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**EASTON RIDGE
LAND COMPANY**

DATE: November 5, 2009
TO: Kittitas County Community Development Services
Kittitas County Planning Commission
Via E-mail to: compplan@co.kittitas.wa.us
FROM: Anne Watanabe 
RE: Comments on Compliance Documents

Thank you for the opportunity to comment on the Kittitas County Comprehensive Plan Compliance documents, namely the "Assessment of Five County Areas for Land Use Designations," dated September 2009 ("September Assessment"); and the "Staff Recommendations, Corrections, and Clarifications," dated October 26, 2009 ("October Recommendations"). Our comments are limited to the Easton and Ronald Study Areas.

As a general comment, we understand that the scope and focus of the lands analysis for the Compliance Project is limited to addressing the specific findings of the Eastern Washington Growth Management Hearings Board. We appreciate the focused effort with the Compliance work but regret that the effort did not include a more comprehensive lands analysis or at least some discussion of development patterns adjacent to the UGN boundary. For example, there are growth patterns and utility service areas outside the Easton and Ronald Urban Growth Node study area that are not being addressed in the Compliance Project's lands analysis.

The existing UGAs within incorporated cities should also be addressed in terms of population allocations, especially in relation to those study areas with a UGA designation option. We have been told by the County and the project consultant that any further lands analysis for areas outside the study area can be addressed in another forum, i.e., during the County's Comprehensive Plan Amendment process.

On page 2-9 of the September Assessment, the Dept. of Commerce's guidance for designating LAMIRDs is listed and includes the use of a map depicting "all lots platted at densities higher than the density generally permitted in the rural area and that were platted before July 1, 1990 (or the date the county was required or chose to plan under GMA) or have been built upon." There is no such map provided so it is unclear which parcels in and around the study area were in existence as of July 1, 1990, and therefore available for possible inclusion in a LAMIRD. It appears that all platted lots, regardless of plat date, are depicted on the study area maps.

We would also like verification of the date that the County passed a resolution to plan under the GMA since this date may very well be a date later than July 1, 1990. In that case, the logical outer boundary of the proposed LAMIRD(s) could include lands platted after July 1, 1990.

Easton Study Area

September Assessment, Fig. 5-4 shows the Water Service area for Easton. The section of land (Section 1, T20N, R13E) adjacent to the North east boundary of the UGN study area has been annexed into the Easton Water District and should be identified as being within the Easton Water District. See attached resolution from the Water District Board and the Boundary Review Board determination.

October Recommendations, page 12, Table 3 – Indicates that a correction was made to the land use map and indicates that, “The industrial designation in the Type 1 LAMIRD was corrected to include the easternmost portion of the same parcel adjacent to the airport, which is consistent with zoning.” The map would indicate that this is really referring to the Type 3 LAMIRD, not the Type 1 LAMIRD. This area should be verified or further clarified as appropriate for inclusion in the Type 3 LAMIRD because the existing land use of this gray shaded area is “public,”(as indicated on Fig.4-4 of the September Assessment) and it is owned by the Washington Department of Natural Resources.

September Assessment, Appendix B, Land Capacity Analysis for Easton – It seems that some of the numbers in the columns do not add up.

September Assessment, Page 4-15, lists the population numbers for potential growth within the Easton Study Area. It’s not clear what land was considered “undevelopable,” and “redevelopable.” The document indicates that the population numbers were based on the Comprehensive Plan Land Use. However, there is a lot of land area in the western and southern portion of the Easton UGN boundary that is public land or encumbered with conservation easements and therefore not developable. Depending on how these lands were addressed, the population and job projections may not be accurate.

Ronald Study Area

Given the level of growth in this study area, it would seem that a UGA designation would be appropriate. However, at this stage, we believe the UGA designation is premature and we recommend that the county adopt Option 1 and designate portions of the study area as a Type I LAMIRD.

We suggest this recommendation because the lands analysis does not give consideration to the built environment around and adjacent to the study area boundary. In addition, the County has not given full consideration of its Capital Facilities Plan and how the mix of public and private services in this study area would be coordinated. More analysis would need to be done to support a UGA designation of the Ronald study area at this time.

Thank you again for the opportunity to comment.

Boundary Review Board of Kittitas County

411 North Ruby Street, Suite 2, Ellensburg, WA 98926 · Phone (509) 962-7506 · Fax (509) 962-7682

MEMO


TO: FIRE MARSHAL
CODE ENFORCEMENT
ASSESSOR'S OFFICE
BOARD OF COUNTY COMMISSIONERS
COMMUNITY DEVELOPMENT SERVICES
ELECTIONS – AUDITOR'S OFFICE
ENVIRONMENTAL HEALTH
GIS
FIRE DISTRICT #3
PUBLIC WORKS DEPARTMENT
SHERIFF'S OFFICE
PROSECUTOR'S OFFICE
TREASURER
NOXIOUS WEED
SOLID WASTE
KITTCOM
KITTTAS COUNTY WATER DISTRICT #3

FROM: Lindsay Watkins, Chief Clerk

DATE: March 19, 2008

RE: Section 1 and a portion of Section 12 Annexation

Attached is a final ordinance from Water District #3, Washington annexing certain real properties commonly known as the Section 1 and a portion of Section 12 Annexation. Please find the legal description and map included with the ordinance. This annexation has been filed with the Kittitas County Auditor's Office File # 200803110036.

