KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

PREAPPLICATION CONFERENCE WAIVER REQUEST FORM

(To be completed for each Preapplication Conference waiver request)

Please type or print clearly in ink. A preapplication conference is required prior submitting certain land use applications per KCC 15A.03.020, however KCC 15.A.03.020(4) allows for the preapplication conference to be waived if the CDS Director or Planning Official determines that the proposal is relatively simple (has few, if any, development-related issues), is substantially similar to a prior proposal affecting the same property, or is substantially similar to other projects developed by the same applicant. The following items must be submitted with an application for preapplication conference waiver.

- ☐ Completed Preapplication Waiver Request Form
- ☐ Written narrative justifying the request for a preapplication waiver. The narrative must include a description of how the proposal is relatively simple (has few, if any, development-related issues), is substantially similar to a prior proposal affecting the same property, or is substantially similar to other projects developed by the same applicant.

GENERAL APPLICATION INFORMATION

1. **Name, mailing address and day phone of land owner(s) of record:**
   Landowner(s) signature(s) required on application form.

   Name: Chad Palm

   Mailing Address: _____

   City/State/ZIP: _____

   Day Time Phone: _____

   Email Address: _____

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): _____ DATE: 6/30/22 RECEIPT # _____

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2. **Name, mailing address and day phone of authorized agent, if different from landowner of record:**
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Cle Elum TDC.

Mailing Address: PO Box 808

City/State/ZIP: Cle Elum Wa 98922

Day Time Phone: _____

Email Address: _____

3. **Street address of property:**

Address: Off of Exit 54 Snoqualmie Pass

City/State/ZIP: _____

4. **Tax parcel number:** 918335, 828335, & 838335, & 808335

5. **Property size:** Total acres = 150.98 **(acres)**

6. **Land Use Information:**

Zoning: Forest & Range Comp Plan Land Use Designation: Rural Working

7. **Proposed Water System (as defined by KCC 13.03)** NOTE: Show location of water system on site plan.

☐ Group A ☐ Group B ☐ Individual ☐ Shared ☐ Cistern ☐ Other: N.A.

8. **Proposed Sewage Disposal:** N.A.

9. **Proposed Project Name:** Meadow Lake

10. **Type of proposed land use application that waiver is requested for** (circle one):

Cluster/Conservation Plat	Planned Unit Development	Master Planned Resort	Conditional Use Permit
Shoreline Permit	Rezone	Preliminary Plat over nine (9) lots	Comp Plan & Rezone Request

PROJECT NARRATIVE

Include responses as an attachment to this application

11. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, description of water system, sewage disposal, proposed buildings or structures, proposed uses for the project and all qualitative features of the proposal; include every element of the proposal in the description. **The narrative must include the justification for the waiver request, including a description of how the proposal is relatively simple (has few, if any, development-related issues), is substantially similar to a prior proposal affecting the same property, or is substantially similar to other projects developed by the same applicant.**

Land Use change from Rural & Working to Rural Recreation & Rural Recreation Zoning

AUTHORIZATION

12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

Pursuant to KCC 15A.03.020, a preapplication conference is required for this type of land use application. The purpose of the preapplication conference is to acquaint county staff with details about the proposed project, reduce or eliminate the county's need to request additional information or corrections that can cause revisions or resubmittals, and reduce time frames for approved applications by providing the applicant detailed input and the applicable requirements for the applicant to submit a complete land use application.

I have chosen to forgo this formal process and request a waiver and proceed without the benefit of a preapplication conference. By signing below, I acknowledge that I am responsible for submitting a complete and code-compliant application and I am aware that failure to do so may result in delay of application processing and could potentially result in application denial.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

X _____ **Date:** 6-30-22

Signature of Land Owner of Record
(Required for application submittal):

X _____ **Date:** _____

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The Preapplication Conference Waiver Request is:

- ☒ Approved. The Planning Official finds that the proposed project is:
  - ☐ Relatively simple (has few, if any, development-related issues),
  - ☐ Substantially similar to a prior proposal affecting the same property, or
  - ☒ Substantially similar to other projects developed by the same applicant.
- ☐ Denied. Reason for Denial: _____

