

KITTITAS COUNTY PLANNING COMMISSION MEETING
Thursday, September 28, 2006 @ 6:30 P.M
**Continued Hearing for Comprehensive Plan Update: Continuation for Deliberation
and Decision**

HAL HOLMES COMMUNITY CENTER – 209 N. Ruby Street, Ellensburg

Those present: Chairman David Black, Doug Harris, Grant Clark, Scott Perna and Don Williamson.

Also present: Community Development Services, Director Darryl Piercy, Assistant Director Allison Kimball, Staff Planners Joanna Valencia, Scott Turnbull and Patrick Butler, Administrative Assistant Mandy Weed and approximately 20 individuals representing public interest.

I. Call to order and introduction of members and staff.

Housekeeping items, **Black** asked **Piercy** if the Planning Commission needed to do the Findings of Fact at this time and if so, if they can do them all at one time. **Piercy** stated yes to both as they have already adopted both, they are just confirming that by a vote.

Open Space/Open Space Taxation Designations:

A.	INPW, including Lockwood & Vaughn	Approved
B.	Rosenberg from Carson	Approved
C.	Huntley Family LTD Partnership	Approved
D.	Schumaker from Monahan	Denied
E.	Olsen & Fleming Trustee	Approved

2006 Map & Text Amendments:

06-01	Thomas & Lynn Mahre	Denied
06-02	Kevin Kelly	Denied
06-03	Kevin Gibb	Denied
06-04	Ronald & Douglas Gibb	Denied
06-05	Art Sinclair	Denied
06-06	Basil Sinclair	Denied
06-07	Robert Sukert	Denied
06-08	City of Kittitas	Approved
06-09	Brian Grabill	Denied
06-10	Ridge & Others	Denied
06-11	Central Cascade Land Co.	Denied
06-12	Suncadia LLC	Denied
06-13	Teaway Ridge LLC	Denied
06-14	Teaway Ridge LLC	Denied
06-15	Teaway Ridge LLC	Denied
06-16	Teaway Ridge LLC	Denied
06-17	Teaway Ridge LLC	Denied
06-18	American Forest Resources LLC	Denied
06-19	American Forest Resources LLC	Denied

Black made a motion to pass the Planning Commissions finding of fact for the 2006 applications for the Open Space/Open Space, amendments to the comprehensive plan and text amendments are correct, and to pass those forward to the Board of County Commissioners as findings of fact of the Planning Commissions recommendations. Williamson seconded the motion and the motion passed with a 5/0 poll of the board.

Black questioned Piercy in regards to writing a letter to the City of Ellensburg thanking them for the opportunity. **Piercy** stated that he will write this on the Planning Commissions behalf and have ready for chairs signature on Thursday.

Black questions the discussion of the transfer development rights recommendations and stated that they don't have anything presently. **Piercy** stated we have introduced it into the comprehensive plan in a staff sponsored amendment in 2005 for the 2005 amendment cycle and it was policy that incorporated encouragement to develop a program. There are policies currently in place within the comprehensive plan that allow for a transfer development rights program. **Piercy** stated that it would be developed separately and outside of the comprehensive plan and we have been waiting to actually move forward until wer see where the densities are actually going to fall out.

Black stated that they will be going thru the last two chapters of the comprehensive plan, Chapter 2: Land Use and Chapter 8: Rural Lands.

*****The format of these proposed amendments is to show the affected portion of the existing Comprehensive Plan in "bill form" with new language underlined, deleted language struck out and unaffected language not marked up.*****

Black stated that page 4, H there is a statement that they have testimony that they would like to change. **Black** read this as it states into the record as follows:

~~**H. The County Wide Planning Policies allocate 55% of the projected population to the unincorporated County. The Board of County Commissioners believe that the unincorporated county is not adequately represented in the Kittitas County Conference of Governments and therefore, any amendments to the Kittitas County Comprehensive Plan or Development Regulations, originating from the Kittitas County Conference of Governments, shall be reviewed by the Kittitas County Planning Commission for recommendation before consideration by the County Commissioners for adoption.**~~

****Planning Commission struck all of H****

Williamson stated that he had a recommendation for replacement of H that reads request for rezoning of land within the county shall be considered as request of changes to the Kittitas County Comprehensive Plan and such shall be submitted as amendments to the

plan as described above; which describes how amendments will be handled. He stated that he gave a copy of this to **Joanna Valencia**.

