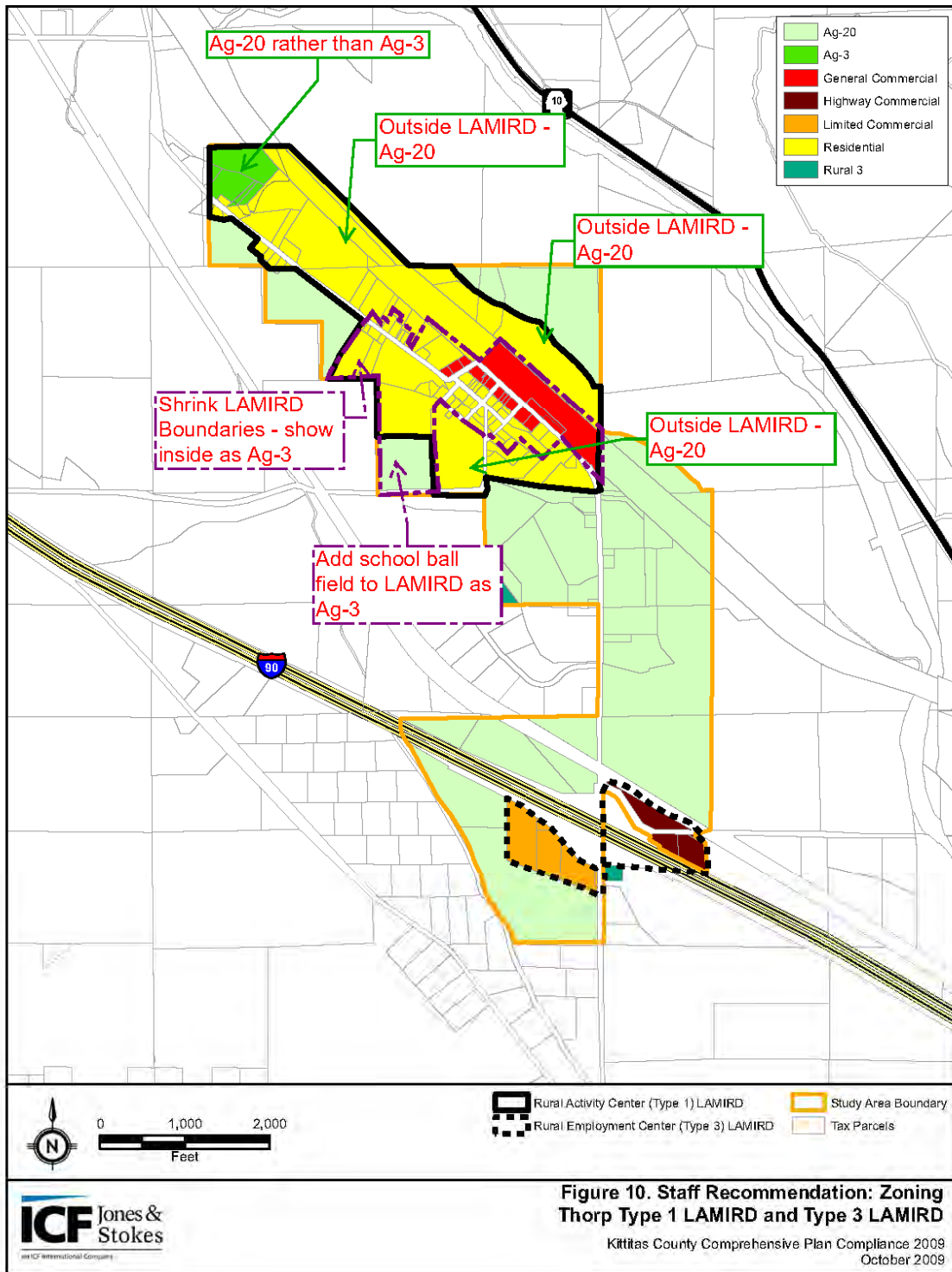
Revised Figure 10 (Recommended Zoning) for Thorp – OPTION A



Revised Figure 9 (Recommended Land Use Designations) for Thorp – OPTION B



Revised Figure 10 (Recommended Zoning) for Thorp – OPTION A



Attachment H

Supplement to City of Kittitas Land Capacity Analysis Evaluation dated September 24, 2009

Table 10 uses the methods described in Table 7, the net acres calculated in Table 8, and the options identified in Table 9. Table 10 shows the job calculations in Employment Method 3 and 4. Method 3 and 4 employment calculations were carried forward in the planning options for Kittitas.

Table 10. Employment Detail

| Option/Type | Net Development Acres: City and UGA [c] | Employment Capacity Assumption [d] | Employees |
|--------------------------------|---|------------------------------------|-----------|
| Employment Method 3 [a] | | | |
| Industrial | 50 | 10/ac | 504 |
| Commercial | 26 | 10/ac | 258 |
| Large Format Commercial | 136 | 3 big box @ 250 each | 750 |
| Method 3 Total | | | 1,512 |
| Employment Method 4 [b] | | | |
| Industrial | 50 | 1 per 1000 sf | 403 |
| Commercial | 26 | 1 per 1500 sf | 211 |
| Large Format Commercial | 106 | 2 big box @ 135 each | 270 |
| Method 4 Total | | | 885 |

[a] Land area needed - proposed UGA with three large format stores; average big box employees of 250. On non-large format sites, assume 10 employees per acre per ECONorthwest 2006 report.

