

## Exhibit A to Thorp Landing Comprehensive Plan Docket request

### 9. Project Description

This project is a Comprehensive plan map amendment and rezone of the following Property:

Tax Parcel No.	Acreage
443233	51.98
493233	2.41
19590	3
19591	3
19589	3
19588	3
19592	3
19593	<u>3.39</u>
Total	72.78

from Ag-20 Zone to Ag-5 Zone and change the comprehensive plan designation of the property from Rural Working to Rural Residential.

Concurrently with the rezone application the applicant is seeking to change the comprehensive plan designation of the property to Rural Residential. Rural Residential lands are those which are adjacent or near UGAs or LAMIRDS. They generally have a lower population density than urban areas but higher than most rural areas. A limited level of government services usually exists, and they are often inside Fire Districts and are outside flood areas and most hazard areas. Rural Residential lands are characterized by activities generally associated with small-scale farms, dispersed single-family homes, and some types of recreational uses and open spaces. Lands are typically too far from the urban area to enable cost-effective provision of public services, and the typical uses do not require urban services. The zone requested is Ag-5 which is a zone intended to implement the rural residential designation.

The Property is legally described on Attachment 1. The property has no improvements on it other than a road and a well. The property previously was used as a pasture/hay field. The current use of the property is as pasture and hay production. To the north of the property there are varying uses including agricultural uses and residential uses, including the unincorporated town of Thorp which is a Type I LAMRID the boundary of which is 685 feet from the property, and includes residential and commercial uses with a school and fire station. To the east there are residential parcels of a varying size and on the east side of the Thorp highway there is a gravel mine with a mineral land of long term commercial significance designation. To the south is the Palouse to Cascades trail and then a Type 3 LAMRID on the north and south sides of the I-90 interchange, 1090 feet from the property which has associated commercial uses. To the southwest there are agricultural and residential uses. The property abuts both Goodwin Road and the Thorp Highway.

It is important to consider the history of land use and zoning in the area. Prior to Kittitas County enacting zoning codes, the town site of Thorp was developed and for many years functioned as a town even though no town or city was ever incorporated. A K through 12 school was developed, a fire station and a water district. As a result, many different lot sizes in the vicinity were developed. In the early 2000's the subject parcels were rezoned to allow for 3-acre density. After the rezone to 3-acre density several 3 acre lots were legally created.

In 2011, portions of Kittitas County's 3-acre rural density was invalidated by the Washington State Supreme court in *Kittitas County v. Eastern Washington Growth Management Hearings Bd.* 172 Wn. 2d. 144, 256 P.3d 1193 (2011). Kittitas County then, in an effort to comply with the court's ruling, created 5-acre densities and 20-acre densities for most lands designated as rural. As part of the process the county rezoned the subject property to a 20-acre density and designated the property as Rural working. The county also created two LAMRIDS (Limited Areas of More Intense Rural Development), one to cover the townsite of Thorp and a second to cover existing commercial uses at the I-90 Freeway interchange. When the county did an area wide rezone of the property designated for Rural uses outside of the LAMRIDS, the county applied the 20-acre density and not a 5-acre density. There was no logical reason for the county to do this other than it was expeditious. In fact, the area wide rezone to 20-acre density ignored the actual use of the land that was occurring in the area and created a significant number of non-conforming parcels. It would have been better if Kittitas County had taken the time to apply a rural designation and a zone that conformed to the uses and densities occurring on the land. The issue is best illustrated in Attachment 2. The first page of Attachment 2 shows all tax parcels in a one-half mile radius to the subject property and within a .75 mile radius of the property. The next pages summarize the tax parcels by number, owner name, zoning, whether the parcel conforms to the zoning minimum density, where in the map the property is located and a general legal description. As the summary chart on page 2 of Attachment 1 illustrates that within one half mile there are 100 tax parcels and of those one conforms to the minimum density of the applicable zone. 99 of the lots within one half mile are less than the density required in the current zone. More telling is that the average lot size of the parcels within one half mile is 3.17 acres. There are 167 Lots within a .75 mile radius, 8 of which conform to the existing zone with the average lot size being 4.17. The conclusion from this analysis is that the Land use designation of Rural working which requires 20 acre minimum lot density is completely inconsistent with the existing uses and densities in the area.

