



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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STAFF REPORT

TO: Kittitas County Planning Commission

FROM: Darryl Piercy, Director
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DATE: April 23, 2007

SUBJECT: Development Code Update

I. Background- Why are we updating?

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

II. Schedule

The tentative Planning Commission Schedule for the week of May 1st to May 3rd, 2007 is as follows. All meetings are being held at the Home Arts Building at the Kittitas County Fairgrounds in Ellensburg, and are scheduled to begin at 6:00pm.

May 1st - Chapter 14.08, Flood Damage Prevention; Title 15A, Project Permit Application Process; Title 17B, Forest Practices; *and Title 17, Zoning Code and Chapter 16.09, Performance Based Cluster Platting (as time permits)*

May 2nd - Title 17, Zoning Code; Chapter 16.09 Performance Based Cluster Platting; Chapter *to 3rd* 17.99 Design Standards

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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

III. Items being considered

The items before the Planning Commission are the following Titles and Chapters from the Kittitas County Code. Proposed new code includes Title 17B: Forest Practices and Chapter 17.99: Design Standards.

- a. Current Code
 - i. Chapter 14.08, Flood Damage Prevention
 - ii. Title 15A, Project Permit Application Process
 - iii. Title 17, Zoning Code
 - iv. Chapter 16.09, Performance Based Cluster Platting

- b. Proposed code
 - i. Title 17B, Forest Practices
 - Establishes the minimum standards and requirements associated with local government review and jurisdiction over Class IV general forest practices in accordance with RCW 76.09 (Washington State Forest Practices Act).
 - Identify a process and provide criteria for lifting a six-year development moratorium. It establishes a public notification process, with criteria and standards by which the county may lift a six-year development moratorium.

 - ii. Chapter 17.99, Design Standards
 - Establishes design standards and guidelines for single-family, multi-family, commercial and industrial developments in Kittitas County located within Urban Growth Areas.

IV. Summary

Attached is a summary of the proposed revisions to the items being considered as identified in Section III of this staff report.

**GUIDE TO KEY PROPOSED REVISIONS TO THE KITTITAS COUNTY
DEVELOPMENT CODE**

<p>• Title 17 Zoning</p>	
1. Addition and clarification of Definitions section (17.08)	
2. Addition and clarification of uses/conditional uses/administrative uses for each zone.	<ul style="list-style-type: none"> ▪ Staff has included and listed the various uses/conditional uses/administrative uses for each zone, and removed references for clarity.
3. Addition of 17.60B Administrative Uses process. Removes requirement for Conditional Use Permit process for Accessory Dwelling Unit outside of UGA/UGN.	<ul style="list-style-type: none"> ▪ Transfers process in an Administrative Use Process with option to public hearing before the Board of Adjustment.
4. Change from Trailer Court Zone to Historic Trailer Court Zone. Limits development to existing. (17.24)	<ul style="list-style-type: none"> ▪ Recognizes and addresses existing use throughout the County, and restrict new development of such.
5. Change from Suburban and Suburban II to Rural Residential (outside UGA/UGN) and Urban Residential (within UGA/UGN). (17.20 and 17.22)	<ul style="list-style-type: none"> ▪ Name change to address densities and location within specific land use designations. Previous differences in designation were use of mobile homes.
6. Change from Rural-3 and Agricultural-3 to Historic Rural-3 and Historic Agricultural-3. Includes requirements for clustering per 1unit/3acres and development standards. (17.28 and 17.30)	<ul style="list-style-type: none"> ▪ Allowing for historical 3 acre zoning and bringing zones into conformance with the Growth Management Act. ▪ Addition of standards for proposed developments in the zones.
7. Addition of the determination of H-R-3 and H-A-3 boundaries as established by the County. (17.04.060, 17.28, 17.30)	<ul style="list-style-type: none"> ▪ Allowing for logical infill of existing R-3 and A-3 zones.
8. Clarification of the process for one-time split provisions in the Agriculture-20 and Commercial Agriculture Zones and increase of parent parcel from 10 and 8 acres to 20 acres. (17.29.040 and 17.31.040)	<ul style="list-style-type: none"> ▪ Allows for a clear definition of the one time split.