[b] Land area needed - two average big box employers of 135. On non-large format sites, assume employees per s.f. high range 1,500 commercial and 1000 industrial per ECONorthwest 2006. Presumes UGA reduction of 30 net mixed commercial/industrial acres.

[c] See net acres in Table 8 and Appendix E.

[d] See employment density approaches in Table 7.

Attachment I

Modified Resource Land Criteria

Agricultural Lands of Long-Term Commercial Significance

2.3(C) Resource Lands

Kittitas County hereby adopts the standards set forth in RCW 36.70A.170 as to designation of resource lands, including that these lands may not currently be characterized by urban growth and that they must have long term commercial significance. Kittitas County hereby adopts the definitions found in RCW 36.70A.030.

Commercial Agriculture Land Use

The purpose and intent of this designation is to comply with the requirements of the Growth Management Act [RCW 36.70A.060]. The county has considered the Minimum Guidelines [WAC 365-190] in the classification, designation and conservation of commercial agricultural lands in Kittitas County. It is the county's intent to meet these requirements by establishing a Commercial Agricultural designation. Based on the review criteria established by Kittitas County, land located in the Commercial Agricultural Zone [CAZ] has been formally designated as Agricultural Lands of Long-term Commercial Significance.

~~Agricultural lands of long term commercial significance have been identified by considering the following criteria:~~

~~Procedure for Designation and De-designation:~~

- ~~1. Application submitted to Community Development Services (CDS).~~
- ~~2. Application referred to Agricultural Lands Advisory Committee for review and recommendation to the Planning Commission.~~
- ~~3. Planning Commission conducts public hearings.~~
- ~~4. Planning Commission makes recommendations to Kittitas County Board of Commissioners for which makes the final decision.~~

~~Designation:~~

~~In classifying agricultural lands of long term commercial significance, Kittitas County shall use the prime and unique soils as contained in the land capability classification system of the United States Department of Agriculture Soil Conservation Services as defined in Agriculture Handbook No. 210, the actual presence of such soils on the subject property to be demonstrated by the best available science. Kittitas County may further consider the combined effects of proximity to population areas and the possibility of more intense uses of the lands as indicated by:~~

- ~~a. The availability of public facilities;~~
- ~~b. Tax status;~~
- ~~c. The availability of public services;~~
- ~~d. Relationship or proximity to urban growth area(s), which shall include areas of where historic growth has occurred~~
- ~~e. The location of public roads, utilities and other public services;~~
- ~~f. Predominant parcel size and parcel size of the resource;~~

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- ~~g. Land settlement patterns and their compatibility with agricultural practices;~~
 - ~~h. Intensity of nearby land uses;~~
 - ~~i. History of land development permits issued nearby;~~
 - ~~j. Land values under alternative uses;~~
 - ~~k. Proximity of markets;~~
 - ~~l. Availability of agriculture infrastructure;~~
 - ~~m. Availability and adequate water supplies; or~~
 - ~~n. Long term economic conditions which affect the ability to manage and/or maintain commercially viable agricultural lands, which should include consideration of the following market factors:
 - ~~i. The location of manufacturing or processing facilities;~~
 - ~~ii. Equipment and transport costs;~~
 - ~~iii. Site productivity and production costs;~~~~
- ~~Taxes and administrative costs.~~

~~De-Designation~~

~~Kittitas County, hereby adopts the following provision with respect to dedesignation of agriculture land of long term significance:~~

- ~~1) Change in circumstances pertaining to the comprehensive plan or public policy;~~
- ~~2) A change in circumstances beyond the control of the landowner pertaining to the subject property;~~
- ~~3) An error in designation; or~~
- ~~4) New information on natural resources land or critical area status.~~

~~In considering any one of these elements, the criteria for designation should additionally be considered.~~

~~Upon review of these considerations, Kittitas County determined that there were two different categories of land appropriate for designation: irrigated croplands and non irrigated grazing lands. Irrigated croplands identified for designation were lands located within the Agricultural 20 zone, within an irrigation district, consisting primarily of prime or unique soils, and complied with the other criteria under the GMA. Non irrigated grazing lands were lands that lacked adequate water for crop growing purposes, but have a capacity for and historic use for grazing, and are lands that are predominately a section of land in size with contiguous blocks of ownership of those lots.~~

~~Kittitas County was able to identify large, contiguous areas containing parcels, which met the review criteria. Kittitas County then reviewed the areas, which were consistent with the review criteria, taking into consideration topography and natural designation boundaries. The lands designated as agricultural lands of long term commercial significance depict the final review of all the factors considered for designation.~~

Comprehensive Plan Goal Regarding Designation of Agricultural Lands of Long-term Commercial Significance

For purposes of designating Agricultural Lands of Long-term Commercial Significance, and in considering any request for de-designation of such lands, Kittitas County has identified the following criteria:

Designation and De-designation of Agricultural Lands of Long-term Commercial Significance.

The purpose of this section is to identify the goals and policies in Kittitas County necessary to implement Goal 8 (RCW 36.70A.020(8)) of the Growth Management Act concerning Agricultural Lands of Long-term Commercial Significance.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agriculture, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

All decisions dealing with the designation or de-designation of Agricultural Lands of Long-term Commercial Significance shall be in support of that goal.