Planning Official Signature: _____ Date: 6/30/22

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COMPREHENSIVE PLAN AMENDMENTS DOCKETING

(Proposing a text or map amendment as part of annual docketing, pursuant to KCC 15A.10 and KCC 17.98)

CHECK THE APPROPRIATE BOX(ES) SHOWING WHICH TYPE OF AMENDMENT IS REQUESTED:

COMP PLAN MAP [X] COMP PLAN TEXT [ ]

NOTE: If the amendment you are applying for is within an URBAN GROWTH AREA or you are proposing a UGA expansion of the Ellensburg, Cle Elum, or Roslyn UGA you are required to docket your item with that City as well. You must contact the appropriate City for filing deadlines, fees, application, and costs.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

REQUIRED ATTACHMENTS

- [x] Site plan of the property with the following features (as applicable): all buildings, points of access, roads, parking areas, septic tank, drainfield, drainfield replacement area, areas to be cut and/or filled, natural features such as contours, streams, gullies, cliffs, etc.
- [x] SEPA Checklist (if not exempt per KCC 15.04 or WAC 197-11-800)
- [x] Project Narrative responding to Questions 9-12 on the following pages.

APPLICATION FEES:

$3,240.00	**TEXT AMENDMENT:** Kittitas County Community Development Services (KCCDS) **–OR-**
$3,530.00	**MAP AMENDMENT:** Kittitas County Community Development Services (KCCDS)
$600.00	**SEPA Checklist:** Kittitas County Community Development Services (KCCDS)
Based on amendment	**Total fees due for this application** (One check made payable to KCCDS)

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Application Received By (CDS Staff Signature): Paypal

DATE: 6/30/22 RECEIPT # CP.22.00005

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GENERAL APPLICATION INFORMATION

1. **Name, mailing address and day phone of land owner(s) of record:**
Landowner(s) signature(s) required on application form.

Name: Mardee Lake Inc. Linda Lewington

Mailing Address: 115 Malibu Road SW

City/State/ZIP: Calgary, AB, T2V 1X5

Day Time Phone: (780) 718-6487

Email Address: llewington18@gmail.com

2. **Name, mailing address and day phone of authorized agent, if different from landowner of record:**
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Terra Design Group Inc. Chad Bala

Mailing Address: PO Box 686

City/State/ZIP: Cle Elum WA 98922

Day Time Phone: 509-607-0617

Email Address: bala.ce@gmail.com

3. **Name, mailing address and day phone of other contact person**
If different than land owner or authorized agent.

Name:

Mailing Address:

City/State/ZIP:

Day Time Phone:

Email Address:

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4. **Street address of property:**

Address:

City/State/ZIP: Snoqualmie Pass WA 98068

5. **Legal description of property (attach additional sheets as necessary):**
See Exhibit A

6. **Tax parcel number:** P#'s 818335, 828335, 838335, & 808335

7. **Property size:** Total Acreage = 150.98 **(acres)**

8. **Land Use Information:**

Zoning: Forest & Range

Comp Plan Land Use Designation: Rural Working

PROJECT NARRATIVE
(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. **Narrative project description:** For **all** proposed Comp Plan amendments, provide the following information:
   a. Why is the amendment needed and being proposed?
   b. How does the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?
   c. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?
   d. How have conditions changed that warrant a comprehensive plan amendment?

10. **Transfer of Development Rights:** According to KCC 17.13.080.2 some comprehensive plan amendments require a transfer of development rights. This process is described in KCC 17.13. Please describe whether this amendment will require transferred development rights, and if they are required, describe how this requirement will be met.

11. For **map amendments** attach the following additional information for **each** parcel involved:

a. Parcel Information
- i. Tax parcel number(s)
- ii. Total Acreage
- iii. Site Address
- iv. Owner
- v. Mailing Address
- vi. Owner's Home Phone Number

b. Land Use Information
- i. Current and proposed comprehensive plan designation
- ii. Current and proposed zoning designation
- iii. (Note: Rezone requests require separate Rezone application and fee).
- iv. Present use of the property
- v. Surrounding land use

c. Services:
- i. Whether the site is currently served by sewer or septic
- ii. Name of sewer purveyor (if on public sewer system).
- iii. Whether the site is currently served by a public water system or well
- iv. Name of water purveyor (if on public water system)
- v. Whether the site is located on a public road or private road.
- vi. Name of road
- vii. Fire District

12. For **text amendments**, attach the following additional information
   a. Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording.