TREASURER'S USE ONLY	RECORDER'S USE ONLY
	<p>03/11/2008 03:29:34 PM 200803110036</p> <p>\$46.00 Resolution ENCOMPASS Kittitas County Auditor</p> <p>Page 1 of 6</p> 

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Kittitas County

AUDITORS NOTE Portions of this document poor quality for imaging

Kittitas County Auditor/Recorder's Indexing Form

Please Print Or Type All Information

- A. Document Titles (or transactions contained therein):
 1. RESOLUTION 07-10-07-09
 2. _____

- B. Grantor (last name, first name, middle initial):
 1. Kittitas County WATER DISTRICT #3
 2. _____
 Additional grantors on page ___ of document.

- C. Grantee (last name, first name, middle initial):
 1. PUBUC
 2. _____
 Additional grantees on page ___ of document.


- D. Legal description (lot, block, plat or section, township, range):

 Additional legal description on page ___ of document.

- E. Assessor's property tax parcel/account number(s):

- F. Reference numbers of documents assigned or released:
ANNEXATION
 Additional references on page ___ of document.

The auditor or recording officer will rely on the information provided on this form. The staff will not read the document to verify the accuracy of or the completeness of the indexing information provided herein.

Portions of this document ARE NOT ORIGINALS
 3/11/08 (KB) 

Boundary Review Board of Kittitas County

411 North Ruby Street, Suite 2, Ellensburg, WA 98926 - Phone (509) 962-7506 - Fax (509) 962-7682

Certification of Expiration of 45-Day Period

I hereby certify that more than 45 days have elapsed since the following described Notice of Intention was filed with the Washington State Boundary Review Board for Kittitas County and that at no time during said period was a Request for Review filed with the Board. The proposed action is hereby approved as provided in RCW 36.93.100.

FILE NUMBER: BRB 07-08 Section 1 and a portion of Section 12 Annexation

INITIATOR: Kittitas County Water District #3

ACTION SOUGHT: Annexation

DATE FILED: October 18, 2007

45-DAY PERIOD ENDS: December 3, 2007

LEGAL DESCRIPTION: The following described lands situated in Kittitas County, State of Washington described as real property into the Kittitas County Water District #3:

(See attached description)

TIME LIMIT: The action proposed in the Notice of Intention must be officially consummated on or before December 3, 2010 or the approval, as defined in this document, shall be null and void.

DATED: 1/17/08


 Frederic L. Glover, Chair

ATTEST:


 Trudie Pettit, Chief Clerk



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Page 3 of 6



**KITTITAS COUNTY WATER DISTRICT NO. 3
RESOLUTION NO.**

07-10-07-09

A RESOLUTION approving annexation of area of land contiguous with the District boundaries, being a portion of Sections 1 and 12, Township 20N, Range 13E W.M., Kittitas County, Washington.

WHEREAS the Board of Commissioners heretofore adopted Resolution No 06-12-07-12 entertaining a petition for annexation of an area of land contiguous to the District, being a portion of Sections 1 and 12, Township 20N, Range 13E, W.M., and fixed the time and the place for hearing thereon; and notice of the adoption of said resolution and of said time and place of hearing was duly and regularly published and posted in the manner provided by law; and said hearing was duly called and regularly held on July 10, 2007, at 8:30 o'clock a.m., at the Easton School, Easton, Kittitas County Washington; and all interested parties having had an opportunity to be heard, and no one did appear; and

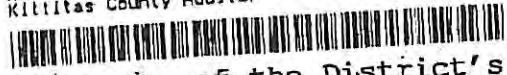
WHEREAS pursuant to the State Environmental Policy Act (SEPA) an environmental checklist and proposed determination of environmental non-significance (DNS) were prepared and circulated to affected agencies, tribes and other parties and notice of the proposed DNS was published as required by law; and comments regarding the proposed annexation and DNS consisting of a letter to the Board of Commissioners dated July 9, 2007 from Attorney Jon H. F. Ufkes were reviewed; and

WHEREAS the Board of Commissioners concur that the DNS is appropriate for this annexation because the development of the proposed annexation area is subject to separate proceedings under SEPA and the SEPA analysis for this annexation is only intended

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Page 4 of 6

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to evaluate the impacts of the District's annexation; and the area is within the District's retail water service area and under RCW 43.20.260, the District is already obligated to serve the area and the annexation will not impact the District's obligation or authority to extend water mains and appurtenances to the annexation area; and annexation of the area will entitle the residents to vote for District commissioners and run for office; and based on the foregoing, the Commissioners concur that the DNS is appropriate under the circumstances; and

WHEREAS it appears to the Board of Commissioners that the land area proposed to be annexed is contiguous to the boundaries of the District and is located within Kittitas County, Washington, and that the annexation will be conducive to the public health, welfare and convenience, and will be of special benefit to the land included within the boundaries of such area proposed to be annexed, and it is in the best interest of the District that such annexation be approved. Now, therefore,

BE IT RESOLVED by the Board of Commissioners that the foregoing recitals are hereby adopted as findings of the Board and that the annexation of all of the land described within the area proposed to be annexed, to wit, the following described lands are hereby approved subject to such other approvals as may be required by RCW Ch. 57.24 and Ch. 36.93:

Lots 1, 2, 3, 4, 5, and 6 of that certain survey recorded May 20, 2003, in Book 28 of Surveys, Page 246 under Auditor's File No. 200305200040, records of Kittitas County, State of Washington; being a portion of Section 1, Township 20 North, Range 13 East, W.M., Kittitas County, State of Washington; and

Lots 7, 8, 9, 10, and 11 of that certain survey recorded April 5, 2006, in Book 32 of Surveys, Page 125, under Auditor's File No. 200604050035, records of Kittitas County, State of Washington; being a portion of Sections 1 and 12, Township 20 North, Range 13 East, W.M., Kittitas County, State of Washington.