1. Definitions.

The County adopts and shall utilize the following definitions and considerations:

“Agricultural land” means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees subject to the excise tax imposed under *RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.¹

“Long-term commercial significance” includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.

In determining “the combined effects of proximity to population areas and the possibility of more intense uses of the land” upon agricultural lands, the County shall consider (a) the availability of public facilities; (b) tax status; (c) the availability of public services; (d) relationship or proximity to urban growth areas; (e) predominant parcel size; (f) land use settlement patterns and their compatibility with agricultural practices; (g) intensity of nearby land uses; (h) history of land development permits issued nearby; (i) land values under alternative uses; and (j) proximity of markets.

2. Designation Criteria.

In order to be designated Agricultural Lands of Long-Term Commercial Significance in Kittitas County, the land must: (1) not be characterized by urban growth; (2) be primarily devoted to agriculture, and (3) have long-term significance for agriculture.

¹ RCW 84.33.100 through 84.33.118 were repealed or decodified by 2001 c 249 §§ 15 and 16. RCW 84.33.120 was repealed by 2001 c 249 § 16 and by 2003 c 170 § 7.

Agricultural Lands of Long-Term Commercial Significance

Land shall be designated Agricultural Lands of Long-Term Commercial Significance (referred to as Commercial Agricultural Lands in the Kittitas County Code) in accordance with the designation criteria and considerations set forth herein.

A. Land Grade Consideration. Agricultural Lands of Long-term Commercial Significance shall be prime and unique farmland soils as mapped by the United States Department of Agriculture Soil-Natural Resources Conservation Service and considered capable of agricultural use according to land capability criteria in Agriculture Handbook No. 210 or successor guide adopted by the federal agency.

B. Other consideration. In determining whether land should be designated as Agricultural Land of Long-term Commercial Significance, the County may also consider the needs and nature of the agricultural industry.

C. Designation. Upon a determination that a tract qualifies as Agricultural Lands of Long-Term Commercial Significance (referred to as Commercial Agricultural Lands in the Kittitas County Code) under the definitions and considerations noted above, such lands shall be so mapped in the Comprehensive Land Use Plan map of Kittitas County and shall be zoned Commercial Agricultural lands under Kittitas County zoning code, section KCC 17.31. The County's Commercial Agricultural zoning code, KCC 17.31, shall control uses, maintenance and enhancement of the agricultural industry and conserve productive agricultural lands consistent with the needs and best practices of the industry. Lands presently mapped as "commercial agriculture" shall retain that designation unless a specific de-designation request is filed by the owner for a review under the guidelines of this Ordinance.

3. De-designation criteria.

A. Definitions. De-designation is a change of land classification from Agricultural Lands of Long-Term Commercial Significance to another GMA classification.

B. De-designation Criteria. The considerations and criteria for de-designation are the same as the considerations and criteria for designation identified in sections 1 and 2 above. De-designation requests may be initiated by the County or by individuals based on a request to consider (1) a mistake in the original designation or (2) that factors leading to the original designation have changed, rendering the site inappropriate for long-term commercially significant agricultural land designation.

C. A de-designation request shall provide a legal description of the property subject to the request and map showing the agricultural land grades listed above for the property. The request shall specifically address each of the factors above deemed pertinent to the consideration of designation and de-designation.

4. Applications and Processing.

A. Applications for the designation of Agricultural Lands of Long-Term Commercial Significance shall be docketed with the planning department for annual consideration by the Kittitas County planning commissioners and board of county commissioners as a change to the County comprehensive plan and map in accordance with Chapter 15.B of

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the Kittitas County Code. Application for de-designation of Agricultural Lands of Long-Term Commercial Significance shall only be docketed and considered as part of the County's seven-year comprehensive plan update cycle. Applications for de-designations of Agricultural Lands of Long-Term Commercial Significance must be accompanied, and processed along with, a specific development application.

B. In determining a request to designate or de-designate Agricultural Land of Long-Term Commercial Significance, the County may consider the needs and nature of the agriculture industry (*Lewis County v. Western Washington Growth Management Hearings Bd.*, 157 Wn.2d 488, 139 P.3d 1096 (2006)).

C. In considering a request for de-designation, the County shall make the same considerations as in designating lands under the provisions of Section 2 above (*City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 116 Wn. App. 48, 65 P.3d 337 (2003) (*Benaroya II*)).

D. In addition to such considerations as may be undertaken by the County under these provisions, the County shall address in writing: (1) the factors that warrant the designation or de-designation, and (2) how the action meets the objectives of Goal 8 of GMA (RCW 36.70A.020(8)) to maintain and enhance a productive agriculture industry and to encourage the conservation of productive agricultural lands and to discourage incompatible uses when making a decision on designation or de-designation of Agricultural Lands of Long-Term Commercial Significance.

GPO 2.110A Oppose laws and regulations, which restrict agriculture, and support laws and regulations, which enhance agriculture.