(Revised)

~~GPO 2.11-Kittitas County does not have any plans to adopt provisions for impact fees at this time and as such, any reference to impact fees in this comprehensive plan not be included.~~ Kittitas County shall conserve and protect existing open space, farmland and forest land and shall support conservation and protection of connected corridors and public access to open space as mitigation for any development that is proposed or approved involving conversion of forestlands or agricultural lands (whether or not the forestland or agricultural land is designated as resource land of long-term commercial significance). Such corridors and public access provisions may be established through voluntary agreements, conservation easements, purchase or other instruments as appropriate and available.

****Planning Commission will not pass recommendation forward****

Black stated that he didn't have a problem with the part about conservation and farmlands but from the part about public access to open space it starts to be a little much. **Harris** asked if we could dissect that and submit part of it. **Black** asked how far. **Harris** stated the last part, by striking what is in parenthesis. **Perna** asked how conservation is going to be done by restricting use. **Piercy** said one of the difficulties as a department with this statement is trying to get a handle on what actually is forest land and agricultural lands. **Piercy** stated that he is a bit concerned if we were to take this at face value how we would implement this policy. **Black stated that they will not pass that forward with recommendation.** **Perna** stated that back to subject h request to rezone only once a year is a bad idea. **Williamson** said that by piece meal rezoning at the amendment level you get the cumulative effect of all of the rezones, rather than a piece of the meal and otherwise there is no tie in from one rezone to the other. **Williamson** said he likes to see them all at once. **Black** agreed that is the appropriate way to do it because you can see the land that is being rezoned. **Perna** disagreed. **Harris** stated that it would be a good idea as they then have all of the working tools put in front of them at one time and makes it much simpler and they don't question having all of the information. **Clark** stated that the staff has done a good job at bringing all of the information to them at once; however it might make sense to lump some of them together. **Piercy** stated that with a change of wording they could go thru the process each year to modify the land use map and the comprehensive plan as the land use map is driven by the comp plan. **Piercy** stated that we don't have to have a mirror of the maps as we have ranges, we could say that changes to the zoning map can be conducted only in a manner consistent with the process in which we change the land use map; which would allow for zoning requests to be considered once per year. **Williamson** asked what it would take to clear up the discrepancy between the land use map and the zoning map. **Piercy** said by making a determination or by setting a policy that says the zoning map shall be consistent with the land use map. **Clark** asked then how we are going to make those compatible before we make that proposal. **Piercy** said that the Planning Commission has one proposal before them from the Resource Lands Advisory

Committee (RLAC) to have a single zone and you have a range within that zone, so you wouldn't have rezones, you would have the ability to have a range within that range in the rural lands. **Piercy** stated that we have not had the chance as a community to have a thorough discussion on where those boundaries should in fact be or what the zoning designation should be. **Black** stated that some of us want to see rezones only once per year. **Piercy** stated we could adopt a policy for rezones that is parallel in the process to the process for comprehensive amendments, if the process allows for them to be looked at once per year so that we could look at them from a comprehensive standpoint. **Black** said that by everything they are seeing from the community, this is what they want to see to from the overall standpoint. **Clark** stated that he would be happy if we put something in that states they would look at rezones once per year, but not to tie it to the comprehensive plan update process. **Piercy** stated that the changes to the zoning map shall be conducted in a manner consistent with those utilized to change the land use map. **Piercy** stated that the Planning Commission would just need to fill in the blanks when the time frame would need to be and believes this would be accomplished by a resolution by the Board of County Commissioners.

(Revised) GPO 2.11A Much of Kittitas County receives little natural precipitation and is highly susceptible to fire hazard during much of the year. Meanwhile, more people are moving to previously uninhabited forest and rural areas. As this number increases, the need to provide adequate and efficient fire services to these areas also increases. Prior to approval new cluster developments and subdivisions shall be required to demonstrate availability of water sufficient to provide 1,000gpm (as referenced in the FireWise Program document) so that fires can be efficiently and adequately fought and appropriate resources can be directed toward saving the forest.