**PASSED BY THE BOARD OF COMMISSIONERS OF KITTITAS COUNTY
WATER DISTRICT NO. 3 OF KITTITAS COUNTY WASHINGTON,** at its regular meeting held July 10, 2007.
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Charles R. White
Chairman and Commissioner

Connie McKee
Commissioner

Gene Hill
Commissioner

ATTEST:

Cecelia Clark
Secretary / Commissioner

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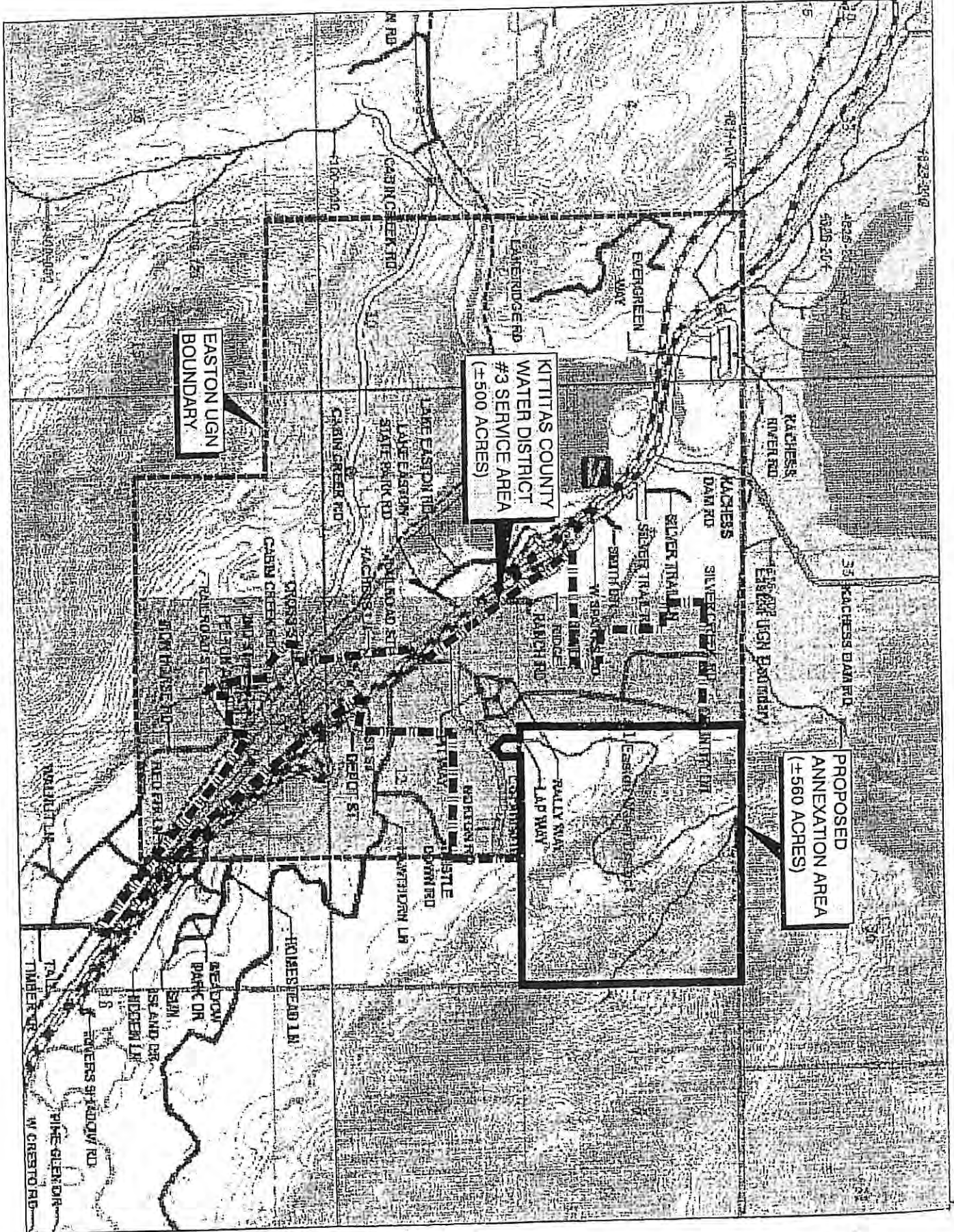
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Page 5 of 6



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200803110036
Page 6 of 6

VICINITY MAP



Vantage Urban Growth Area

Citizen Comments

September 8, 2009

RE: Growth Management Act, Designation Compliance

Attn: Kittitas County Commissioners, Planners, Public Works Officials, & Representative Agents

Dear Sirs and Madams:

We the citizens and stakeholders of Vantage, Washington, give the following input and comments to the process of determination of urban status:

- The Sub Area of Vantage has the necessary elements in place to grow in a legitimate, stepwise and logical fashion.
- The Group A Community Water System and Vantage Sewer System (KCWD #6) exist in good standing and are capable of serving the existing users, as well as growing to service the additional development that is of great potential in the future. Financing for immediate and short-term improvements already exists, or in some cases is being secured.
- The current arrangement of commercial, residential, recreational, and industrial parcels are arranged in a logical and attractive manner, so as to enable the future development of a very desirable and well rounded small urban center.
- The previous efforts of involvement with the GMA process were extensive in terms of time, effort, and vision, thus ratifying a precedent for legitimate vesting in the historical planning process.
- The unique nature of the Vantage sub area, by virtue of its natural borders, prevents development sprawl, and achieves a focused growth area following the spirit of the Growth Management Act. Being surrounded by Washington State Parks on three sides and the Columbia River on the fourth creates a definitive growth area. Without further divestment of land by State Parks, the resultant UGA is only a few hundred acres.
- The viability of schools, libraries, and medical treatment facilities will become possible as new growth creates a critical mass. Long term vision planning is already in place.
- We understand that the designation is elective, given the proper public services and their potential, and that Vantage has the necessary services to make such an election.

Therefore, we the citizens and stakeholders of Vantage, in keeping with consistency over historical planning processes, elect to remain under the status of Urban and give direction to alter the name designation from an Urban Growth Node to an Urban Growth Area, in order to bring the sub area into statutory compliance with the Growth Management Act.

We appreciate the Kittitas County Commissioners and related officials honoring the sub area of Vantage in its collective will to be designated as a UGA, as well as their efforts in assisting Vantage in forward motion.

Signed by the following citizens:

Vantage Urban Growth Area Kittitas County Comp Plan Amendment Written Comments

November 5, 2009

RE: Growth Management Act, Kittitas County Comprehensive Plan and Designation Compliance

Attn: Kittitas County Commissioners, Planning Commission, Planners, Public Works Officials, & Representative Agents

Dear Sirs and Madams:

The following input and comments address first a County wide perspective regarding the philosophy and perspective of addressing the future growth of Kittitas County in general, and secondly, the process of determination of urban status of Vantage in particular.

County Vision

The process of providing opportunity for wise growth is a necessity for the future vitality of the county. The balancing of that opportunity with the desires of local citizens to maintain the historical character of an area is a unique challenge, but not one that is insurmountable. The desire to come into compliance with the attributes of GMA as prescribed by the Eastern Washington Hearings Board should be done in an incremental way so as not to negatively seal the fate of Kittitas County in regards to future opportunity. A rush to process completion without due process is discouraged even by GMA standards, and an avoidance of unconstitutional taking of property rights is to be of prime importance. Conservative steps of motion should be exercised, with a minimum of impingement of freedom.

As a percentage of land mass, the approximately 20 sections of potentially “urban” land is only around 1% of the total county land mass, a relatively insignificant amount compared to percentages under concern in the more populated counties, to which GMA oversight was brought to bear in response to the tide of development. It would be unfortunate to lock in a rigid barrier for the county now, which would preclude growth of opportunity later. As an example, Roslyn, whose current laid back culture is dearly beloved by a vocal population, was ironically brought into being and viability by a couple of huge industries, first being coal, then railroad and forestry. Under GMA, the appearance of like opportunity in the future would not allow the creation of a Roslyn to occur.

Likewise the spirit of ingenuity and positive solutions should be encouraged. The right of people to exist freely, without undue hardship of impact which change or place a burden on their way of life is also important, so forward moving solutions should seek to allow growth, while not placing costs or changes on historical entities that force them out. Conversely, problems should not be used as a shield against growth, but solutions to those problems should be the goal. A self-protecting perspective which allows one to exist, but precludes another from developing under similar framework should be largely dismissed under Constitutional principles of freedom.

Listed below are experiential clips from parties who have experienced the effects of GMA in more rural counties, and their summations of some of the particular impacts of the process.

Vantage

The summary of points regarding Vantage in particular culminate from the desire to be able to continue to exist as a viable entity in a difficult economic culture, as well as to take advantage of future opportunities as they appear, and as vision cast over the many years become a practical reality. To have decades of dedicated effort to survive and move forward with the end vision in mind and investment made over those same decades to ensure the progress of that vision summarily legislated out of possibility, would most certainly be a “taking” and inconsistent with the purpose of GMA (RCW 36.70A). A designation that provides the most flexibility to exist and move forward to achieve the historical vision’s full potential should be the target.

What the target designation should be by all currently known indicators is a UGA in the currently developed area, which would require no additional service facilities, as what is in existence would fulfill the necessary population growth allocation needs. Additionally, the immediate area adjacent to the developed land could be incorporated into the UGA as development becomes practical. This is not an upgrade in designation, but in many ways a contraction of the original UGN of several thousand acres, to a few hundred, or even around one hundred acres. The massive curtailment of area of the UGA alone should aid in compliance satisfaction.

As far as the various elements required in a sub area plan, most are already completed in the previous planning that has been done, and many facilities already exist to serve the historical area of development. The sub area plan completed in 1995 did a thorough and still relevant job of addressing the various elements: Land Use, Housing, Capital Facilities, Utilities, and Transportation all were addressed well, and generally are still consistent and specific to the desired vision of the area.