GPO 2.110B ~~As allowed in GPO 2.10B and 2.10C d~~Develop a study area where the Rural Land Use designation and the Commercial Agriculture designation interface occurs which may lead to the development of a Commercial Agriculture Transition Zone overlay. The study area should consider but not be limited to:

- Strategies that site land use activities within or adjacent to Commercial Agriculture lands that minimize conflicts with agricultural activities.
- Consider Transfer of Development Rights from Commercial Agriculture to Rural lands.
- Use of Cluster Development within the transition zone to minimize impacts.
- Use of open space to act as a "buffer" between Rural and Commercial Agriculture designations.

GPO 2.111 Continue and expand support for right-to-farm ordinances.

GPO 2.112 Kittitas County recognizes that new residents may not understand the rural living differences encountered in Kittitas County, therefore the county supports the efforts of educational opportunities and agencies to educate on rural living and agricultural activities.

GPO 2.113 Support efforts to see that all lands receive their full allocation of water.

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GPO 2.114A Agricultural activities within areas designated as Commercial Agriculture shall take precedent over recovery activities targeted for the recovery of threatened and endangered species.

~~GPO 2.114B Economically productive farming should be promoted and protected. Commercial agricultural lands includes those lands that have the high probability of an adequate and dependable water supply, are economically productive, and meet the definition of "Prime Farmland" as defined under 7 CFR Chapter VI Part 657.5.~~

~~For the purpose of this chapter, "Adequate and dependable water supply" means enough water as outlined in those engineering reports available on most commercial farmlands in the Kittitas Valley, from Adjudication records (i.e. Aquavella et al) that detail the water duty necessary for each parcel to remain viable as commercial agricultural lands.~~

~~For the purpose of this chapter, "Economically productive" means the ability to provide and continue to provide sufficient return on investment to allow present and future farmers to continue using the designated commercial agricultural land. This would include but not be limited to being economically realistic as Ag lands with respect to land value, property taxes, market conditions, water costs and other economic factors.~~

GPO 2.115 Reserved

~~GPO 2.116 Support an information campaign to educate our non farm populace on agricultural activities.~~Reserved

GPO 2.117 Encourage non-farmers in agricultural areas to meet farm performance standards.

GPO 2.118 Encourage development projects whose outcome will be the significant conservation of farmlands.

GPO 2.119 Identify and designate agriculture transportation corridors that facilitate farm use.

GPO 2.121 Cooperate in sound voluntary farm conservation or preservation plans (i.e., be recipients and overseers for conservation easements and/or assist with transferable development rights programs).

GPO 2.122 Look into additional tax incentives to retain productive agricultural lands.

GPO 2.123 Value agricultural lands for tax purposes at their current agricultural land use.

GPO 2.124 Create a growth management agricultural advisory council comprised only of agriculture producers to review and make recommendations to the Board of County Commissioners on at least an annual basis over the coming 20 years on:

- a. the status of agriculture in Kittitas County,

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- b. county agriculture policies and regulations,
- c. local agriculture marketing and economic planning, and
- d. review and make recommendations regarding zoning and development regulations.

GPO 2.125 ~~If any lands are reclassified out of the Commercial Agricultural designation, then the land reverts to the Agricultural designation.~~Reserved

Incentives for Commercial Agriculture Land Use

It is the policy of Kittitas County to encourage and support agricultural uses of lands within the Commercial Agricultural designation. The county will continue to explore additional incentives for conserving both rural and resource lands. These incentives may be developed through the Kittitas County Comprehensive Plan and subsequent implementation mechanisms.

GPO 2.126 Where appropriate, Kittitas County will exert its influence to help provide the delivery of water to all lands within the county whether the deliveries are through Bureau of Reclamation, Districts, or private facilities; and to oppose other government agency action impairing water rights or delivery.

GPO 2.127a Irrigation delivery facilities shall be managed and maintained by adjacent landowners to facilitate the unimpeded delivery of waters to agricultural lands in Kittitas County. No existing contractual agreement pursuant to any water system shall be impaired by this ordinance.

GPO 2.127B Encourage all development to incorporate drought tolerant or native vegetation as a major component of their landscaping plan (i.e. xeriscaping)

GPO 2.128 To the extent possible the Board of County Commissioners shall promote processing facilities for the products produced upon those lands designated as Commercial Agricultural under this Chapter.

GPO 2.129 In determining the current use value of open space land, the County Assessor shall consider only the use to which such property and improvements is currently applied and shall not consider potential uses of such property. In determining the current use value of farm and agricultural land the County Assessor shall consider the earning or productive capacity of comparable lands from crops grown most typically in the area averaged over not less than five years.

GPO 2.129B Require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, shall contain a notice that states that: "The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with

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county, state and federal laws are not subject or legal action as public nuisances. (RCW 7.48.305)”

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Commercial Forest Land Use

Commercial forestland, approximately 732,000 acres, claims approximately half of the Kittitas county land area. A checkerboard pattern of private, State, and Federal land ownerships characterizes the County forests. ~~Federal and State ownership accounts for approximately eighty two percent of the lands designated commercial forestlands in Kittitas County. Private ownership only accounts for approximately eighteen percent of commercial forestlands.~~

Traditionally forestlands in the County contributed regional economic value by providing employment and income from resource management, which includes: harvesting, fishing, hunting, mining, grazing and recreation. Even though revenue has diminished from forest products, it is also recognized that forestlands provide other public benefits and values such as; watersheds, wildlife and fish habitat. It is recognized that the designation “Commercial Forest Lands” has been used to encompass all forested lands that do provide a variety of public benefits including non productive and high elevation lands within ownerships.