AUTHORIZATION

13. Application is hereby made for A COMPREHENSIVE PLAN AMENDMENT to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

X _____ **Date:** 6-10-22

Signature of Land Owner of Record
(Required for application submittal):

X L. Lewington **Date:** June 10/22.

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REZONE APPLICATION

(For requested amendments to the zoning map, KCC 17.98 & KCC 15B.03)

*A **preapplication conference is REQUIRED** per KCC 15A.03.020 for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.*

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

REZONE TYPES

Please check the box next to the type of rezone this application is requesting:

☐ Site-specific rezone*

☒ General rezone using docketing process*

*Rezone requests for Planned Unit Developments (PUDs), must use the PUD application form.

REQUIRED ATTACHMENTS

- ☐ Site plan of the property with all proposed buildings, points of access, roads, parking areas, septic tank, drainfield, drainfield replacement area, areas to be cut and/or filled, natural features such as contours, streams, gullies, cliffs, etc.
- ☐ SEPA Checklist (if not exempt per KCC 15.04 or WAC 197-11-800)
- ☐ Legal description of property to be reclassified
- ☐ Requested Zone Change: from Forest & Range-20 to Rural Recreational Zoning
- ☐ Project Narrative responding to Questions 9-11 on the following pages.

APPLICATION FEES:

$3,420.00	Kittitas County Community Development Services (KCCDS)
$1,215.00*	Kittitas County Public Works
$130.00	Kittitas County Fire Marshal
$4,765.00	**Total fees due for this application** (One check made payable to KCCDS)

*5 hours of review included in Public Works Fee. Additional review hours will be billed at $243 per hour.

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Application Received By (CDS Staff Signature): Payelli DATE: 6/30/22 RECEIPT # R2 22-00005

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GENERAL APPLICATION INFORMATION

1. **Name, mailing address and day phone of land owner(s) of record:**
Landowner(s) signature(s) required on application form.

Name: Mardee Lake Inc., Linda Lewington

Mailing Address: 115 Malibu Road SW

City/State/ZIP: Calgary, AB, T2V 1X5

Day Time Phone: 780 718-6487

Email Address: llewington18@gmail.com

2. **Name, mailing address and day phone of authorized agent, if different from landowner of record:**
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Terra Design Group Inc. Chad Bala

Mailing Address: PO Box 686

City/State/ZIP: Cle Elum WA 98922

Day Time Phone: 509-607-0617

Email Address: bala.ce@gmail.com

3. **Name, mailing address and day phone of other contact person**
If different than land owner or authorized agent.

Name:

Mailing Address:

City/State/ZIP:

Day Time Phone:

Email Address:

4. **Street address of property:**

Address:

City/State/ZIP: Snoqualme Pass WA 98068

5. **Legal description of property (attach additional sheets as necessary):**
See Exhibit A

6. **Tax parcel number:** P#s 808335, 818335, 828335, & 838335

7. **Property size:** Total Acreage = 150.98 **(acres)**

8. **Land Use Information:**

Zoning: Forest & Range Comp Plan Land Use Designation: Rural Working

PROJECT NARRATIVE
(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.

10. **Describe how this proposal will provide for the transfer of any required transferrable development rights:** According to KCC 17.98.020.7.h, petitions for rezones must comply with KCC 17.13 Transfer of Development Rights. Development rights must be transferred to the rezone area at a rate proportionate to the size of the project area (see 17.13.080.6). These rights must be transferred prior to final approval. Please describe how this requirement will be met by the proposed rezone.

11. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**

    A. The proposed amendment is compatible with the comprehensive plan.
    B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
    C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
    D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
    E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
    F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
    G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
    H. The proposed amendment is in full compliance with Chapter 17.13 KCC, Transfer of Development Rights.