In particular, Capital Facilities elements are generally in place:

1. Water. Vantage Water System is a Group A water system. The consulting group continues to say that there is no plan for future growth, where in fact, the water system has an stamped engineered plan that was approved by the WA State DOH and has enough capacity to fulfill the population allocation anticipated growth for the next six years, with financing already complete in that existing capacity. Furthermore, VWS has a Water System Program, which at any time of requirement can be completed and submitted as an approved Water System Plan, complete with pro forma designs to fulfill estimated growth for the next twenty years.
2. Sewer. KCWD #6 is in the process of completing engineering reports to address future growth needs, as well as maintenance and repair for existing infrastructure. The original plant capacity was designed to meet the needs of the existing area of city development, and has unused capacity to that end.
3. Post office. Vantage has had a post office, zip code 98950 for decades

4. Fire and EMS. KCFD #4 has served Vantage and the outlying area effectively for decades, including fire and EMS service in uninterrupted fashion.
5. Telecommunications. High speed fiber optics have recently been brought to Vantage. Simulcast provides clear dispatch and radio coverage to the Vantage area.
6. Parks and Recreation. Vantage is surrounded by more parks and playing area than any other area per capita in the county, including parks provided by State Parks, County, and private. In addition, the water recreation provided by launch access to the Columbia River is vast.
7. Transportation. Daily bus service to urban centers in Grant county goes by Vantage on a regular schedule. Use of this service could be explored for greater development.
8. Schools, hospitals, and police. There is a need and desire to develop those facilities as they become viable over time, and there is a need for more facilities in the county as even rural growth occurs, and state population grows over time. Ironically, a LAMIRD would place additional burden on such facilities, while providing no opportunity to fulfill those needs.

“Smart Growth” and “sense of place”. As a virtual island of private ground surrounded by state parks and the river, Vantage has the potential of being the veritable “poster child” of GMA, with the automatic boundaries preventing sprawl, the sense of thematic vision attached to it that would create a unified and strong sense of place, a center of positive community, facility, and economic development. We ask for the flexibility and possibility of continuing forth in our historical efforts to bring just such a place into fulfillment, while being able to enjoy and maintain in the existing wonderful phase in which it now exists.

Sincerely and respectfully,

Bryan K. Stockdale and vested citizens

Previous bullet points on a community signed UGA determination proposition:

- The Sub Area of Vantage has the necessary elements in place to grow in a legitimate, stepwise and logical fashion.
- The Group A Community Water System and Vantage Sewer System (KCWD #6) exist in good standing and are capable of serving the existing users, as well as growing to service the additional development that is of great potential in the future. Financing for immediate and short-term improvements already exists, or in some cases is being secured.

- The current arrangement of commercial, residential, recreational, and industrial parcels are arranged in a logical and attractive manner, so as to enable the future development of a very desirable and well rounded small urban center.
- The previous efforts of involvement with the GMA process were extensive in terms of time, effort, and vision, thus ratifying a precedent for legitimate vesting in the historical planning process.
- The unique nature of the Vantage sub area, by virtue of its natural borders, prevents development sprawl, and achieves a focused growth area following the spirit of the Growth Management Act. Being surrounded by Washington State Parks on three sides and the Columbia River on the fourth creates a definitive growth area. Without further divestment of land by State Parks, the resultant UGA is only a few hundred acres.
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- We understand that the designation is elective, given the proper public services and their potential, and that Vantage has the necessary services to make such an election.

Therefore, we the citizens and stakeholders of Vantage, in keeping with consistency over historical planning processes, elect to remain under the status of Urban and give direction to alter the name designation from an Urban Growth Node to an Urban Growth Area, in order to bring the sub area into statutory compliance with the Growth Management Act.

We appreciate the Kittitas County Commissioners and related officials honoring the sub area of Vantage in its collective will to be designated as a UGA, as well as their efforts in assisting Vantage in forward motion.

Signed by the following citizens: (on file)

11/16/02 - [San Juan County, WA: Committee says county should abandon GMA](#)

10/30/02 - [Island County - Growth management bill tops \\$1 million - Commissioners threaten lawsuit against Growth Hearings Board, say decisions are 'arbitrary and contrary' to will of the citizens](#)

10/28/02 - [Thurston County - Rural life, city life: Course of development up for review Urban Growth Areas: Where should cities grow?; Many jurisdictions in process of reviewing urban development plans](#) "They make the plan on paper, they spend thousands of dollars ... and then they have a public hearing," Buckner said. **"Is that citizen input?"** Buckner asked. Lacey Principal Planner David Burns said he understands the frustration, adding residents are fighting a series of losing battles as long as they're part of the UGA. One of the ironies of state law, he said, is that it requires public comment while at the same time leaving cities little leeway within UGAs. "Jurisdictions don't have a lot of choice in developing (within) growth boundaries. They have to do that," he said. The state Growth Management Act dictates reduced sprawl, which means cities and their growth areas are required to accommodate denser development.

10/2/02 - [Initiative 6 goes to appeals court: Citizens claim right under Constitution has been sidestepped by unelected board](#)

Citizens' right to vote and participate in their own governance, along with the question as to whether an unelected

appointed state hearings board can effectively make laws for counties were the two main issues brought before the Washington State Appeals Court on Sept. 4.

Bob Forde, speaking for himself and the 3,800 people who signed Initiative 6 - Repeal of the Clallam County Critical Areas Ordinance, spoke for five minutes before the State Appeals Court to plead his case which had earlier been submitted by legal briefs. He told the judges that he had always thought that government by the consent of ordinary citizens is the cornerstone of American democracy, as guaranteed in the U.S. Constitution and Bill of Rights, and the Washington State Constitution.