~~The original Commercial Forest zone was created in 1993 during an era of strong local and regional markets for traditional solid wood products from forest lands in Kittitas County. There was a large, viable industrial forest land base and an active National Forest timber sale program. Further, many of the Non-Industrial Private Forest ownerships were intact and contributing to the supply side of the log markets.~~

~~This created a large annual supply of logs for the wood basket of local and regional manufacturing within a 100 mile radius. The Commercial Forest zone created in 1993 was driven by ownership objectives at that time and historic land use. There have been significant changes in land ownership and manufacturing infrastructure since the Commercial Forest zone was created.~~

~~The forest industry in Kittitas County has experienced a substantial economic down turn for the past 15+ years. This occurred primarily due to the Endangered Species Act and its effect on state forest practices, imposing regulations to protect listed species and their habitats on Federal, State and Private forest lands. Backed by the increasing use of citizen suits under the ESA and other federal environmental statutes, these regulations resulted in the removal of most of the federal timber from the market place and placed constraints on state and private forest management for wood products. This in turn increased the demand for logs off of private forest land. Increases in private harvests over the past decade helped to offset some of the decline in federal harvests, but the capacity to maintain higher harvest levels on private forest lands on a sustainable basis peaked, causing local mills to seek logs at greater distances. With the lack of local supply, increased transportation, and manufacturing costs, the mills had no choice but to shut down. The loss of seven mills since 1990 in Kittitas, Klickitat, Chelan, and Yakima counties has resulted in reduced market competition and increased haul distances for logs.~~

~~Unlike the West side of the State, forests in Kittitas County have a significant species mix and size of timber that are generally undesirable to West side mills. In addition, export restrictions on state and federal forest have limited the marketability of timber. The confluence of these factors has devastated the timber industry in Kittitas County. Without the local milling~~

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~~infrastructure, and a short term and long term inventory consisting only of low value logs, participants in the commercial timber industry in Kittitas County can no longer compete in the log market when most of the milling capacity is in the Western part of the State, with its own abundant supply of relatively cheap timber and close proximity to a forested land base. Historically, the industry has been able to survive the cyclical down turns in log markets when there is a consistent local infra-structure to keep transportation costs down, but with the loss of the milling and manufacturing infrastructure within the region, this is no longer the case.~~

~~This significant change in circumstances within Kittitas County, the collapse of the commercial timber industry, and lack of infra-structure, other incentives and alternatives to keep working forests viable should be considered. There may be emerging markets such as carbon sequestration, Transfer of Development Rights (TDRs), bio fuel and bio energy production that offset the loss of the traditional log product markets, but these markets are commercially speculative, predicated upon viable working forests, and are unavailable to landowners in the immediate future. Even when such markets are developed, it is unlikely that they will generate revenue sufficient for managing and sustaining healthy, commercially viable forestlands. Moreover, landowners should not be expected to continue to manage forest lands for public benefits without compensation to offset the costs associated with managing forest lands.~~

It is clear that the Legislature intended that counties planning under the Growth Management Act (GMA) should consider land characteristics and economic factors when designating commercial forest lands. ~~Under the GMA and its guidelines, lands may not be economically and practically managed for commercial timber production if long term conditions, such as mill closures, unforeseen regulatory encumbrances, and international competition rendered such production economically unfeasible.~~ As stated by the Washington Supreme Court, “the GMA is not intended to trap anyone in economic failure”. Lewis County v. Western Washington Growth Management Hearings Board, 157 Wash.2d 488, 505 (2006).

~~De-designation of lands out of the Commercial Forest Land Use Designation shall occur having a one year review process from June to June, with decision made by December during the annual comp plan review. All applications must be reviewed by the Forest Lands Advisory Committee prior to review by the Planning Commission and Board of County Commissioners.~~

~~The following procedures should be followed for Designation and De-designation:~~

- ~~1.Application submitted to Community Development Services (CDS).~~
- ~~2.Application referred to Forest Lands Advisory Committee for review and recommendations.~~
- ~~3.Planning Commission conducts public hearings with Forest Lands Advisory Committee recommendations.~~
- ~~4.Planning Commission makes recommendations to BOCC.~~
- ~~5.BOCC makes final decision as part of the annual Comp Plan Amendment Process.~~

~~In classifying forest land resources, Kittitas County shall determine which land grade constitutes forest land of long term commercial significance, based on local and regional physical, biological, economic, and land use considerations. The Forest Lands Advisory Committee shall~~

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~~determine which of the land grades from WAC 458-40-530 constitute forest lands of long term commercial significance. Kittitas County should also consider the combined effects of proximity to population areas and the possibility of more intense uses of the lands as indicated by:~~

- ~~a. The availability of public services and facilities conducive to the conversion of forest land;~~
- ~~b. Tax status;~~
- ~~c. The availability of public services;~~
- ~~d. Relationship or proximity to urban growth area(s), which shall include areas of where historic growth has occurred~~
- ~~e. The location of public roads, utilities and other public services;~~
- ~~f. Predominant parcel size: forest lands should consist of predominantly large parcels of land;~~
- ~~g. Land settlement patterns and their compatibility with forest practices of long-term commercial significance;~~
- ~~h. Intensity of nearby land uses;~~
- ~~i. History of land development permits issued nearby;~~
- ~~j. Land values under alternative uses;~~
- ~~k. Proximity of markets;~~
- ~~l. Availability and adequate water supplies; or~~
- ~~m. Long term economic conditions which affect the ability to manage and/or maintain commercially viable forest lands of long term significance, which should include consideration of the following market factors:
 - ~~i. The location of manufacturing or processing facilities;~~
 - ~~ii. Equipment and transport costs;~~
 - ~~iii. Site productivity and production costs;~~~~

