

## Preliminary Development Plan Requirements

### Exhibit #9.

- 17.36.030 7. A Project narrative addressing the following:
- a. Adjacent natural areas;
  - b. The type, design and characteristics of the surrounding properties;
  - c. Developer's intent with regard to providing landscaping and retention of open spaces;
  - d. Future land ownership patterns within the development including homeowners associations if planned;
  - e. Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plan;
  - f. Documentation from the Director that environmental review (SEPA) has been completed or will be completed;
  - g. An explanation and specification of any nonresidential uses proposed within the project;
  - h. Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);
  - i. The method proposed to insure the permanent retention and maintenance of common open space;
  - j. Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;
  - k. Timing for the construction and installation of improvements, buildings, other structures and landscaping;
  - l. A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detail to illustrate the property's physical features and probable development pattern. The master plan will serve as a guide in each successive stage of development until its completion;
  - m. If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010 ; Ord. 2007-22, 2007; Ord.90-6 (part), 1990; Res. 83-10, 1983)

17.36.030 7 - a

Adjacent natural areas;

In general the only adjacent natural areas to the Project site are Currier and Reecer Creeks that runs along the eastern boundary and through the Project.

Easterly Direction: If you go further east past Currier Creek about .76 of a mile you will locate Whiskey Creek. As you continue to go further east you enter into higher developed areas within the City of Ellensburg's city limits.

Northern Direction: Running from north to south through the middle of the Project site is Reecer Creek. With that said majority of lands to the north and around these creeks are lands that are used for agriculture (farming).

Southern Direction: To the South, at a rough distance of a mile, the closest natural area would be the Yakima River, south of Old Hwy 10 and I-90.

Westerly Direction: to the west in a straight line from the Project Site, at an estimated .43 of a mile you come upon Old Hwy 10 and continuing further through farm and mineral resource land is I-90 at about 1.2 miles. Just south of west of I-90 is the Yakima River.

17.36.030 7- b

The type, design and characteristics of the surrounding properties;

Please see Exhibit #'s 5 & 10 Parcel & Aerial Map, and Zoning Map reflecting the various parcel configurations and zones adjacent to the Project site.

1. Properties within 1,000 feet of the Project Site

A. Properties to the south of the Project that are not directly adjacent to the Project but located within 1,000 feet of the property include:  
Parcels owned by the BNSF (Burlington Northern Sante Fe Railroad), Light Industrial zoned property owned by Kittitas County Solid Waste is currently vacant land and Belsaas & Smith Construction company owns land containing an existing shop and associated structure with heavy equipment parked on site. There is vacant property zoned Commercial Tourist that is owned by Pautzke Bait Co. Inc.

B. Properties to the east of the Project that are adjacent to the Project but located within 1,000 feet of the property include:  
Parcels that range from 4,000 sq. ft to lots that 4-5 acres in size. Most of these parcels are within the City of Ellensburg's Urban Growth Area that have been platted and short . Most of these parcels have been built out containing single-family residences with associated structures (garages, shops, etc.).

C. Properties to the North of the Project that are adjacent to the Project but located within 1,000 feet of the property include:  
Larger acreage parcels that are between 3 and 60 acres in size. Most of these parcels are zoned A-5 with a land use designation of Rural Residential and are continued to be farmed. Farther north parcels are then zoned commercial ag. With continued farming taking place. A few of the smaller parcels have residential, garages, and/or agriculture structures on site.

D. Properties to the West of the Project that are not adjacent to the Project but located within 1,000 feet of the property include:  
Parcels that are between 3 and 30 + acres with some having residential, garages, and/or agriculture structures built on them all within the A-5 zoning with a land use designation of Rural Residential.

17.36.030 7 - c

Developer's intent with regards to providing landscaping and retention of open space;

The use of native plant materials requiring little irrigation is proposed for home sites and construction-disturbed areas. Entryways into the project may require some landscaping. Home sites may have minimum of 500 square feet of irrigated landscaping with all other landscaping done with native plants. Any landscaping (entryways or home sites) with irrigation needs will be determined by the Palomino Water System in order to stay within the approved water right transfer amounts.

All identified open spaces will be identified by survey and located on the ground with signs. All identified open spaces will be covered with open space easements that place the property under protection to insure that they are only used for approved uses. Easement documents will clearly identify the area being protected and the rules for use. These open spaces will be retained under the ownership of the Applicant as these lands also contain pertinent senior water rights that facilitate the use of the existing agricultural practices.

17.36.030 7 - d

Future land ownership patterns within the development including homeowners associations if planned;

A. Residential Areas

Lots/Home sites will be sold to individual owners.

B. Roads

Roads in the residential area will be built on established easements that run across each of the lots.

C. Trails

Trails that may be built in the residential area will be built on established easements that run across each of the lots.