"I don't remember voting for members of any Growth Management Hearings Board(GHB), but learn that they have been given power to invalidate our local laws," Forde stated. "I understand that the Hearings Boards issue orders to my elected leaders eliminating policy options that were adopted with widespread citizen participation and support," he continued.

"I remember when the GMA was sold as 'bottom-up' planning," Forde explained. "Everyone now recognizes that for the lie it was." He said he wouldn't like, but could accept "top-down" planning, since at least policy set by the state legislature would be subject to citizen control.

"The GMA has evolved into 'middle-out' planning, with the 'middle' occupied by non-elected GHB members," Forde stated. The loss is a "voters' loss", for the "ballot box is meaningless if elected leaders are powerless to work the voters' will," he continued. "Extinction of initiative/referendum rights is the final nail in the voters' coffin."

8/29/02 - [Growth fight brewing in Snohomish County](#)

Republican members of the Snohomish County Council have driven a wedge between the county and its cities by passing their own version of a 10-year development report, some city leaders said. Washington's Growth Management Act (GMA) required the county to draw the boundaries in 1992. Snohomish County Tomorrow's version of the report would leave population predictions and available land about the same, meaning boundaries would be difficult to change in the next 10 years.

2/27/02 - [Walla Walla - Property owners question rules on GMA](#)

[Official says he wishes the county had never agreed to participate in the Growth Management Act.](#)

If Walla Walla County Commissioner Dave Carey could go back 12 years and change his vote, this week's public hearings on proposed development regulations might never have happened. The hearings held Monday and Tuesday to obtain comment on regulations intended to enforce comprehensive planning under the state Growth Management Act generated more questions than comment. "I have to apologize to you for what I've done," Carey said. "It just tears my heart" when people come before the commission and are told they cannot manage their land as they see fit under the new laws, he told six landowners who attended Tuesday's session...

4/18/02 - [Stevens County - Emergency moratorium causes uproar - Ability to plat to 10 acres won't apply to potential Resource Lands](#)

Commissioners held a public hearing on a proposed moratorium on the creation of parcels under 10 acres—a decision also delayed until April 16. That would be a partial fix for the 20-acre moratorium that was indirectly instituted when the Eastern Washington Growth Management Hearings Board declared the county's platting titles out of compliance with the Growth Management Act, which the county opted into in 1993. Until the issue is resolved, **the Board's order of "invalidity" has effectively shut down all platting** (the subdivision of lands) that resulted in lots under 20 acres until the issue is resolved. Lots over 20 acres are not subject to county oversight.

Local realtor Dave Sitler is no fan of the GMA in the first place, though he's worked with the county on portions of it. He calls the moratorium on private lands a "land grab." "It's the biggest land grab, property rights thievery in the history of Stevens County," Sitler said. "It's worse than anything I've ever seen. I can't even believe they're

considering this. It's flat-out stealing, stealing your property rights. That's all it is. There's no compensation for (your land)." Local realtor Kelly Davis Davis is one of many who contends that the GMA is geared toward the west side of the state, which, at this point, he said, he'd "just love to see slip into the Pacific. "Just because the people in Seattle live in a concrete and asphalt jungle, they want our part of the state stifled and everything to stay the same," he said. "They're reducing our ability to grow and prosper. Adverse terrain, wetlands, et cetera, already prevent a tremendous amount of private land from being developed."

2/8/02 - [House passes bill to help job creation in rural counties](#)

"The Growth Management Act focused on curtailing sprawl in the state's fast-growing urban areas, and the needs and unique circumstances of rural communities and rural businesses weren't taken into account," said Buck, R-Joyce. "Expansion by existing businesses in small towns has been stymied by the rules, and we've lost opportunities to attract new business investment. "Small, independent businesses are the economic backbone of rural counties, and this refinement of the GMA will benefit both new and expanding businesses," he said. "We believe the bill will help protect existing jobs, and by making rural areas more appealing to potential employers, bring new job opportunities to the Peninsula and other areas of rural Washington." (The bill failed.)

1/16/02 - [EFF to unveil study on Growth Management Act](#)

A new study being released reveals that Washington's decade-old Growth Management Act (GMA) is a case of good intentions gone awry. The study contrasts the original good intentions of the Act - affordable housing, efficient transportation, citizen involvement, etc. - against its actual implementation, concluding that it has instead harmed workers, businesses and local economies. EFF will offer recommendations for reform. "Our findings show that the Growth Management Act is not achieving its original goals," said Corrie White, the study's author. "Implementing the Act is not only undermining business viability, compliance is costing counties hundreds and even millions of dollars at a time when they can ill afford it."

June 2001 - [Locke, Democrats holding farmers hostage, say GOP leaders](#)

State Reps. Joyce Mulliken, R-Ephrata, and Tom Mielke, R-Battle Ground, today warned that Gov. Gary Locke and Democrat leaders in the state House and Senate had taken Washington's agricultural community hostage. Mulliken and Mielke asked for an immediate vote in the House on legislation to exempt agriculture from the onerous new shoreline regulations and a GMA extension that would include Clark County.