****Planning Commission denied modification****

Clark stated that he thinks this is way too broad. **Piercy** stated that the utilization of the fire code has been determined by the Board of County Commissioners that we also adopted the Urban Wildland Interface Code. **Piercy** stated that this change could potentially conflict with the code. **Black stated that they won't make that modification.**

(New) GPO 2.12 In order to ensure that the impact of certain land use decisions are adequately analyzed, in the event that any of the following requested actions should come before the County, a Determination of Significance with respect to the action shall made with respect to those requested actions and the County shall prepare an environmental impact statement as per the State Environmental Policy Act (SEPA) for:

- 1. Any proposed comprehensive plan amendments (including creation of any Urban Growth Node (UGN) or Urban Growth Area (UGA), rezones or subdivisions that would permit an increase in the intensity of use on the affected land to a level of one or more unit(s) per twenty acres.**

2. Any proposed comprehensive plan amendments, rezones or subdivisions involving conversion of use from forest or agricultural use to residential, commercial or industrial use.
3. Any proposed comprehensive plan amendments, rezone or subdivision that would require an amendment of the Kittitas County Comprehensive Plan.

Further, no rezone shall be approved except as part of a comprehensive plan amendment.

****Planning Commission Denied****

Black asked how our budget is for EIS assistance. **Piercy** stated that the manner in which this is written and the concept is just illegal. The whole purpose of SEPA is to look on individual basis and a cumulative basis, the overall impacts of a project and make a determination based on that information. **Black** said we are taking the testimony at face value but thinks that there ought to be some way to tighten up the SEPA information. **Piercy** suggests that they are seeing that lately in the past 6 months and that it will continue to improve that as the function of SEPA. **Black** stated in the past they were not correct and they didn't use those. **Piercy** said that he believes that as a Planning Commission they are obligated to look at that as part of their decision. **Black** said that some of the testimony they have heard is that the SEPA should be signed under penalty and perjury. **Piercy** stated that we can modify the SEPA document, add to it and correct the SEPA document. **Williamson** asked if the rewritten of 2.12 is any better. **Piercy** said it defines the areas a little more, but believes it is still preloaded to a degree and doesn't believe that it would be accepted by law.

(Revised) GPO 2.12A Where subdivisions involving conversion of use from forest or agricultural use to residential, commercial or industrial use are approved they shall be clustered and connected open space shall be reserved within or adjacent to the subdivision with appropriate easements for public access, habitat and recreational use. The County shall encourage and require such features in any approved rezone or subdivision within the designated area(s).

****Planning Commission Denied****

(New) GPO 2.12A When subdivisions involving conversion of use from forest or agriculture use to residential, commercial or industrial use are approved the County shall encourage the use of appropriate clustering and connecting of open spaces with adjacent open spaces. The County shall also encourage or provide incentives for the inclusion of easements for public access, habitat, and recreational use.

****Planning Commission Approved****

(New) GPO 2.13 Whereas a large inventory of platted but undeveloped lots currently exist in Kittitas County, prior to any further approval of any rezone, or subdivision of lands to allow more intense use of those lands, the County shall undertake a process of monitoring the number type and location of such lots. The County shall then regularly update that assessment. New subdivisions, rezones permitting a more intense use of the affected lands or will not be approved unless it

can be demonstrated that such approvals are necessary to accommodate projected population growth for Kittitas County and the applicable incorporated cities, Urban Growth Areas (UGA) or Urban Growth Nodes (UGN) as per population allocations prepared by the Washington State Office of Financial Management (OFM). Such approvals shall be counted and assigned according to OFM population allocations.

****Planning Commission Denied****

(New) GPO 2.14 Consistency of Development Regulations, Zoning Map and Zoning Regulations with Comprehensive Plan: Kittitas County's development regulations, including its zoning map and zoning regulations, shall be consistent with and implement the adopted Kittitas County Comprehensive Plan. Any amendments to the development regulations, including the zoning map or zoning regulations shall be consistent with and implement the adopted Kittitas County Comprehensive Plan.

