KITTITAS COUNTY
CDS STUDY SESSION MINUTES
COMMISSIONERS' AUDITORIUM, 205 WEST 5th ROOM 109
Regular Meeting

MONDAY **2:30 PM** **September 14, 2026**

Board members present: Chairman Brett Wachsmith, Vice-Chairman Laura Osiadacz and Commissioner Jeff Leichleiter.

Others: Chad Bala, Jamey Ayling, Jeremy Johnston, Laura Kukes, Gail Weyand, Community Development Services, Samantha Cox, Public Works, James McCubbin, Deputy Prosecutor.

At 2:33 pm Chairman Wachsmith opened the Community Development Services Study Session.

CITIZEN COMMENTS

There were no citizen comments.

CODE ENFORCEMENT UPDATE

CDS Director Chad Bala provided an introduction and recognized Code Enforcement Officer Laura Kukas for progress in addressing the department's code-enforcement case backlog.

Laura Kukes reported that when she assumed the position in 2024, approximately 350 code-enforcement cases were open at various stages. The current total has been reduced to 96 open cases.

- Approximately 58 cases, or about 60 percent of the remaining total, originated before 2024 and represent the remaining backlog.
- The remaining 38 to 39 percent involve cases opened during the past two years and are proceeding through the code-enforcement process.
- The reported count does not include additional service requests received but is not opened as formal cases.
- One potential nuisance-abatement matter may proceed this year, pending a judge's determination.

APPROVED
10/6/2026

The Board and staff expressed appreciation for Laura Kukes's work, noting the difficult nature of code-enforcement work and interactions with residents.

TDR WORKPLAN TASK 1: TECHNICAL MEMO

Director Bala let Long-Range Planner Jeremy Johnson present an update on Task 1 of the TDR work plan. Director Bala reported that the task is ahead of its scheduled October 14, 2026, completion date.

Jeremy Johnston explained that the County initiated a TDR moratorium on June 8, 2026, following the periodic comprehensive plan update and receipt of two Washington State Department of Commerce letters identifying potential Growth Management Act (GMA) compliance concerns, particularly related to receiving sites.

A public hearing was held on August 4, 2026, to extend the moratorium and consider the one-year work plan.

Task 1 Components

Jeremy Johnston reviewed the four Task 1 deliverables:

1. **Gap Analysis**
   Review of applicable Kittitas County Code provisions, Department of Commerce concerns, and relevant GMA requirements.
2. **Inventory of Existing TDR Activity**
   Review of TDR activity, with particular attention to changes adopted in 2023. Staff indicated that much of the activity occurred after those amendments.
3. **Comparative Analysis**
   Review of TDR programs in Kittitas County and other Washington jurisdictions. Staff noted that King County is the principal jurisdiction where the program has been broadly successful, while most other comparable programs have seen limited use.
4. **Legal Review**
   The Prosecuting Attorney's Office reviewed potential paths for either repealing the current program or revising it to address compliance issues.

Commissioner Wachsmith asked about the status of existing TDR certificates and whether applicants holding certificates would retain rights if the program were changed or repealed.

Director Bala stated that existing certificates would not simply expire. The County will need to provide an appropriate legacy process for vested certificate holders, including those who have completed the sending-site process but have not yet applied for a receiving site. The legal review will help establish a documented process to protect those vested interests.

Director Bala explained that GMA-compliant TDR programs generally transfer development potential from rural or resource lands to urban areas with appropriate density and infrastructure, such as urban growth areas and incorporated cities.

The County currently does not have TDR components in interlocal agreements with the Cities of Cle Elum, Kittitas, or Ellensburg. CDS staff have contacted the cities regarding potential interest in developing TDR receiving-site provisions. Ellensburg's Community Development Director is expected to bring the subject forward for City Council consideration.

Director Bala noted that a viable TDR program would require mechanisms for receiving development rights in locations with adequate infrastructure capacity, as well as coordination with city development standards.

Director Bala described concerns with the 2023 amendments that allowed transfers from rural areas to rural receiving sites, including planned unit developments and subdivisions. Department of Commerce identified this approach as potentially inconsistent with GMA requirements.

Director Bala also identified the need to evaluate the effects of added development rights on:

- Transportation and traffic impacts;
- Critical areas;
- Water, sewer, and other utility capacity; and
- Overall development and environmental review assumptions for approved projects.

Next Steps

- Task 1 materials and preliminary options will be presented to the Planning Commission on September 22, 2026.
- Staff will continue work under the accelerated schedule while maintaining review quality.
- The Board is expected to provide policy direction on January 13, 2027, regarding whether to revise and retain the TDR program or repeal it while establishing a legacy process for existing certificate holders.

No formal action was taken.

OTHER BUSINESS

There was no other business.

Meeting concluded at 2:47 p.m.

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Gail Weyand

Gail Weyand, Chief Administator

Brett Wachsmith, Chairman