Dec. 2001 - [GMA costs homeowners thousands of dollars, says new report - WASHINGTON HOMEBUYERS PAYING THOUSANDS MORE FOR HOUSES BECAUSE OF GROWTH MANAGEMENT ACT - Law is responsible for 26 percent of the increase in state's housing prices since 1995](#)

7/9/01 - [Avalanche of signatures puts Critical Areas Code repeal on the ballot](#) -

The existing Code has been amended several times, and each time, it gets harder on landowners, Forde stated. "A good example is the requirement for 50-foot buffers on each side of seasonal creeks," he said, "which totals 100 feet of property that becomes virtually unusable by the owner - that's the equivalent of the depth of a standard size city lot!" The seasonal creek rule, which is defined in the Code as "type 5" streams, allows that the seasonal creeks must be 500 feet in length; however, these are dry most of the year.

The Sequim businessman announced that many citizens have expressed the hope of repealing the GMA, which "mandates" the Critical Areas Code. "It is anti-environmental, promotes high density areas and discourages free choice of living in rural areas," he said. "Why would we invite an onerous code like this [CAC] simply because the parent [GMA] law is a bad law? It is a bad piece of legislation," Forde declared.

Forde is concerned about the fate of some of the people who are having first-hand experience with the consequences of this Code. "It doesn't work! If anyone doubts that, get hold of Andy Nesbitt, Mike Brown, or Jerry Levesque and listen to their horror stories," Forde remarked.

6/22/01 - [Growth Management vs. Quality of Life By Martha M. Ireland](#)

Luncheon speaker Richard Ford, a primary architect of the state Growth Management Act [GMA], opened his remarks by saying, "I know how to make problems, but solve none of them." He repeatedly boasted of that skill throughout his speech.

At that time, Ford was chair of the King County Executive's Task Force on County Finances and of the State Growth Strategies Commission. He described himself as a 200-dollar-an-hour Seattle attorney.

What "quality of life" was Ford advocating for you under the GMA?

"Reduce expectations," Ford told county officials. He suggested "rural service like back in the '50s or even the '30s or get a new revenue source."

Simply put, the GMA undermined traditional county finances so you deserve poor roads, reduced police and fire protection, few parks, and no social service programs targeting prevention or juvenile rehabilitation.

People who want what the GMA considers to be "urban services" should live on Queen Anne Hill, as Ford does, he declared.

GMA Goals

GMA plans and regulations are to be guided by 14 goals that are summarized below:

- Focus urban growth in urban areas.
- Reduce sprawl.
- Provide efficient transportation.
- Encourage affordable housing.
- Encourage sustainable economic development.
- Protect property rights.
- Process permits in a timely and fair manner.
- Maintain and enhance natural resource-based industries.
- Retain open space and habitat areas and develop recreation opportunities.
- Protect the environment.
- Encourage citizen participation and regional coordination.
- Ensure adequate public facilities and services.
- Preserve important historic resources.
- Manage shorelines wisely.

Comprehensive Plans and Regulations

The comprehensive plans are to provide for 20 years of growth and development needs based on forecasts of OFM. They can be amended once a year. State agencies are required to comply with local comprehensive plans. Newly incorporated cities have four years from the date of incorporation to adopt plans. Local comprehensive plans are to include the required chapters below:

- Land Use
- Utilities
- Housing
- Transportation
- Capital Facilities
- Rural (for counties only)
- Shorelines

November 6, 2009

Kittitas County Planning Commission
Attn: Jan Ollivier
411 N. Ruby St, Suite 2
Ellensburg WA 98926

Re: GMA Public Process and Comprehensive Plan Compliance

I was in attendance at the Kittitas County Planning Commission Hearing last night regarding the Comprehensive Plan Compliance Issue. This hearing did not give ample public participation and was not run in an orderly fashion. Below are my thoughts and summary of last night's meeting.

As we continue with the Comp Plan Compliance process I am becoming more and more frustrated. Last night's Planning Commission was the most frustrating meeting I have been to in this process thus far. First, holding it in the BOCC Auditorium was ridiculous. Staff didn't look back over previous years to see where these meetings were held, there really is no one left who has been involved in this type of process in Kittitas County before to make the suggestion that the Fairgrounds would have been more appropriate, and staff ignored my suggestion of holding it at the Fairgrounds that I made at one of the Workshops when Melinda Posner turned to me and asked when the Planning Commission meeting was scheduled, where it was going to be held and at what time, she should have known the answer or asked one of her colleagues. (There were others there that agreed with me in front of Staff that they should consider holding this in a bigger venue than the Auditorium. I know this is besides the point, but once again it is staff ignoring suggestions that benefit the community as a whole.) There really is no process or order going on.

The staff that was in attendance last night were: Jan Ollivier, Neil Caulkins, Dan Valoff, and Jeff Watson. The consultant team included: Jennifer Barnes and Lisa Grueter. Kirk Holmes was not in attendance. In my opinion the Comprehensive Plan Compliance efforts are too important not to have the CDS Director in attendance at the meetings. From the start of the evening we heard essentially the same run-on presentation by the consultant. Part way through Jennifer's presentation an audience member interrupted

stating that we don't need to hear this over again and that there was not enough room. We need more chairs etc. Now I agree with him, but his outburst was inappropriate and no one said anything about it, not even Neil. This set the tone for the rest of the evening. Not everyone went to the podium to speak, even after Grant Clark (Chairman of the Planning Commission) requested that they do, people would talk from their seats to the PC over other people that were at the podium. An audience member interrupted later in the evening stating she wanted clarification of definitions of LAMIRDs. All of this was allowed to take place. There were a couple people that got up at the podium and complained and discussed proposed rezones (ie our CERT PUD Amend) and staff didn't stop them...after about 6-8 minutes of the complaints Grant Clark finally interrupted him and told him that he needed to discuss the compliance issues and not specific projects. The guy then continued to rant about the project instead. At no time did staff (Neil or Jan, etc.) stop this or try to bring order back to the meeting. This is unacceptable.

