

September 25, 2008

Kittitas County Development Services
411 N. Ruby St. Suite 2
Ellensburg, WA 98926

RE: Airport Height Rezone & Long Plat Application, PQD Construction, Schuler Deneen Family Ranch LLC and James Schuler Parcels: 180836, 21009, 21010 and 951572

Dear Darryl Piercy,

Thank you for the opportunity to provide comment on the application for the proposed rezone and long plat for the Airport Heights Subdivision. This site is located north of Cle Elum Municipal Airport, and abuts the airport's northern and western boundary. WSDOT Aviation is concerned that the proposed rezone and long plat subdivision application, if approved, would allow significant incompatible development adjacent to the airport. We believe the development is counter to requirements of the Growth Management Act (GMA) and Kittitas County's own comprehensive plan policies. Therefore, we recommend that this application to subdivide property for up to 14 residential dwelling units be denied. Please include our comments as part of the record for this project.

In 1996, the state legislature passed amendments to the GMA (RCW 36.70547, RCW 36.70A.510) to protect public use general aviation airports in Washington State. The law requires cities and counties to adopt comprehensive plan goals, policies and regulations to discourage development of incompatible land uses adjacent to public use airports. GMA also identifies airports as essential public facilities. WSDOT Aviation provides a technical assistance program to help communities meet the requirements of the law.

Based on our assessment of the Kittitas County Comprehensive Plan, the proposed Airport Height's project, if approved, would be contrary to the county's own comprehensive plan policies.

- GPO 4.15F Protect Kittitas County Airport (Bowers Field), Cle Elum Municipal, DeVere Field and Easton State airports from adjacent incompatible land uses and/or activities that could impact the present or future use of the airports as essential public facilities.

As described in the development application and supporting materials provided on August 6, 2008, this project would rezone four parcels from Agricultural 3 Zone (AG-3) to Planned Unit Development (PUD). The current AG-3 zoning allows a residential density of one dwelling unit per three acres as well as greenhouses, nurseries, airport related uses and agricultural uses. This residential density and other permitted land uses are consistent with WSDOT's land use compatibility recommendations and the county's comprehensive plan policy GPO 4.15F. The proposed rezone application to a Planned

Unit Development (PUD) is requesting a residential density of one dwelling unit per acre. Residential density of this nature is considered an incompatible land use when located adjacent to an airport. Elements identified through WSDOT's Airport Land Use Compatibility Program address safety, airspace hazards, noise and land use. The proposed application to locate up to fourteen residential dwellings with a height of up to 35 feet may also impact critical airspace surfaces around the airport. Homes constructed in this area would be exposed to noise, vibration, light, glare, fumes and low-flying aircraft activity. Such activity would have an adverse impact on safety and the quality of life of residents, and eventually contribute to conflicts between neighbors and the airport. As we have seen in other communities, such situations often lead to conflicts that ultimately disrupt the operations of airports as essential public facilities. Additionally, land uses located in similar locations adjacent to an airport experience higher risks of aircraft accidents. According to the WSDOT's Aircraft Zones and Capture Rates Matrix, this area experiences 28 percent of recorded aircraft accidents.

As stated in the Kittitas County Zoning Ordinance Section 17.36.010, the purpose of a PUD is to provide for and encourage a harmonious mixture of land uses with greater flexibility in land use controls. This rezone will not result in a more harmonious mixture of land use, but will impact the long term viability of the airport and produce a residential development with a significantly diminished quality of life.

It is also recognized by WSDOT that this area is within the City of Cle Elum's Urban Growth Boundary and that under the GMA the agricultural designation may not be appropriate. However, the county has an obligation under the Act and through its comprehensive plan policies to develop an appropriate zoning classification and regulations consistent with its comprehensive plan policies. The Planned Unit Development zoning has several alternative uses that are compatible under the state's guidelines. These uses included:

- Retail businesses
- Commercial-recreation businesses

Other elements that should be considered or taken into account when considering development adjacent to an airport include:

- Minimal Standards: Regardless of the development, any land use adjacent to an aviation facility should address minimum safety standards. Development located on the boundary of an airport should also include fencing to control access and minimize hazards on the runway facilities.
- Airspace Hazards: According to RCW 14.12 and Federal Aviation Regulations (FAR) Part 77 "Imaginary Surfaces" – The property falls within the approach and transitional surfaces of the FAA's FAR Part 77 "Imaginary Surfaces." It is in the public interest that airspace obstructions are discouraged. Careful consideration should be taken when approving any development in proximity to these surfaces.
- The proposed PUD will fall within zone 5 of WSDOT's Aircraft Safety Zone Diagram. This zone has the highest rate of aircraft accidents.

- Airport Facility Plan: The Cle Elum Municipal Airport has recently adopted an airport facility plan or airport layout plan. The plan contains existing facilities, project growth and facility improvements needed over the next 20 years.
 - The Cle Elum Municipal Airport is currently undergoing a major reconstruction of its runway and taxiway. City of Cle Elum is currently funding this improvement with over two million dollars in federal and state grants from the FAA and WSDOT Aviation. Future investments in this airport are anticipated and further encroachment of residential development upon this facility could substantially diminish airport operations and future funding.

Due to the potential impacts of this proposal on Cle Elum Municipal Airport and the citizenry of Kittitas County, WSDOT Aviation recommends the denial of this application. We thank you again for the opportunity to comment, and remain available to provide technical support and assistance. Please don't hesitate to contact me at 360-651-6312 or timmerc@wsdot.wa.gov if you have any questions.

Sincerely,



Carter Timmerman
Aviation Planner
WSDOT