<p>9. Identification of maximum acreage/percentages for H-R-3, H-A-3, A-5, and R-5 zones. (17.04.060)</p>	<ul style="list-style-type: none"> ▪ Identification of goals to keep the mixture of densities in the rural land use zone.
<p>10. Clarification and inclusion of Intervening Ownership. (17.08.322)</p>	<ul style="list-style-type: none"> ▪ Consistent definition of intervening ownership applicable to all zones that specifies use of such provision.
<p>11. Addition and clarification of items in the Planned Unit Development Code. (17.36)</p>	<ul style="list-style-type: none"> ▪ Clarification of requirements. Addition of sunset clause and limiting PUD to certain zones.
<p>12. Addition of condominiums and fractionally owned uses in the Planned Unit Development Code and as an allowed residential use for Performance Based Cluster Platting. (17.36)</p>	<ul style="list-style-type: none"> ▪ Allow for diverse types of ownership in PUD and Cluster Plats.
<p>13. Addition of additional process for pre-identified areas for wind farms. (17.61A.035)</p>	<ul style="list-style-type: none"> ▪ Allow for a more stream line approach for permitting wind farms in designated areas.
<p>14. Addition of Urban Growth Areas and identified areas for inclusion of the development of interlocal agreements. (17.11)</p>	<ul style="list-style-type: none"> ▪ Streamlining development agreements to ensure a consistent approach for development in the UGA area.
<p>15. Change in rezone process, which identifies rezones to be processed as part of the Annual Comprehensive Plan Docketing Process and/or a process for rezones submitted with a related development specific application. (17.98.020)</p>	<ul style="list-style-type: none"> ▪ Allow for a more consistent approach for rezones.
<p>16. Recognition of Easton State, Cle Elum Municipal and DeVere Field airports, and clarification of airport zone areas and requirements (17.58)</p>	<ul style="list-style-type: none"> ▪ Allow for consistency with recent Comprehensive Plan Update recognizing Easton State, Cle Elum Municipal, and DeVere Field Airports.
<p>17. Increase notice requirement from 300 feet to 500 feet. (17.57.140)</p>	<ul style="list-style-type: none"> ▪ Allow for consistency with state requirements.
<p>• Chapter 16.09 Performance Based Cluster Platting</p>	
<p>1. Revise cluster to remove Agriculture-3 and Rural-3 zones from code.</p>	<ul style="list-style-type: none"> ▪ Removal in order to remain consistent with proposed revision in Title 17,

<ol style="list-style-type: none"> 2. Clarify open space usage. 3. Clarification of requirements for points earned for access to public lands and connectivity to wildlife corridors. 	<p>Zoning Code.</p> <ul style="list-style-type: none"> ▪ Clarification in order to establish appropriate open space definitions. ▪ Clarification in order to address requirements needed for points earned for the use of such elements.
<ul style="list-style-type: none"> • Title 15A Project Permit Application Process 	
<ol style="list-style-type: none"> 1. Update to ‘Community Development Services’ 	<ul style="list-style-type: none"> ▪ Consistent language change to reflect the new department name.
<ol style="list-style-type: none"> 2. Extension of noticing from 300’ to 500’ for adjacent property owners. (15A.03.030(4)) 	<ul style="list-style-type: none"> ▪ Increase buffer for public notification
<ol style="list-style-type: none"> 3. Addition of requirement to logically extend boundary of noticed properties for areas served by common ingress/egress. (15A.03.060(1)(d)). 	<ul style="list-style-type: none"> ▪ Increase public notification to impacted property.
<ol style="list-style-type: none"> 4. Establishment of including notices via the Kittitas County Website (15A.03.060(1)(f)) 	<ul style="list-style-type: none"> ▪ Allow for more public notification
<ol style="list-style-type: none"> 5. Publishing in Upper County Newspaper for projects located in Upper County. (15A.03.060(1)(a)) 	<ul style="list-style-type: none"> ▪ Ensure that Upper County residents are notified of impending land use decisions.
<ol style="list-style-type: none"> 6. Addition of requirement for Posting Sites not processed administratively. (15A.03.110) 	<ul style="list-style-type: none"> ▪ Ensure more public notification.
<ol style="list-style-type: none"> 7. Clarification of projects exempt from Notice of Applications (15A.03.080) 	<ul style="list-style-type: none"> ▪ Codifying notification of short plat applications and application for road variances.

<ul style="list-style-type: none"> • Proposed Title 17B Forest Practice Ordinance 	<ul style="list-style-type: none"> ▪ Establishes the minimum standards and requirements associated with local government review and jurisdiction over Class IV general forest practices in accordance with RCW 76.09 (Washington State Forest Practices Act) ▪ Identify a process and provide criteria for lifting a six-year development moratorium. It establishes a public notification process, with criteria and standards by which the county may lift a six-year development moratorium.
<ul style="list-style-type: none"> • Title 14.08 Flood Damage Prevention 	
<ol style="list-style-type: none"> 1. Clarification on when Elevation Certificates are required. (14.08.115) 	<ul style="list-style-type: none"> ▪ Identifies process for submittal of elevation certificates consistent with FEMA guidelines.
<ol style="list-style-type: none"> 2. Clarification of definition of ‘Agriculture’ (14.08.020) 	<ul style="list-style-type: none"> ▪ Limits definition of agriculture activities consistent with FEMA regulations.
<ol style="list-style-type: none"> 3. Allowing Pit Crawl Spaces (below grade crawl spaces) for residential construction. (14.08.250) 	<ul style="list-style-type: none"> ▪ Code change required to allow pit crawl spaces (below grade) in compliance with FEMA regulations.
<ol style="list-style-type: none"> 4. What to require at the time of unidentified/unstudied A Zones: 14.08.120 Use of other base flood data. (14.08.120) 	<ul style="list-style-type: none"> ▪ Code change to require base flood elevations to be identified in unstudied areas.
<ol style="list-style-type: none"> 5. Clarification of Floodway encroachments. (14.08.300) 	<ul style="list-style-type: none"> ▪ Deletion of provision one to comply with Washington Administrative Code, WAC 173-158-070.
<ul style="list-style-type: none"> • Proposed Chapter 17.99 Design Standards 	<ul style="list-style-type: none"> ▪ Establishes design standards and guidelines for single-family, multi-family, commercial and industrial developments in Kittitas County located within Urban Growth Areas.