Handouts for the meeting were not available prior to the meeting on the website, I double checked this when I got home last night. Those of us that couldn't see the powerpoint presentation because we were in the hall before more chairs were brought in didn't get a copy of the powerpoint handout because those were passed around to the people in the audience first. Neil got up and spoke about additional changes made to the Designation and De-designation criteria that he made based off of community feedback...These documents were not posted online for people to review before the hearing last night and once again there were not enough copies for everyone, I was not able to get one. He mentioned that some of the changes were to only allow de-designation during the 7 year Comp Plan update process and that a development application would be required at that time. This is a big change to the criteria and less than 24 hours to review it and comment on it is not adequate. The newest draft of these documents I have a copy of and could find on the website are dated August 20, 2009 and they discuss the process happening annually. It is important that the public be able to read the text for themselves before commenting on it rather than be given a very brief summary that didn't even mention if the Designation of Ag and Forestlands of long term commercial significance would also only be allowed every 7 years. At the time of this email, the documents from last night are still not listed on the website and the written comment period ends in an hour. To top it off, at the end of the night Jennifer Barnes got up and stated that since this is such a short turn around, she has preliminary findings of facts to give to the planning commission and public tonight. I can't believe that was handed out last night and once again was not on the website. Also, this document is 25 pages long. Grant Clark made the

comment that he wanted to keep the public record open so they are until Noon today.

It is inappropriate for such an important issue to only have ONE night for the public hearing and then turn around and close written comment for this PC the next day at NOON. Deliberations on this matter for the PC are next Tuesday. Not even a week after the public hearing was held. How can the planning commission have time to fully digest and review all of the information they were given so that they can make good recommendation to the BOCC. This isn't helping the process. The deliberations for this will be on the same night as the Annual Comp Plan issues next Tuesday. So I am sure that staff/consultants will rush the PC through their deliberations so they can get to the Annual Docketed Items (there are 11 docketed items and 4 open space requests) that have to be heard in one night.

I don't know what we can do about this, but I at least wanted to get my frustrations down. The more I think about it the more irritated and frustrated I become as a land use consultant.

Terra Design Group, as the authorized agent for Teaway Ridge LLC, objects to the public participation process as we believe it does not meet the requirements of GMA specifically 36.70A.035. Thus far the process has not allowed for meaningful public participation as illustrated last night. Additionally, allowing less than 24 hours after a public hearing to receive additional written testimony is not acceptable, especially when the new information is not available on the website prior to the written comment period ending.

Sincerely,

Lindsey Ozbolt

Cc: Pat Deneen, Teaway Ridge LLC
Kittitas Board of County Commissioners



Planning Commission

Roger S. Weaver

Thorp Lamird – South of Interchange

I need to clarify several points made in opposition to the expansion of the Commercial Portion South of the Interstate (old Bingo Property). Map Attached.

1 – The property is not surrounded by Farmland of Long-Term Commercial Significance. Please note the attached map. Our only close neighbor (Harrell Farm) has segregated his entire property into 3 acre parcels and across Thorp Highway please also notes the parcel sizes.

2 – There is an area in back that will require some wetland mitigation already recognized and the remedy being designed. As are most wetlands in our county they are created by seepage and leaking irrigation canals.

3 – The property boundaries are Thorp Highway, Westside Ditch Canal, I-90 and the Harrell Farm at the end.

4 - Most of the concerns will be resubmitted several times including a S.E.P.A, Site Plan Review, etc. that will allow everyone more opportunities to review the project.

5 – This is the perfect “Rural Employment Center” type Lamird.

Thank you all for your attention, and your efforts.

Respectfully Submitted,

Roger Weaver



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Jan Ollivier

Kittitas County

RE: Proposed amendments to the comprehensive plan received Oct. 8, 2009

Dear Jan:

I am under the wire here to get these comments to you today.

I reviewed the resource lands proposed changes, plus the minor changes made to those drafts since they were submitted to us, and have the following comments on the proposed changes.

In the Forest Lands of long-term commercial significance, I suggest the Purpose statement on page E-15 might be improved if it included more than just Goal #8 of the GMA. I suggest also including the GMA planning requirement in RCW 36.70A.170 to designate those resource lands. This same recommendation applies to page E-17 for (4)(D), which is also limited to mentioning Goal #8.

For GPO 2.142B, the language notice to properties within 500 feet of mineral resource lands needs to have additional language included per RCW 36.70A.060:

"The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals."

In the Agricultural Lands of long-term commercial significance, I suggest the Purpose statement on page E-3 be modified as recommended above in the comment on Forest Lands.

On page E-5 for GPO 2.114A makes a statement stating precedence should be given to agricultural production activities over recovery activities required under the Endangered Species Act (ESA). While we recognize the need to emphasize agricultural production activities within designated resource lands, we caution the County that such a statement may carry some liability for the County, if a claim of 'take' is made and supported under the ESA. The County may want to consider prefacing this statement with the phrase "Whenever possible under state and federal law,..."