AUTHORIZATION

12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

X _____ **Date:** 6-10-22

Signature of Land Owner of Record
(Required for application submittal):

X L. Lewington **Date:** June 10/22

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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

***Instructions for applicants*:**

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:
Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [help]

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

APPLICATION FEES:

$600.00 Kittitas County Community Development Services (KCCDS)**
$950.00* Kittitas County Department of Public Works**
$275.00 Kittitas County Public Health

$1,825.00 Total fees due for this application (One check made payable to KCCDS)
*2 hours of review included in Public Works Fee. Additional review hours will be billed at $243 per hour.
** Note:KCCDS and PW fees are waived if project is a VSP sponsored fish enhancement projects

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Application Received by (CDS Staff Signature):	DATE:	RECEIPT#	DATE STAMP IN BOX
_____	_____	_____	

A. Background [help]

1. Name of proposed project, if applicable: [help]

Kittitas County Comprehensive Plan Map Change and Rezone request.

2. Name of applicant: [help]

Mardee Lake Inc.

3. Address and phone number of applicant and contact person: [help]

Mardee Lake Inc, Linda Lewington, 115 Malibu Road SW. Calgary, AB T2V 1X5 (Landowner)
Terra Design Group Inc, Chad Bala PO Box 686 Cle Elum WA 98922, 509-607-0617 (Contact Person)

4. Date checklist prepared: [help]
June 8, 2022

5. Agency requesting checklist: [help]
Kittitas County Community Development Services Department

6. Proposed timing or schedule (including phasing, if applicable): [help]
Application submittal date is June 30th, 2022 with Final County approval by December 31, 2022.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

This is a non-project action. As part of this comprehensive plan map amendment it is required to submit a rezone request for consistency purposes pursuant to the Growth Management Act.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

None to my knowledge

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

No

10. List any government approvals or permits that will be needed for your proposal, if known. [help]

This is a non-project action therefore a land use map and zone change are the only approvals needed from Kittitas County.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [help]

This proposal requests Kittitas County to change the land use designation of the subject properties from Rural Working to Rural Recreational lands along with the appropriate zoning of Rural Recreation. The legal descriptions are contained in Exhibit 1. This proposal would allow for rural recreational uses and other uses allowed under the rural recreational zoning. The total acreage is 150.98 acres.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [help]

See Exhibit 1 for Vicinity & Parcel Map, & topographic map.
Section 15 Township 22 North Range 11 East W. M.

B. ENVIRONMENTAL ELEMENTS [help]

1. Earth [help]

a. General description of the site: [help]

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? [help]

Estimated at > 30% pursuant to the Kittitas County taxsifter parcel review.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [help]

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [help]
None to our knowledge.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [help]
None as this is a non-project action and is only requesting a land use designation and rezone change.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [help]
No as this is a land use designation and rezone change request.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [help]
None.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [help]
None.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [help]
This is a land use designation and rezone change therefore a non-project action and no impact will occur as part of this request.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [help]
No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [help]
None needed.

3. Water [help]

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [help]

There are two water types, per the DNR water typing information, a Type 2 and Type 9 streams, along with Coal Creek, that flows into Keechelus Lake. There also wetlands/pond on portions of the subject properties.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [help]
No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [help]

This is a non-project action therefore this doesn't not apply.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [help]

This is a non-project action therefore this does not apply.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [help]

There is 100-yr floodplain is located on portions of the subject parcels.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [help]

No, as this is a non-project action requesting a land use map and rezone change.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [help]

No, as this is a non-project action requesting a land use map and rezone change only.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [help]

None.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [help]

This is a non-project action request so there will be no changes to the current conditions of the property.

2) Could waste materials enter ground or surface waters? If so, generally describe. [help]

No.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [help]

No.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [help]

None.