~~Taxes and administrative costs~~

~~De-Designation criteria for Commercial Forest Lands:~~

~~Kittitas County, hereby adopts the following provision with respect to dedesignation of forest resource land, agriculture land of long term significance, or mineral resource land:~~

- ~~1) Change in circumstances pertaining to the comprehensive plan or public policy;~~
- ~~2) A change in circumstances beyond the control of the landowner pertaining to the subject property;~~
- ~~3) An error in designation; or~~
- ~~4) New information on natural resources land or critical area status.~~

~~In considering any one of these elements, the criteria for designation should additionally be considered.~~

~~The purpose of these Criteria is a tool to be used by the proponent and Kittitas County to evaluate parcels within the commercial forest zone proposed for de-designation.~~

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~~De-designation should not only recognize changes in circumstances since the original Commercial Forest zone created in 1993, but also continuing changes. GMA anticipates that the needs of landowners and local communities will change, and will require amendments to land designations. Land use planning is a dynamic process. Procedures for designation should provide a rational and predictable basis for accommodating change.” WAC 365-190-040(h)~~

~~The proponent and Kittitas County should address each criteria item on a case by case basis in as much detail as possible while considering the cumulative influences of all criteria.~~

~~LONG TERM ECONOMIC CONDITIONS~~

~~The original Commercial Forest zone was created during an era of strong local and regional markets for traditional solid wood products from forest lands in Kittitas County. There was a large, viable industrial forest land base and an active National Forest timber sale program. Further, many of the Non-Industrial Private Forest ownerships were intact and contributing to the supply side of the log markets. This created a large annual supply of logs for the wood basket of local and regional manufacturing.~~

~~The Commercial Forest zone created in 1993 was driven by ownership objectives at that time and historic land use. There have been significant changes in land ownership and manufacturing infrastructure since the CF 80 zone was created. The de-designation discussion shall evaluate the following inter-related factors:~~

- ~~• Long Term Economic Conditions which may include:
 - ~~○ Milling Facilities~~
 - ~~○ Transportation~~
 - ~~○ Log Values~~
 - ~~○ Species Mix and log size~~
 - ~~○ Land holding and administrative costs~~
 - ~~○ The needs of the local forest products industry, and the availability of long term sources of timber~~~~

~~For example, the reduced supply of timber reflects the current State regulatory environment for state and private lands, changes in State policies on the management and harvest of State timberlands, changes in Federal management objectives on Federal lands in response to the Endangered Species Act, Clean Water Act and National Environmental Policy Act, and changes in goals and objectives with new ownership of private lands.~~

~~INTENSITY OF NEARBY LAND USES~~

~~Rural land values including rural forested land values have increased dramatically since the Commercial Forest zone was created in 1993. These value increases have been driven by a high market demand for smaller parcels for use as rural residential, 2nd home site, or simply as an investment. In economic terms, the ‘highest and best use’ of these lands in the current market far exceeds traditional resource land values.~~

~~The de-designation discussion shall evaluate the following:~~

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- ~~Compatibility and intensity of adjacent and nearby land use. Land Use Plan consistent with requested de-designation, including operational impacts on adjacent commercial forest land.~~

~~Applications for de-designation from Commercial Forest should demonstrate compatible use with adjoining rural and commercial forest land use parcels. Innovative land use planning that allows for development while preserving open space should be considered favorably.~~

AVAILABILITY OF PUBLIC SERVICES

~~The applicant shall demonstrate the availability or potential availability of public services at a level appropriate for a proposed de-designation.~~

- ~~Examples are:~~
 - ~~Current and future status of infrastructure.~~
 - ~~Public roads or potentially public roads.~~
 - ~~Fire District.~~
 - ~~Location in relation to Wildland Urban Interface boundary.~~
 - ~~Within or potentially included in a Community Wildfire Protection Plan.~~
 - ~~Public schools.~~
 - ~~Water available or potentially available~~
 - ~~Waste water treatment~~

SITE PRODUCTIVITY

~~The applicant for de-designation shall demonstrate that the majority (or significant portion) of the property does not meet site class 1-4 pursuant to Department of Revenue rating system. This means the land can not produce a marketable stand of timber in at least a 100 year growth period.~~

CHANGE IN CIRCUMSTANCES

~~Applications for de-designation should demonstrate change in circumstance leading to the requested de-designation of commercial forestland. While it is understood that economic changes within the local timber industry, or for a landowner, may constitute a "change of circumstances" warranting a de-designation of commercial forestlands, those issues are identified as Criterion No. 1 above.~~

~~The de-designation discussion should consider:—~~

- ~~Change in circumstance~~
 - ~~Example changes includes:~~
 - ~~Kittitas County land use patterns and land use planning;~~
 - ~~Legislative land use direction (TDR's for example);~~
 - ~~Changes in GMA: RCW and WAC, and KCC~~
 - ~~Recognize the evolving regulatory changes affecting the management of State and private forest land;~~

