

**KITTITAS COUNTY PLANNING COMMISSION MEETING
Tuesday, October 23, 2007 @ 6:00 P.M.**

COMMISSIONER'S AUDITORIUM
205 W. Fifth Street, Ellensburg

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

Chairman Black called the meeting to order at 6:00 p.m.

Those present: Chairman David Black, Grant Clark, Kim Green, Larry Fuller and Rick Daugherty.

Also present: CDS Director Darryl Piercy, Staff Planners Scott Turnbull, Dan Valoff and Joanna Valencia, Planning Commission Clerk Desi Stewart, and approximately 17 individuals representing applicants and public interest.

II. Correspondence

At the end of the meeting **David Black** read Rick Daugherty's letter of resignation into the record. Attached hereto and incorporated is a copy of that letter.

III. Approval of Minutes

Desi Stewart stated she will make a correction on page 5 of 6 in the October 10, 2007 minutes by taking out the letter **C.** at the bottom of the page before Matt Anderson's name.

Rick Daugherty moved to approve the **September 25, 2007 and September 26, 2007 minutes as written and the October 10, 2007 minutes as corrected.** **Grant Clark** seconded and the motion carried with all in favor.

IV. Old Business

A. Mendenhall-Mus Cluster Plat (P-07-41)

The Chair opened the hearing to Board approval of Findings of Fact.

Rick Daugherty moved to accept the Findings of Fact as written. **Grant Clark** seconded and the motion carried with all in favor.

B. Lonny White Preliminary Plat (P-07-02)

The Chair opened the hearing to Board approval of Findings of Fact.

Fuller stated that he would like the minority report to state that this is prime farm land and that he did not want to see it turned into a housing project.

Turnbull stated that staff would make the changes to the document.

Rick Daugherty moved to accept the Findings of Fact with the addition of the minority report. **Grant Clark** seconded and the motion carried with all in favor.

V. 2007 Comprehensive Plan Amendments Continued.

A. Docket 07-01 Ellensburg Cement Products Map Amendment: Rural to Mineral Lands of Long Term Commercial Significance for 80 acres.

The Chair opened the hearing to Board Deliberation.

Fuller stated that this may not be correct according to the RCW. There needs to be more studies to determine if the site will meet the requirements of the long term designation. There are a lot of concerns about the wells and wildlife habitat. There was a question if the gravel pit was needed due to other operations in the area.

Clark stated that the current zoning allows this type of operation and questioned if they changed the designation, would it change the permitting process in any way.

Piercy stated the extraction of the mineral would be allowed under the current zoning. By changing the designation we would be protecting that use from outside uses. That would change the way we would view development around the area. If it has been determined that this is a natural resource that needs to be protected then further development in the area would need to ensure the viability of the commercial production.

Daugherty stated that he has concerns about the I-90 overpass being able to accommodate this type of operation. There was nothing in the application that said there were studies done on the road. The water and the animal habitat is also a concern.

Black stated that there are conflicts with GPO 8.22 under 8.5 B in the comprehensive plan and resolution 95-37. Specifically there are homes in the area and the surrounding parcel sizes and uses are not consistent.

Green stated that the gravel site is not appropriate for the area. Public comment should be considered in their decision. There were many concerns from the public such as restoration and water availability.

Fuller stated that children walking home from school may cause a public hazard. The overpass has been rebuilt two times recently with normal usage.

Rick Daugherty moved to pass forward Docket 07-01 Ellensburg Cement Products Map Amendment: Rural to Mineral Lands of Long Term Commercial Significance for 80 acres forward to the Board of County Commissioners with a recommendation of denial. Kim Green seconded and the motion carried with a 5/0 poll of the board.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

Daugherty verified the Docket number was 07-01.

B. Docket 07-02 Brian Graybill Map Amendment: Commercial Agriculture to Rural for 34080 acres.

The Chair opened the hearing to Board Deliberation.

Clark stated that it is important to look at this application area wide. It is also important to look at each individual property. Based on where we are in the process of area wide planning the Board should deny this application at this time.

Fuller stated that the applicant did not offer proof that this land could not be farmed. This land is prime farmland. Using the argument that other people have been allowed to change their land use is not a valid argument.

Black stated that based on the Eastern Washington Growth Hearings Board decision the Board should not approve this at this time.

Daugherty asked if the Board was going to make a motion or continue the application.

Black stated that they would make a motion with one of the three options, approval, denial or no recommendation.

Green asked Piercy about the public comment that if any land is reclassified out of the Commercial Ag designation the land reverts to the agriculture designation. It does not specify what type of agriculture land in the Comprehensive Plan.

Piercy stated that land use and zoning designations are different issues. The zoning would be Agricultural and the land use designation would be rural if this application were to be approved.

Larry Fuller moved to pass forward Docket 07-02 Brian Graybill Map Amendment: Commercial Agriculture to Rural for 34.80 acres forward to the Board of County Commissioners with a recommendation of denial. Kim Green seconded and the motion carried with a 5/0 poll of the Board.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

C. Docket 07-03 School Heights LLC, Chason Farms LLC, MDJ, J&D Transactions, Bushka Ag LLC Map Amendment: Commercial Agriculture to Rural for 35.80 acres.