4. **Plants** [help]

a. Check the types of vegetation found on the site: [help]

__X__deciduous tree: alder, maple, aspen, other
__X__evergreen tree: fir, cedar, pine, other
__X__shrubs
_____grass
_____pasture
_____crop or grain
_____ Orchards, vineyards or other permanent crops.
_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
__X__water plants: water lily, eelgrass, milfoil, other
_____other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [help]
None.

c. List threatened and endangered species known to be on or near the site. [help]
None that we know of.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [help]

This is a non-project action therefore there is no need for landscaping measures.

e. List all noxious weeds and invasive species known to be on or near the site. [help]

None that we know of.

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [help]

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. [help]
None to our knowledge.

c. Is the site part of a migration route? If so, explain. [help]
Not to our knowledge.

d. Proposed measures to preserve or enhance wildlife, if any: [help]
None.

e. List any invasive animal species known to be on or near the site. [help]

None that we know of.

6. Energy and Natural Resources [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [help]

This is a non-project action therefore no additional energy or natural resources will be used at this time.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [help]

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [help]

This is a non-project action therefore there is no need to provide for energy conservation at this time.

7. Environmental Health [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [help]

None that we know of.

1) Describe any known or possible contamination at the site from present or past uses. [help]

None that we know of.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [help]

None that we know of.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [help]

None that we know of.

4) Describe special emergency services that might be required. [help]

None that we know of.

5) Proposed measures to reduce or control environmental health hazards, if any: [help]
None.

b. Noise [help]

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [help]

This is a non-project action therefore no impact.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [help]

This is a non-project action so there is no impact.

3) Proposed measures to reduce or control noise impacts, if any: [help]

This is a non-project action so there is no impact.

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [help]

The adjacent lands to the east of this proposal have been subdivided into 20-acre parcels, but currently the subject property is vacant. This proposal will not affect the nearby or adjacent properties, if anything this proposal is making it more consistent to the rural recreational uses that are surrounding the area.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [help]

This property IS NOT designated as agricultural or forest lands of long term commercial significance, nor has been used as working farm or forest land.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [help]

No. If anything, this proposed land use and rezone change to rural recreational will make it consistent with the surrounding area.

c. Describe any structures on the site. [help]

None.

d. Will any structures be demolished? If so, what? [help]

None.

e. What is the current zoning classification of the site? [help]
Forest & Range 20 Zoning.

f. What is the current comprehensive plan designation of the site? [help]
Rural Working Land Use.

g. If applicable, what is the current shoreline master program designation of the site? [help]
Rural Conservancey.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [help]

Pursuant to Kittitas County, through its database, has identified streams, floodplain, wetlands etc. on portions of the subject properties.

i. Approximately how many people would reside or work in the completed project? [help]
None.

j. Approximately how many people would the completed project displace? [help]
None.

k. Proposed measures to avoid or reduce displacement impacts, if any: [help]
None.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [help]

This proposal meets the proposed Comprehensive Planning designation of Rural Recreational and proposed zoning designation of Rural Recreational which is consistent with the existing and surrounding recreational uses in the vicinity.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [help]
None.

9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [help]
None.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [help]
None.

c. Proposed measures to reduce or control housing impacts, if any: [help]

None.

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [help]

There are no proposed or existing structures on site.

b. What views in the immediate vicinity would be altered or obstructed? [help]

None.

c. Proposed measures to reduce or control aesthetic impacts, if any: [help]

None.

11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [help]

There is no lighting proposed as this is a non-project action.

b. Could light or glare from the finished project be a safety hazard or interfere with views? [help]

No.

c. What existing off-site sources of light or glare may affect your proposal? [help]

None.

d. Proposed measures to reduce or control light and glare impacts, if any: [help]

None.

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity? [help]

Snoqualmie ski areas (Snoqualmie and Alpental), providing snow and cross country skiing, snowshoeing, hiking, mtn. biking etc.

b. Would the proposed project displace any existing recreational uses? If so, describe. [help]

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [help]

None.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe. [help]

None that we know of.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [help]

None that we know of.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [help]

None as this is a non-project action.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [help]

None.

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [help]

This is a non-project action. The subject property is served by I-90, off Exit 54. Forest Service Rd 4832 is adjacent to the proposal.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [help]

No.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [help]

None.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [help]

None.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [help]

No.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [help]

This is a non-project action there is no vehicle trips generated or increased at this time.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [help]
No.

h. Proposed measures to reduce or control transportation impacts, if any: [help]
None.