**a. Why is the amendment needed and being proposed?**

The amendment is necessary to ensure compatible rural uses and densities exist in the area. At present the densities and uses vary significantly and the existing comprehensive plan designation and zone do not match the actual uses occurring on the ground. The Thorp townsite has urban sized lots with single family homes on them. There are several commercial businesses in the area. The county has designated the townsite of Thorp as a type I LAMRID. In the immediate vicinity there are a variety of sized parcels. Some are used for farming, some are used for hobby farms, some are used strictly for residential use. Then to the south and east there is a type III LAMRID at the I-90 freeway interchange with intensive commercial uses. The Rural working designation is for uses that generally encourage farming, ranching and storage of agriculture products, and some commercial and industrial uses compatible with the rural environment and supporting agriculture and/or forest activities. Areas in this designation often have low population densities with larger parcel sizes compared to Rural Residential areas. Agriculture and forestry activities are generally less in scope than in the Resource lands. After review of the area and the mix of uses the area is more suited to a rural residential designation which is designed for areas that are adjacent or near UGAs or LAMIRDS. The area has a lower population density than urban areas but is higher than most rural areas. There is a limited level of government services, and the area is inside a Fire District and but is outside flood areas and most hazard areas. The area is characterized by activities generally associated with small-scale farms, hobby farms, dispersed single-family homes, and some types of recreational uses and open spaces. Lands are typically too far from the urban area to enable cost-effective provision of public services, and the typical uses do not require urban services.

**b. How is the proposed amendment Consistent with the County Wide Planning polices?**

This change in designation is consistent with the county wide planning policies. The vision and thus purpose for the planning policies is to "value and protect and enhance the quality of life by protecting the visual and physical environment; fostering economic opportunity, diversity, and security; supporting a wide range of natural resource-based industries; ensuring access to recreational opportunities; promoting educational excellence; and providing for affordable housing and accessible transportation. ... Planning for growth and change must be based on maintaining and enhancing the existing quality of life, the character of the County, and meeting the needs of the community as a whole."

The designation requested ensures that this rural area of the county has a variety of densities and uses all of which are compatible with each other and which is consistent with on the ground use of the property in the area.

**c. How is the proposed amendment consistent with the Kittitas County comprehensive plan?**

The requested change is consistent with the following goals and polices within the rural element of the comprehensive plan:

1. RR-G7: The County should consistently work to preserve and maintain the rural character of Kittitas County for the benefit of its residents.
2. RR-G10: The County should look for opportunities for a variety of rural density and housing choices while maintaining rural character and protecting health and safety.
3. RR-P9: Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.
4. RR-P10: Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces and recreational opportunities.
5. RR-P13: Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters.
6. RP-14: Uses common in rural areas of Kittitas County enhancing rural character, such as agriculture uses in Lower Kittitas and rural residential uses and recreation uses in Upper Kittitas shall be protected from activities which encumber them.
7. RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.
8. RR-G12: Permit residential development in rural areas which enhance and protect rural character.
9. RR-G13: Preserve and protect non-resource forests and agriculture lands which are dominant in Kittitas County.
10. RR-G15: Provide opportunity for limited development of rural community.

**d. How have conditions changed that warrant a comprehensive plan amendment?**

The area is undergoing a change with a significant number of new residents moving to the county from more Urban areas. Many of these new residents want and desire rural densities to live on. The result is that many of the smaller lots in the Thorp area have been developed. The effect on the larger parcels in the areas such as the subject parcel is that given its size it is no longer compatible with much of the surrounding community.

**11. Transfer of Development Rights**

This application does not require a transfer of development rights.

**12. a. Parcel Information**

i. Tax Parcel Number	Tax Parcel No.	Acreage
443233	51.98	
493233	2.41	
19591	3	
19590	3	

19589	3
19588	3
19592	3
19593	<u>3.39</u>
Total	72.78
ii. Total Acreage	72.78
iii. Site Address	Goodwin Road and Thorp Highway
iv. Owner	Thorp Landing LLC
v. Mailing address	1401 W. Dollarway Road, STE 301 Ellensburg WA 98926
vi. Phone Number	509-929-3980

**b. Land Use information**

i. Current and proposed comprehensive plan designation

Current	Rural Working
Proposed	Rural Residential

ii. Current and proposed zoning designation

Current	Ag-20
Proposed	Ag-5

iii. (Note: Rezone requests require separate Rezone application and fee.)

Filed contemptuously with this application

iv. Present Use of the Property

Hay field

v. Surrounding Land Use.

To the north of the property there are varying uses including agricultural uses and residential uses, including the unincorporated town of Thorp which is a Type I LAMRID and includes residential and commercial uses with a school and fire station. To the east there are residential parcels of a varying size and on the east side of the Thorp highway there is a gravel mine. To the south is the Palouse to Cascades trail and then a Type 3 LAMRID on the north and south sides of the I-90 interchange which has associated commercial uses. To the southwest there are agricultural and residential uses. Also see above.