D. Utility Corridors and Utility Facilities

Utility Corridors and Utility Facilities in the residential area will be built on established easements that run across each of the lots.

E. Open Space Farmlands

Critical Areas: Palomino Farms, LLC, will own critical area Lands within the Open Space Farmlands.

F. Recreational Areas

Palomino Farms, LLC, will own the land and structures in the Open Space Farmland that may be built for Recreation uses, including but not limited to walking/hiking trails along creeks, recreational amenities such as community buildings, horse arenas and the like.

G. Roads Outside Residential Area

Palomino Farms LLC will own these roads.

H. Trails Outside Residential Area

Palomino Farms, LLC, will own these Trails.

I. Utility Corridors Outside Residential Area

Palomino Farms, LLC, will own these utility corridors outside of the residential area

J. There will be no homeowners association. There will be Rules and Regulations, which will be enforced by Palomino Trails Community, LLC.

17.36.030 7 – e

Proposed water supply, storage and distribution system, sewage disposal/treatment plan, solid waste collection plans;

1. The proposed water supply will be by existing wells. The Reecer Creek water bank, as approved by the Department of Ecology, will offset the withdrawal of ground water.
2. The system has been designed and approved by the Washington State Department of Health as the Palomino Group A Water System (See Exhibit #'s 6 & 13). This system is already in operation. The distribution system will be extended when divisions of this development are platted.
3. Sewage will be handled by onsite septic systems designed and approved by the Kittitas County Health Department for each parcel. These systems may be individual or community septic systems.

17.36.030 7 - f

Documentation from the Director that environmental review (SEPA) has been completed or will be completed;

A SEPA document was submitted at the same time as this application.  
Please also see a additional SEPA reviews for the subject properties ( Exhibit #14).

17.36.030 7 – g

An explanation and specification of any nonresidential uses proposed within the project;

#### Open Spaces

**Open Space – Farmlands:** The identified Open Space farmlands will be placed into separate parcel(s) and will be protected through restricted covenants filed on the parcel(s). These farmlands will retain the right to continue with the agricultural uses that have and currently exist on the site. These identified open space farmlands will be retained under the ownership of the Applicant, as there are pertinent senior water rights that run with these lands.

**Open Space Farmlands – Currier Creek Shoreline:** The identified Currier Creek Shoreline will be placed into one of the aforementioned open space farmland parcel(s), as identified in the Development Plan Map (See Exhibit #6), and will be protected through restricted covenants filed on the parcel(s). The Currier Creek Shoreline will be protected from uses that might negatively impact the shoreline. The shoreline will be a non-motorized area and restricted to pedestrian traffic and the continued agricultural practices.

**Open Space – Reecer Creek Shoreline:** The identified Reecer Creek Shoreline will be placed into one of the aforementioned open space farmland parcel(s), as identified in the Development Plan Map (See Exhibit #6), and will be protected through restricted covenants filed on the parcel(s). The Reecer Creek Shoreline will be protected from uses that might negatively impact the shoreline. The shoreline will be a non-motorized area and restricted to pedestrian traffic and the continued agricultural practices.

#### Open Space Farmlands:

**Parks:** The Project may establish and develop parks for the non-motorized use of the residents and their guests.

**Outdoor Recreation:** The Project may develop Outdoor Recreation areas, such as horse arenas and facilities of the like along with hiking trails for use by the residents, their guests, and special events.

**Indoor Recreation:** The Project may develop Indoor Recreation areas as allowed by the zone for use by the residents, their guests, and special events.

**Activity Center(s):** The Project may develop an Activity Center(s) for use by the residents, their guests, and special events.

**Community buildings:** The Project may designate an area(s) for Community building(s) for use by the residents, their guests, and special events.



17.36.030 7 – h

Planned residential densities expressed in terms of dwelling units per building and per net acre (total acreage minus dedicated rights-of-way);

Dwelling units per building: There will be one dwelling unit per building. Within the lots created there will be non-residential buildings including but not limited to garages, sheds, play structures.

All roads within the Project site will be developed on easements. There will be no dedicated right of ways.

There is 246.52 net acres and there will be 49 residential parcels created as allowed by the Section 17.36 and the underlying land use designation of Rural Residential and zoning Ag-5.