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [help]
No, as this is a non-project action.

b. Proposed measures to reduce or control direct impacts on public services, if any. [help]
None.

16. Utilities [help]

a. Circle utilities currently available at the site: [help]
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
Utilities are currently available to the site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [help]
No utilities will be needed at this time as this is a non project action.

C. Signature [help]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: L. Lewington

Name of signee : Linda Lewington, Landowner

Position and Agency/Organization President - Mardee Lake Inc.

Date Submitted: 6/10/22

D. supplemental sheet for nonproject actions [help]

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal is for a comprehensive plan map & zone change and is not authorizing any construction or activities that would be likely to increase discharge to water; emissions to air; production; storage, or release of toxic or hazardous substances; or the production of noise. Projecting into the future, items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to avoid or reduce such increases are:

None at this time.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This proposal is for a comprehensive plan map & zone change and is not authorizing any construction activities that would be likely to affect plants, animals, fish, or marine life. Projecting into future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None.

3. How would the proposal be likely to deplete energy or natural resources?

This proposal is for a comprehensive plan map & zone change and is not authorizing any construction activities that would be likely to deplete energy or natural resources. Projecting into the future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

This proposal is for a comprehensive plan map & zone change and is not authorizing any construction activities that would be likely to use or affect environmentally sensitive areas or areas designated for governmental protection, such as parks, wilderness, wild & scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands. Projecting into the future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This proposal is for a comprehensive plan map & zoning change and is not authorizing any construction activities that would likely to affect land and shoreline uses, including whether or it would allow for or encourage land or shoreline uses incompatible with existing plans. Projecting into the future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal is for a comprehensive plan map & zoning change and is not authorizing any construction activities that would likely to increase demands on transportation or public services or utilities. Projecting into the future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

Proposed measures to reduce or respond to such demand(s) are:

None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

This proposal is for a comprehensive plan map & zone change and is not authorizing any construction or activities that would be likely to conflict with local, state, or federal laws or requirements for the protection of the environment. Projecting into the future items like these will be taken into consideration by the appropriate jurisdiction if uses are proposed triggering review.

MARDEE LAKE INC.
EXHIBIT LIST

Exhibit #1.	Kittitas County (KC) Parcel List, legal descriptions, & topographic map.
Exhibit #2.	KC Comprehensive Plan Question #9. A. Narrative Project Description.
Exhibit #3.	KC Comprehensive Plan Question #9. B. Consistency with the County-Wide Planning Policies.
Exhibit #4.	KC Comprehensive Plan Question #9. C. Consistency with the Comprehensive Plan.
Exhibit #5.	KC Comprehensive Plan Question #9. D. How have conditions changed that warrant a comprehensive plan amendment.
Exhibit #6.	KC Comprehensive Plan Question #10. Transfer of Development Rights.
Exhibit #7	KC Comprehensive Plan Question #11. a thru c. See numerous exhibits providing this information.
Exhibit #8.	KC Comprehensive Plan Land Use Designation Map.
Exhibit #9.	KC Comprehensive Plan Zoning map.
Exhibit #10.	KC Rezone Application Question #9. Narrative Project Description. See Exhibit #2.
Exhibit #11	KC Rezone Application Question #10. Describe how this proposal will provide for the transfer of any required transferrable development rights. See Exhibit #6.
Exhibit #12	KC Rezone Application Question #11.A. Compatibility with the Comprehensive Plan.
Exhibit #13	KC Rezone Application Question #11.B. Amendment bears a substantial relation to the public health, safety, & welfare.
Exhibit #14	KC Rezone Application Question #11.C. Proposed amendment has merit and value for Kittitas County or a sub-area of the county.
Exhibit #15	KC Rezone Application Question #11.D. Amendment is appropriate because of a change of circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
Exhibit #16	KC Rezone Application Question #11.E. The Subject property is suitable for development in general conformance with the zoning standards for the proposed zone.
Exhibit #17	KC Rezone Application Question #11.F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity fo the subject property.
Exhibit #18	KC Rezone Application Question #11.G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.
Exhibit #19	KC Rezone Application Question #11.H. The proposed amendment is in full compliance with Chapter 17.13 KCC, Transfer of Development Rights.
Exhibit #20	Snoqualmie Pass Utility District