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- ~~–State Forest & Fish Law, 1999~~
- ~~–State Hydraulics Code~~
- ~~–Clean Water Act: State & Federal~~
- ~~–Endangered Species Act: Federal and State~~
- ~~–Shoreline Management Act: State~~

~~The following policies will guide the county in land use decisions affecting lands designated as Commercial Forest Lands:~~

~~GPO 2.130A—To conserve forest lands for productive economic use by identifying and designating forestlands where the principal and preferred land use is resource management and meets the economic needs of the industry and County. The boundaries and lot size remain as designated in 1993, with modifications occurring on a case by case basis as applications for de-designation are submitted.~~

~~GPO 2.130B—Create a growth management commercial forest committee comprised of persons with forest land management backgrounds in order to:~~

- ~~a.—assess and review applications for designation and de-designation of forestlands in Kittitas County~~
- ~~c.b.—make recommendations to the Planning Commission and Board of County Commissioners on all applications for designation and de-designation.~~

~~GPO 2.131—Forest resource lands should be classified and designated based on the criteria and procedures established in WAC 365 190 040, and 060 with special consideration given to the determination of whether forest resource lands considered for designation are viable as long term commercial significant forest resource lands.~~

~~Designation Considerations:~~

- ~~1. Define the current status of the industry~~
- ~~2. Define the needs of the industry within Kittitas County~~
- ~~3. Define the Region and the Regional needs as it relates to the industry within Kittitas County~~
- ~~4. Define viability within local and regional circles (i.e. 100 miles, 200 miles, 300 miles)~~
- ~~5. How much Commercial Forest Lands are needed to support local and regional needs of the industry.~~

GPO 2.130 Classification and designation of Forest Lands of Long-Term Commercial Significance shall be made to maintain and enhance natural resource-based industries, including productive timber industries.

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GPO 2.131 For purposes of designating Forest Lands of Long-Term Commercial Significance, and in considering any request for de-designation of such lands, Kittitas County has identified the following criteria:

Designation and de-designation of Forest Lands of Long-Term Commercial Significance

The purpose of this section is to identify the goals and policies in Kittitas County necessary to implement Goal 8 of the Growth Management Act concerning Forest Lands of Long-Term Commercial Significance.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

All decisions dealing with the designation or de-designation of forest resource lands shall be in support of that goal.

1. Definitions.

The County adopts and shall utilize the following definitions and considerations:

A. "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under *RCW 84.33.100 through 84.33.140, and that has long-term commercial significance.¹

B. "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

C. In determining whether forest land is "primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production," the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

2. Designation Criteria.

In order to be designated Forest Lands of Long-Term Commercial Significance in Kittitas County, the land must: (1) not be characterized by urban growth; (2) be primarily devoted to the growing of trees for long-term commercial timber production on land that can be economically

¹ RCW 84.33.100 through 84.33.118 were repealed or decodified by 2001 c 249 §§ 15 and 16. RCW 84.33.120 was repealed by 2001 c 249 § 16 and by 2003 c 170 § 7.

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and practically managed for such production, and (3) have long-term significance for the commercial production of timber.

Land shall be designated Forest Lands of Long-Term Commercial Significance (referred to as Commercial Forest Lands in the Kittitas County Code) in accordance with the designation criteria and considerations set forth herein.

A. Land Grade Consideration. In Kittitas County, the most common tree species are ponderosa pine and dry mixed conifer, including Douglas fir. Most of the forest lands in Kittitas County are composed of land grades 4 and 5 as mapped by the Department of Natural Resources. Forest Lands of Long-Term Commercial Significance shall include lands that have a predominance of land grades 3-6 (i.e., more than 60% of the site has requisite land grade) as defined in WAC 458-40-530.

B. Other Mandatory Factors. In the designation of Forest Lands of Long-Term Commercial Significance, the County shall also consider and address in writing the effects of proximity to population areas and the possibility of more intense uses of the subject land as indicated by:

(1) The availability of public services and facilities conducive to the conversion of forest land.

(2) The proximity of forest land to urban and suburban areas and rural settlements: Forest lands of long-term commercial significance are located outside the urban and suburban areas and rural settlements.

(3) The size of the parcels: Forest lands consist of predominantly large parcels.

(4) The compatibility and intensity of adjacent and nearby land use and settlement patterns with forest lands of long-term commercial significance.

(5) Property tax classification: Property is assessed as open space or forest land pursuant to chapter 84.33 or 84.34 RCW.

(6) Local economic conditions which affect the ability to manage timberlands for long-term commercial production.

(7) History of land development permits issued nearby.

WAC 365-190-060.

C. Other considerations. In determining whether land should be designated as Forest Land of Long-Term Commercial Significance, the County may also consider the needs and nature of the timber industry.

D. Designation. Upon a determination that a tract qualifies as Forest Lands of Long-Term Commercial Significance (denominated Commercial Forest Lands in the Kittitas County Code) under the definitions and considerations noted above, such lands shall be so mapped in the Comprehensive Land Use Plan map of Kittitas County and shall be zoned Commercial

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Forest lands under Kittitas County zoning code, section KCC 17.57. The County's Commercial Forest zoning code, KCC 17.57, shall control uses, maintenance and enhancement of the forest products industry and conserve productive forest lands consistent with the needs and best practices of the industry. Lands presently mapped as “commercial forest” shall retain that designation unless a specific de-designation request is filed by the owner for a review under the guidelines of this Ordinance.