The Chair opened the hearing to Board Deliberation

Daugherty stated that this type of application can only be proposed by a City or a County.

Fuller stated that the applicant did not carry the burden of proof in this application.

Green stated that the City of Kittitas denied the proposal.

Rick Daugherty moved to pass forward Docket 07-03 School Heights LLC, Chason Farms LLC, MDJ, J&D Transactions, Bushka Ag LLC Map Amendment: Commercial Agriculture to Rural for 35.80 acres forward to the Board of County Commissioners with a recommendation of denial. Grant Clark seconded and the motion carried with a 5/0 poll of the Board.

Findings of Fact will be brought back to the November 13, 2007 meeting for approval.

D. Docket 07-04 R&R Heights Land Co. Inc. Map Amendment: Rural to General Commercial for 18.74 acres.

The Chair opened the hearing to Board Deliberation.

Fuller stated that this land is outside the Urban Growth Node. Services such as water and sewer are not appropriate for light industrial. **Fuller** stated that the applicant did not say what type of light industrial they were going to put in and it may be in direct competition with Roslyn and Ronald.

Daugherty stated that he disagrees with Fuller. The land surrounding this is also changing into commercial. The applicant addresses issues with the trail.

Green stated that she would rather see limited industrial rather than general in that area. The residents in the area could benefit from this development.

Daugherty stated that there was not public testimony against the application.

Fuller stated that there is residential development in the area. Directly across from the proposed site are 3 acre lots.

Black stated that he did review the Comprehensive Plan and it says highways and roads should not be developed with new commercial sites without compelling reasons and supporting development. Black feels it is too close to Roslyn and would impact their Growth Management Plan.

Daugherty stated that he does not feel that there will be enough businesses to support the residential growth. **Daugherty** also stated that Roslyn did not give testimony against the proposal.

Fuller stated they are building more businesses in the City of Roslyn.

Rick Daugherty moved to pass forward Docket 07-04 R&R Heights Land Co. Inc. Map Amendment: Rural to General Commercial for 18.74 acres forward to the Board of County Commissioners with a recommendation of approval. David Black seconded and the motion carried with a 4/1 poll of the Board with Larry Fuller voting against.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

E. Docket 07-05 Terra Design Group Inc. Text Amendment: Create a new section titled Fully Contained Communities establishing criteria meeting the requirements and intent of GMA

The Chair opened the hearing to Board Deliberation

Fuller stated the application raised more questions about fully contained communities and he thinks there should be more studies done.

Black stated the Board should wait until the Kittitas County Land Use Committee has completed their review.

Clark stated that the Board should take their time and do it properly.

Daugherty stated this is an opportunity for all of the agencies involved to discuss any issues before it is presented to the Board.

Green stated she would like to see fully contained communities and for Terra Design Group and other agencies to have a say in the process.

Rick Daugherty moved to pass forward Docket 07-05 Terra Design Group Inc. Text Amendment: Create a new section titled Fully Contained Communities establishing criteria meeting the requirements and intent of GMA forward to the Board of County Commissioners with a recommendation of denial. Grant Clark seconded and the motion carried with a 5/0 poll of the Board.

Daugherty would like to attach a recommendation that the different developers have a chance to examine and give input on the issue.

Black asked how far along the Land Use Advisory Committee is on the issue of Fully Contained Communities. **Black** asked if this was a public quorum.

Piercy stated that the committee meets once a week and this is the 5th week. The issue of Fully Contained Communities is on the list of items to discuss. The committee has the ability to ask the public for input.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

F. Docket 07-06 Keechelus Ridge HOA Map Amendment: Commercial Forest to Rural for approximately 666 acres.

The Chair opened the hearing to Board Deliberation

Grant stated that the applicant did not carry the burden of proof. This is not an appropriate area for this development.

Daugherty stated that when the land was purchased the buyers were aware of the type of development in the area.

Green stated that this is not an appropriate area for this type of development.

Fuller stated that every Government Agency involved is against the application.

Daugherty stated that the applicant made a comment that if they were not allowed to develop the land they would log it.

Black verified there is a committee formed to discuss land use designation related to type of application.

Grant Clark moved to pass forward Docket 07-06 Keechelus Ridge HOA Map Amendment: Commercial Forest to Rural for approximately 666 acres forward to the Board of County Commissioners with a recommendation of denial. Larry Fuller seconded and the motion carried with a 5/0 poll of the Board.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

G. Docket 07-07 City of Cle Elum (in cooperation with Central Cascade Land Company, Inc.) Map Amendment: Rural to City of Cle Elum Urban Growth Area (Industrial) for approximately 90 acres.

The Chair opened the hearing to Board Deliberation

Daugherty stated he feels that this is an appropriate area for industrial as the land has no other use. This gives the City of Cle Elum some options because the current land zoned for commercial is within the flood zone.

Green verified that this is a request legally made by the City of Cle Elum.