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Ex. 1

Mike Hougardy
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Parcel

Parcel#:	808335	Owner Name:	MARDEE LAKE INC
DOR Code:	74 - Recreational - Rec. Activities	Address1:	C/O OSCAR FECH
Situs:	UNKNOWN SNOQUALMIE PASS	Address2:	115 MALIBOU RD SW
Map Number:	22-11-15010-0002	City, State:	CALGARY AB
Status:		Zip:	T2V 1X5
Description:	ACRES 50.00, CD. 5516-A; SEC. 15, TWP. 22, RGE. 11; W1/2 NE1/4 TAX 14 (SURV. B16/P142)		
Comment:	RM-6/30/04: ADD SURV INFO TO LEGAL.		

Land

Land

Land Code	Unit Type	Units	Land Shape	Width	Depth
SA1WET	Acres	20.00000000			
RES DEV	Acres	30.00000000			
zFirePatrol	Fire Acres	50.00000000			

Property Images

Click on an image to enlarge it.

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Mike Hougardy
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Parcel

Parcel#:	828335	Owner Name:	MARDEE LAKE INC
DOR Code:	91 - Undeveloped - Land	Address1:	C/O OSCAR FECH
Situs:	UNKNOWN SNOQUALMIE PASS	Address2:	115 MALIBOU RD SW
Map Number:	22-11-15020-0002	City, State:	CALGARY AB
Status:		Zip:	T2V 1X5
Description:	ACRES 1.00, CD. 5516-B-1; SEC. 15, TWP. 22, RGE. 11; PTN. NW1/4 (SURV. B16/P142)		
Comment:	RM-6/30/04: ADD SURV INFO TO LEGAL.		

Land

Land

d Code	Unit Type	Units	Land Shape	Width	Depth
COM $2.00/SqFt	Square Feet	43560.00000000			
zFirePatrol	Fire Acres	1.00000000			

Property Images

No images found.

Mike Hougardy
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Parcel

Parcel#:	838335	Owner Name:	MARDEE LAKE INC
DOR Code:	74 - Recreational - Rec. Activities	Address1:	C/O OSCAR FECH
Situs:	UNKNOWN SNOQUALMIE PASS	Address2:	115 MALIBOU RD SW
Map Number:	22-11-15020-0003	City, State:	CALGARY AB
Status:		Zip:	T2V 1X5
Description:	ACRES 2.38, CD. 5516-B; SEC. 15; TWP. 22; RGE. 11; PTN. NW1/4 TRACT 4		
Comment:			

Land

Land

d Code	Unit Type	Units	Land Shape	Width	Depth
COM $2.00/SqFt	Square Feet	103673.00000000			
zFirePatrol	Fire Acres	2.00000000			

Property Images

No images found.

Mike Hougardy
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Parcel

Parcel#:	838335	Owner Name:	MARDEE LAKE INC
DOR Code:	74 - Recreational - Rec. Activities	Address1:	C/O OSCAR FECH
Situs:	UNKNOWN SNOQUALMIE PASS	Address2:	115 MALIBOU RD SW
Map Number:	22-11-15020-0003	City, State:	CALGARY AB
Status:		Zip:	T2V 1X5
Description:	ACRES 2.38, CD. 5516-B; SEC. 15; TWP. 22; RGE. 11; PTN. NW1/4 TRACT 4		
Comment:			