****Planning Commission Denied****

(New) GPO 2.15 Consistency of County Activities and Capital Budget Decisions with the Comprehensive Plan: Kittitas County shall perform its activities and make capital budget decisions in conformity with the adopted Kittitas County Comprehensive Plan.

****Planning Commission Denied****

(New) GPO 2.20 The County shall conduct and maintain a comprehensive survey of groundwater resources and aquifers and shall identify all critical aquifer recharge zones. This survey shall be initiated in 2007 and shall be completed in 2008.

Piercy said there is two efforts on the way with the County, but they don't go to the level that the GPO intends. There is something at the federal level in regards to a study and analysis; however he is concerned with mandate to get the work done when we have not been able to identify any resources that will get us there. Williamson stated that support to developing a comprehensive review of the water resources in the County is GPO 2.91b and it should be revised.

Revised GPO 2.20 The county shall support the development of a comprehensive review of the water resources in the County.

RLAC GPO Recommendations

Black stated there is a request to add some GPO's under GPO 2.92.

(Revised) GPO 2.92a The future urban residential areas may be both residential and agricultural. Ongoing agricultural should be supported in development regulations.

****Planning Commission Approved****

(New) GPO 2.92b The current use of future urban residential areas may be both residential and agricultural. Ongoing Agricultural should be supported in

development regulations.

****Planning Commission Approved****

(New) GPO 2.92c Encourage and accommodate future expansion of utilities and roadways for urban densities.

****Planning Commission Approved****

(Revised) GPO 2.93 Innovations in housing development such as cluster developments, master planned developments, shadow platting and planned unit developments ~~should~~ will be encouraged.

****Planning Commission Approved****

Page 24 under UGA/UGN have added these in place of ~~these~~, correcting a spelling error.

****Planning Commission Approved****

Page 25, second paragraph change the year from 1996 to 2008 and would like to add number 10 Shoreline development plan under Joint local agreements.

****Planning Commission Approved****

Page 26, RLAC recommends removing the first three paragraphs that start with, for the purpose of review...

****Planning Commissioner Approved****

~~GPO 2.94 A consideration for all future development shall be the adaptability of a proposal to urban water and sewer systems.~~

GPO 2.94a A Consideration for all future development should be the adaptability of a proposal to urban water, sewer, and road systems.

****Planning Commission Approved****

GPO 2.94b Expansion of the UGA should be encouraged in areas suited for agriculture and areas not impacted by Critical Areas.

****Planning Commission Approved****

GPO 2.94c Development of a subarea plan to investigate expansion north of the City of Ellensburg.

****Planning Commission stated that this would be up to the city of Ellensburg, PC Denied****

GPO 2.94d Allow for the flexibility of minimum density standards in urban growth areas where Critical Areas are present in order to provide the highest level of protection.

****Planning Commission Approved****

GPO 2.97 The UGNs and/or UGAs shall be consistent with the following criteria:

- a. Each UGN and/or UGA shall provide sufficient urban land to accommodate future population/employment projections through the designated planning period.
- b. Lands included within UGNs and/or UGAs shall either be already characterized by urban growth or adjacent to such lands.
- c. Existing urban land uses and densities should be included within UGNs and/or UGAs.
- d. UGNs and/or UGAs shall provide a balance of industrial, commercial, and residential lands.
- e. Each UGA shall have the anticipated financial capability to provide infrastructure/services needed in the areas over the planning period under adopted concurrency standards.
- f. Protect natural resource and critical areas
- g. Encourage the conversion of undeveloped lands into urban densities.
- h. Provide for the efficient provision of public services;
- i. Promote a variety of residential densities; and,
- j. Include sufficient vacant and buildable land for future urban densities.

Struck all of 2.97 except for the word UGN and added 2.98 to 2.97.

****Planning Commission Approved Changes*

GPO 2.110 ~~Oppose laws and regulations which restrict agriculture, and support~~
Support laws and regulations which embrace agriculture.

GPO 2.112 ~~Develop~~ **Distribute** and ~~distribute~~ **“Rural Landowners Rights and Responsibilities utilize the “Code of the West” handout and require signature of having read it for any permits issued to non-farmers in agricultural areas.**

****Planning Commission Approved****

GPO 2.113 Support efforts to see that **all productive** lands receive ~~their full allocation of water, an adequate water supply.~~

*2.113 ***Planning Commission Denied Changes****

GPO 2.114 ~~Look~~ **identify and implement a feasible look** at solutions to the problems of needing to sell house lots without selling farm ground.