Clark stated that the Board had received a complete packet. The applicant carries the burden of proof. The applicant provided appropriate analysis.

Fuller stated that the applicant answered his questions about mines in the area in their testimony. This is well thought out and presented.

Kim Green moved to pass forward Docket 07-07 City of Cle Elum (in cooperation with Central Cascade Land Company, Inc.) Map Amendment: Rural to City of Cle Elum Urban Growth Area (Industrial) for approximately 90 acres forward to the Board of County Commissioners with a recommendation of approval. Larry Fuller seconded and the motion carried with a 5/0 poll of the Board.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

H. Docket 07-08 Merle Thompson Map Amendment: Agricultural to Urban Residential for 10.49 acres (Rezoned submitted: Z-07-12, Thompson Rezoned, AG-20 to Residential)

The Chair opened the hearing to Board Deliberation

Green stated that this would be an appropriate amendment for this location. It would not add any burden on surrounding area.

Grant stated that in the future this would be an appropriate amendment. At this time there are too many questions about what will happen with the Urban Growth Nodes.

Daugherty asked Piercy if there was any decision on how we are going to come into compliance.

Piercy stated that Urban Growth Nodes will no longer exist and there are basically two options the County has to come into compliance with the Growth Hearings Board decision. They will have to change all of the land use to rural or designate them as LAMIRDs. There is a possibility of obtaining a grant from CTED to conduct a study on what the best choice is for these areas. Most likely these areas will not meet the criteria to be designated as an urban area.

Daugherty asked how the County views Urban Growth Nodes at this time.

Piercy stated that Urban Growth Nodes will become rural areas and then the County will make a decision if they will stay rural or become a LAMIRD and then what the boundary will be. This will also necessitate a change in the Countywide Planning Policy.

Fuller asked if Thorp was one of the Urban Growth Nodes that were in question.

Piercy stated that all 5 UGNs in the County will be changed to rural. Thorp does have a sub area plan that could be a starting point for what the residents would like to become.

Fuller asked if Thorp is currently an Urban Growth Node.

Piercy stated it is currently found to be non-compliant and will be changed.

Rick Daugherty moved to pass forward Docket 07-08 Merle Thompson Map Amendment: Agricultural to Urban Residential for 10.49 acres (Rezone submitted: Z-07-12, Thompson Rezone, AG-20 to Residential) forward to the Board of County Commissioners with a non recommendation. Larry Fuller seconded and the motion carried with a 3/2 poll of the Board with David Black and Grant Clark voting against.

Clark asked to add a minority report stating that the Board should pass the application forward with a recommendation of denial due to the fact that this area will become rural.

Black stated this application could come back once we are in compliance.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

I. Docket 07-09 Lee Beedle Map Amendment: Rural to Commercial for 1.36 acres (Rezone submitted: Z-07-13, Beedle Rezone, AG-3 to Limited Commercial)

The Chair opened the hearing to Board Deliberation

Daugherty stated that the limited commercial is an appropriate designation.

Grant stated this a situation that the GPO states we should not develop the highway however, this area has already been developed and the property as residential is inconsistent with surrounding area.

Black stated that it is clear in the Growth Management Act that the intersections around the resort are to be excluded from development unless they are in an UGA. **Black** stated he thinks this application should be denied.

Fuller stated that according to the recommendations it should be denied and according to the land use in the area it should be approved.

Black stated that he feels development should be on both sides of the roads but one stipulation in the master plan for the resort states that all intersections should be free of development.

Fuller asked how it would affect the Roslyn Riders.

Daugherty stated there would be complaints both ways.

Clark asked Piercy what the counties standpoint is on allowing this to be a commercial area.

Piercy stated that in his opinion the land use should be an urban area to be consistent with the policy in the Comprehensive Plan and also the requirements of the master plan resort. Cle Elum, Roslyn and Suncadia are working on an agreement regarding long term land use.

Clark stated he is concerned that the properties value has diminished because of its designation and the location.

Daugherty stated that the resort monopolizes the land use making it difficult for any other commercial business.

Clark stated he realizes he is going against the County code by recommending approval but the land is zoned inappropriate for what reasonable uses are. The BOCC may overturn the decision however it will be on the record that some things need to be done about this area.

Daugherty stated that they recommend approval for a similar application in this area last year.

Fuller stated there are businesses all around this area.

Rick Daugherty moved to pass forward Docket 07-09 Lee Beedle Map Amendment: Rural to Commercial for 1.36 acres (Rezone submitted: Z-07-13, Beedle Rezone, AG-3 to Limited Commercial) forward to the Board of County Commissioners with a recommendation of approval. Grant Clark seconded and the motion carried with a 4/1 poll of the Board with David Black voting against.

Black asked to add a minority report to the findings stating he voted against due to the Growth Management Act does not allow this.

Findings of Fact will be brought back to the November 13, 2007 meeting for Board approval.

The Planning Commission meeting was adjourned at 7:19 p.m.

The next regularly scheduled meeting is November 13, 2007 at 6:30 p.m. at the Commissioner's Auditorium.

Desi Stewart, Planning Commission Clerk