17.36.030 7 – i

The method proposed to insure the permanent retention and maintenance of common open space;

The Project proposes to create 134.4 acres of Open Space farmland described as follows:

1. The Project will create four designated Open Space Farmland areas within the project boundary. These Open Space farmland areas will be owned and maintained by a newly created company called the Palomino Farms, LLC ( a Washington State Limited Liability Company to be formed). At the time of the individual creation of each of the Open Space Farmland areas rules, regulations, operation and maintenance criteria for said sites will be established in the operating agreement of the Limited Liability Company owning these sites. Only the landowner/developer will have ownership in this Limited Liability Company.
2. The Project, by creating these Open Space Farmland areas, encompasses critical areas sites within the project boundary. These Critical Areas sites will be protected by the Palomino Farms, LLC (a Washington State Limited Liability Company to be formed). At the time of the individual creation of each of the Open Space – Critical Areas sites rules, regulations, operation and maintenance criteria for said sites will be established in the operating agreement of the Limited Liability Company owning these sites. Only the landowner/developer will have ownership in this Limited Liability Company.
3. Open Space Farmland - Recreation Areas: Palomino Farms, LLC, will own Recreational Land and Structures within the Open Space Farmlands
4. The Project may create specific Open Space Farmland- Recreation Areas sites within the project boundary. These Open Space – Recreation Areas sites will be owned and maintained by the Palomino Farms, LLC ( a Washington State Limited Liability Company to be formed). At the time of the individual creation of each of the Open Space Farmland – Recreation Areas sites rules, regulations, operation and maintenance criteria for said sites will be established in the operating agreement of the Limited Liability Company owning these sites. Only the landowner/developer will have ownership in this Limited Liability Company.
5. The Project will create a Homestead Area (58.6 acres), where existing structures are identified. This Homestead area will operate differently than the Open Space Farmlands. The continued homestead and agricultural practices along with the existing well on site will continue pursuant to local and state regulations. Recreation Areas sites along with additional mitigation needs may be located within the Homestead Area. At the time of the individual creation of the Homestead Area, uses, sites rules, regulations, operation and maintenance criteria for said site will be established in the operating agreement of the Limited Liability Company owning these sites. Only the landowner/developer will have ownership in this Limited Liability Company.
6. Covenants, Conditions, and Restrictions (CC&Rs) will be developed and filed on the identified Open Space Farmland areas that will further describing the allowed the uses of each of the Open Space areas to match the individual uses identified to the individual open spaces. In addition CC&Rs will be developed and filed on the residential area including each of the individual residential parcels that will be created that will provide specific language that identifies each of the Open Space areas and provides for the uses, maintenance, operation, and protection of these Open Space Farmland Sites.

## 17.36.030 7 – j

Proposed development standards, including an analysis of the public benefit provided in exchange for the deviations from the standards of the underlying zone;

### 1. Proposed Development Standards

- 1.1. Roads: All roads will be designed and constructed to Kittitas County Private Road Standards as provided for in Section 12.12 of the Kittitas County Code.
- 1.2. Utilities: All utilities will be designed and constructed as provided by Section 12.13 of the Kittitas County Code.
- 1.3. Storm water: Storm water control will be designed and constructed using Best Practices as provided for in the Department of Ecology Eastern Washington Storm Water Hand Book
- 1.4. Housing: All housing will meet the International Building Code as adopted and amended by Kittitas County. All building plans shall be reviewed and approved by the Kittitas County Building Department.
- 1.5. Lot Development: All develop on and improvements of the residential lots that are created by this project will be as provided for in Section 17.36 of the Kittitas County code.

### 2. Analysis of Public Benefits:

#### 2.1. Property Tax Revenue Analyses

- 2.1.1. Tax revenue to the Kittitas County, City of Ellensburg and the State of Washington will be increased with the development of the project.

#### 2.2. Kittitas County Population Growth Analysis.

- 2.2.1. Kittitas County has adopted the high population forecast for 2025. See Table 5.2.2 of the Kittitas County Comprehensive Plan. Furthermore the total number of additional units needed by 2025 is 6,460 units (See Exhibit #'s 15 & 16. This proposed Project would fulfill part of that need.

#### 2.3. Private Roads

- 2.3.1. Project served by private roads. Though the property owners of parcels created within the project will be paying taxes to Kittitas County, a portion of which would be to pay for maintenance of roads serving each parcel if the roads were public roads, will not be used by Kittitas County, to maintain these roads as they will be maintained privately by private funds. This action provides Kittitas County with addition sums to maintain other roads in the county in a higher proportion then if the roads that will serve the projected population growth directed to this project were public.

#### 2.4. Water Rights

- 2.4.1. Private Water Rights: Kittitas County has continued the purchasing of water rights to serve land throughout the county in order to offset and mitigate its water needs. This Project will be served by private water rights, which will not burden the county with the need to acquire additional water rights to serve the county's projected population growth. Furthermore the

Applicant has transferred a portion of its senior water rights into trust therefore already mitigating the needs for water.

2.5. Protection of Critical Sensitive Areas:

2.5.1. Currier Creek Corridor: This Project has been designed to place the density into certain areas that are less sensitive therefore further protecting Currier Creek and it's associated floodplain.