****Planning Commission Approved****

GPO 2.114A RLAC wanted removed in it's entirety. Planning Commission said that they wants to leave it as it is.

****Planning Commission Denied Changes****

GPO 2.115 Remove in its entirety, but reserve the number. Clark thinks that is a direct conflict.

****Planning Commission Approved****

GPO 2.119 pg 31 requested to be struck. **Williamson** asked what they want to replace it with and he would like to keep them both and give both a number, such as 2.119A
Pernaa likes revision.

****Planning Commission ok to strike****

Harris asked of GPO 2.116 was really necessary? **Black** stated that he thought it was covered in the Code of the West. **Williamson** said it is a good document and really tells people what to expect. **Piercy** said he thinks it points more towards here is what the agriculture use does for you as a whole.

GPO 2.124 **Williamson** said that he liked it the way it was before and that it takes away the expertise level and doesn't feel comfortable with it. **Black** asked if he would like it the way that it was and then consider C and D as addition to that. **Williamson** stated yes, that would give a better idea of what the directions are. **Pernaa** stated that he likes it the way that it is proposed. **Clark** stated that he agrees with **Williamson**. **Black** says he agrees that maybe it should be 2 different groups. **Williamson** said that we need an analysis by someone who knows what they are doing and leave it as it is and take RLAC out of it and add C & D under 1.24 A, and put one for agriculture and one for forestry. **Pernaa** doesn't agree, says we are going to be able to get two committees together to look at this, it is unrealistic. **Black** asked if he would allow the RLAC to do it. **Williamson** said he doesn't think so. **Harris** said that the advisory committee should be an advisory of both.

****Planning Commission agrees to change it****

GPO 2.126 striking other government agencies.

****Planning Commission ok to strike****

GPO 2.127 sub a adding. **Clark** said he thinks the intent is that it won't affect the irrigation water as we can't impede the delivery. **Williamson** said that he thinks we already do that, it is number 7 of the criteria.

****Planning Commission Approved to strike that****

Commercial Forest lands pg 33, 3rd paragraph was struck and 2nd and 4th paragraph.

****Planning Commission ok to strike****

GPO 2.130 ~~To conserve forest lands for productive economic use by identifying~~
Kittitas County will promote and designating encourage forest lands where the principal and preferred land use is commercial resource management.

****Planning Commission Approved****

GPO 2.131 added the words "economic viability"

****Planning Commission Approved****

GPO 2.133 was struck entirely, PC disagreed.

****Planning Commission Denied striking, leave it as is****

GPO 2.137 Struck in its entirety and new GPO 2.137 was written and approved.
****Planning Commission Approved striking and re-write of GPO****

GPO 2.138 was struck in its entirety and a new GPO 2.138 was written and approved.
****Planning Commission Approved striking and re-write of GPO****

GPO 2.139 was struck in its entirety and a new GPO 2.130 was written and approved
****Planning Commission Approved striking and re-write of GPO****

GPO 2.140 Struck in its entirety.
****Planning Commission Approved striking****

GPO 2.142 is reserved

Black stated that that is the end of RLAC recommendations to the text.

Additional GPO's to discuss:

~~GPO 2.109K Kittitas County recognizes that local tax burden on private lands is increased when private land is changed to public ownership. Such changes should be discouraged. Text was struck and replaced with In recent years Kittitas County has experienced a significant conversion of acreage from forest and agricultural purposes to residential real estate use. Much of this land was formally a part of the large corporation of timber holdings adjacent to public lands. This conversion has had the consequence of restricting or eliminating public access to many areas of land that have historically been available for fishing, hunting or other recreational purposes. In addition to this conversion has fragmented the connectivity and reduced the functionality of wildlife habitats. County planning policies should support public accusation of private lands for public use such as recreation and or preservation of critical habitats...~~

****Planning Commission approved everything passed County planning policies****

GPO 2.100 Kittitas County will act to preserve the viability and integrity of existing business districts within the incorporated and unincorporated county
****Planning Commission Approved****

Planning Commission stated that they want a GPO that would support the overlay districts as a planning tool and incorporate incentives.