3. De-designation Criteria.

A. Definitions. De-designation is a change of land classification from Forest Lands of Long-Term Commercial Significance to ~~Rural lands under the~~ another GMA classification.

B. De-designation Criteria. The considerations and criteria for de-designation are the same as the considerations and criteria for designation identified in sections 1 and 2 above. De-designation requests may be initiated by the County or by individuals based on a request to consider (1) a mistake in the original designation or (2) that factors leading to the original designation have changed, rendering the site inappropriate for long-term commercially significant forest land designation.

C. A de-designation request shall provide a legal description of the property subject to the request and map showing the forest land grades listed above for the property. The request shall specifically address each of the factors above deemed pertinent to the consideration of designation and de-designation.

4. Applications and Processing.

A. Applications for the designation ~~and de-designation~~ of Forest Lands of Long-Term Commercial Significance shall be docketed with the planning department for annual consideration by the Kittitas County planning commissioners and board of county commissioners as a change to the County comprehensive plan and map in accordance with Chapter 15.B of the Kittitas County Code. ~~De-designations from Forest Lands of Long-Term Commercial Significance to another GMA designation shall only be docketed and considered as part of the County’s seven-year update cycle. Such De-designations may only be sought in conjunction with a specific development proposal.~~

B. In determining a request to designate or de-designate Forest Land of Long-Term Commercial Significance, the County may consider the needs and nature of the timber industry (*Lewis County v. Western Washington Growth Management Hearings Bd.*, 157 Wn.2d 488, 139 P.3d 1096 (2006)).

C. In considering a request for de-designation, the County shall make the same considerations as in designating lands under the provisions of Section 2 above (*City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 116 Wn. App. 48, 65 P.3d 337 (2003) (*Benaroya II*)).

D. In addition to such considerations as may be undertaken by the County under these provisions, ~~making a decision on designation or de-designation of Forest Lands of Long-Term Commercial Significance~~, the County shall address in writing: (1) all of the factors that

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warrant the designation or de-designation, and (2) how the action meets the objectives of Goal 8 of GMA (RCW 36.70A.020(8)) to maintain and enhance a productive timber industry, to encourage the conservation of productive forest lands and to discourage incompatible uses when making a decision on designation or de-designation of Forest Lands of Long-Term Commercial Significance.

GPO 2.132 The primary land use activities in commercial forest areas are commercial forest management, forest recreation, agriculture, mineral extraction, sand and gravel operations and those uses that maintain and/or enhance the long-term management of designated commercial forest lands.

GPO 2.133 Any proposal for de-designation of commercial forestlands shall be subject to a cumulative impacts analysis, including the size and ownership of the commercial forestlands remaining in the county, the needs of the local forest products industry and impacts to those needs by the proposed de-designation, and the potential benefits that may result from the proposed de-designation including higher property taxes and economic stimulus. ~~De-designated lands without a development proposal shall be designated into a Rural Land Use and shall be designated into a 20 acre zone. The de-designation is intended to be a one step process, but may be accomplished as a de-designation with the option for the applicant to later submit a development proposal.~~

GPO 2.134 To encourage incentives and alternatives to keep working forests viable by considering when feasible emerging markets such as carbon sequestration, Transfer of Development Rights, Bio-fuel and bio-energy production that offset the loss of the traditional log and special forest product markets.

GPO 2.135 Resource activities performed in accordance with county, state and federal laws should not be subject to legal actions as public nuisances.

GPO 2.136 To support and encourage the maintenance of commercial forest lands in timber and current use property tax classifications consistent with RCW 84.28, 84.33 and 84.34.

GPO 2.137 Kittitas County recognizes Engrossed Substitute House Bill (ESHB) 2091 also known as the Forest and Fish Law. Kittitas County will support local forest landowner's seeking regulatory relief in order to help them remain economically viable.

GPO 2.138 Land use activities within or adjacent to commercial forest land should be sited and designed to minimize conflicts with forest management and other activities on commercial forestlands.

GPO 2.139 Kittitas County will encourage rural developments in the Wildland Urban Interface (WUI) and the owners of adjacent commercial forest lands to develop Community Wildfire Protection Plans (CWPPs)

GPO 2.140 Encourage clustered residential developments on adjacent non-commercial forestlands. The open space in clustered development should buffer adjacent forestland from development.

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GPO 2.141 Kittitas County will advocate active management of Federal and State forest lands to create and maintain healthy, fire-safe forests.

GPO 2.142A It is the policy of the county to encourage the continuation of commercial forest management by:

- a. supporting land trades that result in consolidated forest ownerships; and
- b. working with forest managers to identify and develop other incentives for continued forestry (Ord. 93-42); and
- c. To encourage and support a local and regional infrastructure of manufacturing facilities that use wood products within an economically viable 100 mile circle.

GPO 2.142B Require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, shall contain a notice that states that: “The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities and mineral operations may occur that are not compatible with residential development for certain periods of limited duration. Commercial natural resource activities and/or mineral operations performed in accordance with county, state and federal laws are not subject or legal action as public nuisances. (RCW 7.48.305)”