2.5.2. Reecer Creek Corridor: This Project has been designed to place the density allowed, into certain areas that are less sensitive therefore further protecting Reecer Creek and it's associated floodplain while allowing uses under the zoning to occur.

2.6. Protection of Existing Irrigation System:

2.6.1. Reecer Creek Diversion Facilities

Senior water rights will be used for irrigation serving the residential project.

2.7. Recreational Opportunities

2.7.1. Providing Outdoor and Indoor recreation uses, such as trails and horse activities for the Projects residents alleviates pressure off of other recreation area of the county that is experiencing increased pressure on the recreation areas of the county.

2.8. Fire Protection.

2.8.1. County Status

2.8.2. The residences within the Project will be protected by:

2.8.3. Sprinkler systems within the residences.

17.36.030 7 – k

Timing for the construction and installation of improvements, buildings, other structures and landscaping;

The following is the timing and phasing plan for the Project:

Construction is proposed to begin 2021. This initial construction date depends on permitting, and approvals from any of the Authorities having Jurisdiction, weather conditions, legal status, soil conditions, seasonal conditions, and/or market conditions.

The project may be developed in Divisions over a period of 20 years with a possible 5-year extension. It is the project goal to complete the development within a quicker time period but as we have seen during previous years, and experiences with other Planned Unit Developments, development cycles may either increase or decrease the development period of the Project.

Phase 1 & 2: Years 1 & 2; This time period will be devoted to obtaining the appropriate approvals with Kittitas County.

Phase 3: Year 3; This time period will be to finalize the large parcels through the submittal of the final short plat. By completed this assists in creating the ability to start designing, developing and finalizing the uses allowed on the larger designated parcels as Residential area, Open Space Farmlands and the Homestead Area.

Phase 4: Year 3 through project build out; During this phase lot development may include individual plats creating 4 lots up to a possible final plat of all 49 lots. This development may be but not limited to transportation and utility planning, designing, engineering, approval, construction, of roads as required for development, possible lot development, landscaping, home construction, sales, and recreational facilities planning and construction. As already explained there may be conditions or other unforeseen circumstances that may speed up or slow down this development, things like the weather or seasonal conditions, the market, storm water items, and additional water transfers all that may impact the rate of development. Indoor and or Outdoor Recreation Facilities may be constructed and operated during this phase.

As stated above in any given phase more parcels may be created as conditions allow. If this were to occur the completion of parcel creation would end prior to the 20-year timeline that would start from the first approved division outside of the short plat. Home construction may commence with parcel creation so in the event that parcel creation is accelerated then home construction may be accelerated.

The land within the open space farmlands that is not being developed as home sites may continue to evolve as recreation, agricultural, and critical area interests change over the life of the project as allowed for by Kittitas County.

17.36.030 7 – 1

A master plan of the site, if the proposed PUD is to be developed in phases. The master plan need not be fully engineered, but shall be of sufficient detailed to illustrate the property's physical features and probably development pattern. The master plan will serve as a guide in each successive stage of development until its completion;

See Exhibit #6 for the Development Plan satisfying this criteria.

17.36.030 7 – m

If the proposed PUD rezone will result in an increase in unit density over the existing zone, include a narrative of the transfer of development rights in accordance with KCC Chapter 17.13, Transfer of Development Rights. (Ord. 2013-001, 2013; Ord. 2010-006, 2010 ; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

Applicant is not asking to increase the underlying zoning density for the Project as follows;

1. The Project site contains 246.52 acres.
2. The Project Site is zoned Agricultural-5. See Exhibit #10: Zoning Map
3. As provided for in Kittitas County Code 17.36.025 density for a PUD located outside a Urban Growth Area and Rural LAMIRD is as follows:

17.36.025 Allowed density.

Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided.

Outside the Urban Growth Area (UGA) and Rural LAMIRDS: The density of the underlying zone shall not be exceeded by a PUD. For Rural LAMIRDS, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d). (Ord. 2013-001, 2013)

4. The density allowed for in the A-5 zone included within the Project site is as follows:

A-5 – AGRICULTURAL ZONING CODE

17.28A.030 Lot size required.

1. The minimum residential lot size shall be five (5) acres in the agriculture zone, unless within a cluster plat as provided for in KCC Chapter 16.09, Cluster Platting and Conservation Platting. Lots within a cluster plat shall be a minimum of one-half (½) acre. The overall density of any residential development shall not exceed one (1) dwelling for each five (5) acres. (Ord. 2013-008, 2013; Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 2005-05, 2005)

5. Therefore the density allowed within the project as a PUD is 246.52 acres divided by 5 acres (underlying zoning density requirement) equals 49 lots.
6. As this project is not asking to exceed the underlying density of the underlying zoning it is not required to transfer any development rights.