GPO 2.110a Planning Commission directed **Piercy** to so the same as above.

GPO 2.111 Dark skies **Black** questioned if this is something we currently have. **Piercy** stated that we do not, if they want one then this policy would help us get there if this is something that they want to support that. **Piercy** said it depends on how the ordinance is written and that we would then want to work with retailers so they only sold

things that the code allowed. **Harris** asked if we could include that in the code. **Piercy** stated that we could add some language without getting into code violation.

GPO 2.110 **Williamson** asked if this is a new committee. **Piercy** said he believes they are trying to establish particular criteria that would establish a particular zone and doesn't know exactly where this might lead. Planning Commission said it is ok to let this go. **Clark** stated that he doesn't like the wording. **Williamson** stated scratch designation criteria. **Clark** said that he thinks that it needs to be even more spelled out.

Piercy stated that next Thursday night we will have a draft copy and a resolution to pass that forward with the Planning Commissions recommendations. **Piercy** said that the motion of Thursday would be to pass the entire thing forward.

*****Chapter 8 Rural Lands*****

Black said that there was a recommendation from someone that the entire 8.1 be stricken.
****Planning Commission agreed to leave 8.1 in.****

GPO 8.54 New GPO added for clustering.
****Planning Commission Denied****

GPO 8.12 Evaluation of individual project application would like struck entirely. **Black** said he doesn't know if we are in a position to eliminate this. **Williamson** said the only way to do it would be to grandfather all of the 3 acre pieces in. **Piercy** said that this county has done the down zoning in regards to units per acre. **Black** asked if we have been taken to court on the 3 acre zoning. **Piercy** said cases have gone to superior court. **Williamson** said it would be a step in the right direction to accept this GPO. **Black** agrees. **Pernaa** disagrees. **Clarks** says he believes that 5 acres is too big for the average household. **Harris** asked why don't we put the 5 acre in the comprehensive plan and until we are challenged keep the 3 acre pieces. **Pernaa** says that would not be in compliance with our comp plan.
****Black said 3 to 2 so we are going to put it in.****

GPO 8.54 Pg 185 **Clark** said we have a clustering ordinance and this is saying to throw that out. **Black** said we are already asking that the open spaces be contiguous or be adjacent to one another. **Black** said he would vote no on that, **Clark** agrees. **Williamson** agrees.
****Planning Commission Denied****

GPO 8.62 Habitat, request to have struck.
****Planning Commission Denied Striking****

GPO 8.65 Scenic areas changes
****Planning Commission Approves Changes****

GPO 8.66 Habitat, scenic areas and view.

Planning Commission Approved Change

Black asked **Piercy** about the public participation if we have covered that. **Piercy** stated we have tried provide to the Planning Commission how we have demonstrate our improved public participation which includes posting sites. **Piercy** said that the law is clear that you have to provide notification and we are going to extend the adjorner lists to 500 feet from the 300 feet. **Black** asked if the rezones are only done once a year if we could adjust all of the upper and lower county rezone to hear them separately and if the website is up date. **Piercy** said that the website is up to date and if you are on the distribution list then you get it all by email as well. **Black** went over public notification qualification and/or requirements. **Piercy** addressed each and how we are meeting the requirements including how we are looking into a satellite office for in the upper county.

Black made a motion to pass Chapter 8 forward as amended. Williamson seconded the motion and the motion carried with a 5/0 poll of the voted.

Black also wanted to compliment the CDS staff on their work and time.

Black moved to set time certain meeting set for next Thursday 10/5 at 6:30 pm in the commissioner's auditorium to review the draft of the comprehensive plan prepared by CDS staff.

Black asked to have current land use and zoning maps with parcel overlay be posted for the meeting next week. **Piercy** said no problem with that at all as they are already part of the record.

The meeting was adjourned at 10:25 p.m. The next scheduled meeting is October 5, 2006 at 6:30 p.m. in the Commissioners' Auditorium.

Mandy Weed, Administrative Assistant