Land

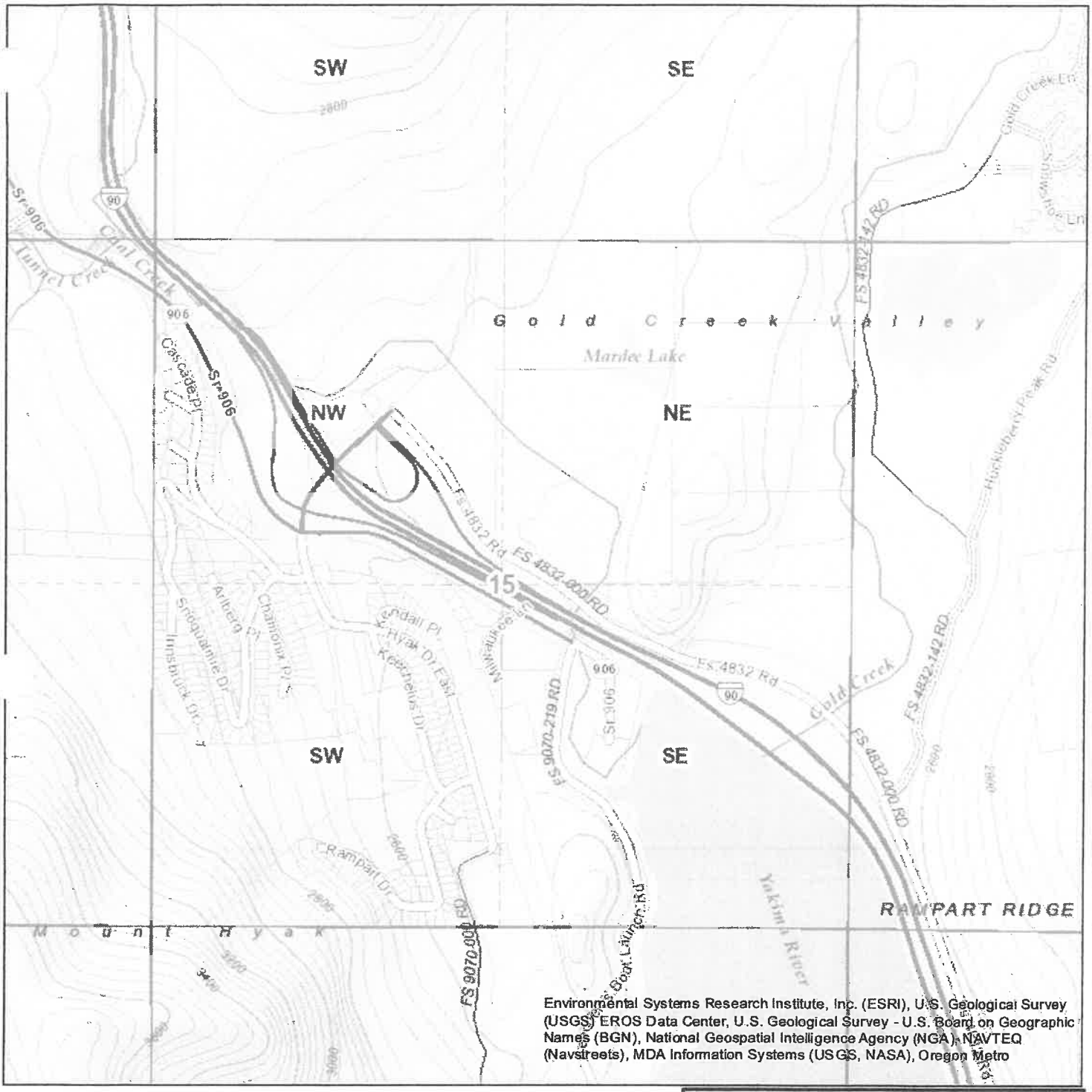
Land

d Code	Unit Type	Units	Land Shape	Width	Depth
COM $2.00/SqFt	Square Feet	103673.00000000			
zFirePatrol	Fire Acres	2.00000000			

Property Images

No images found.

Kittitas County Topo Map



Environmental Systems Research Institute, Inc. (ESRI), U.S. Geological Survey (USGS) EROS Data Center, U.S. Geological Survey - U.S. Board on Geographic Names (BGN), National Geospatial Intelligence Agency (NGA), NAVTEQ (Navstreets), MDA Information Systems (USGS, NASA), Oregon Metro

Date: 6/13/2022

1 inch = 1,505 feet
Relative Scale 1:18,056

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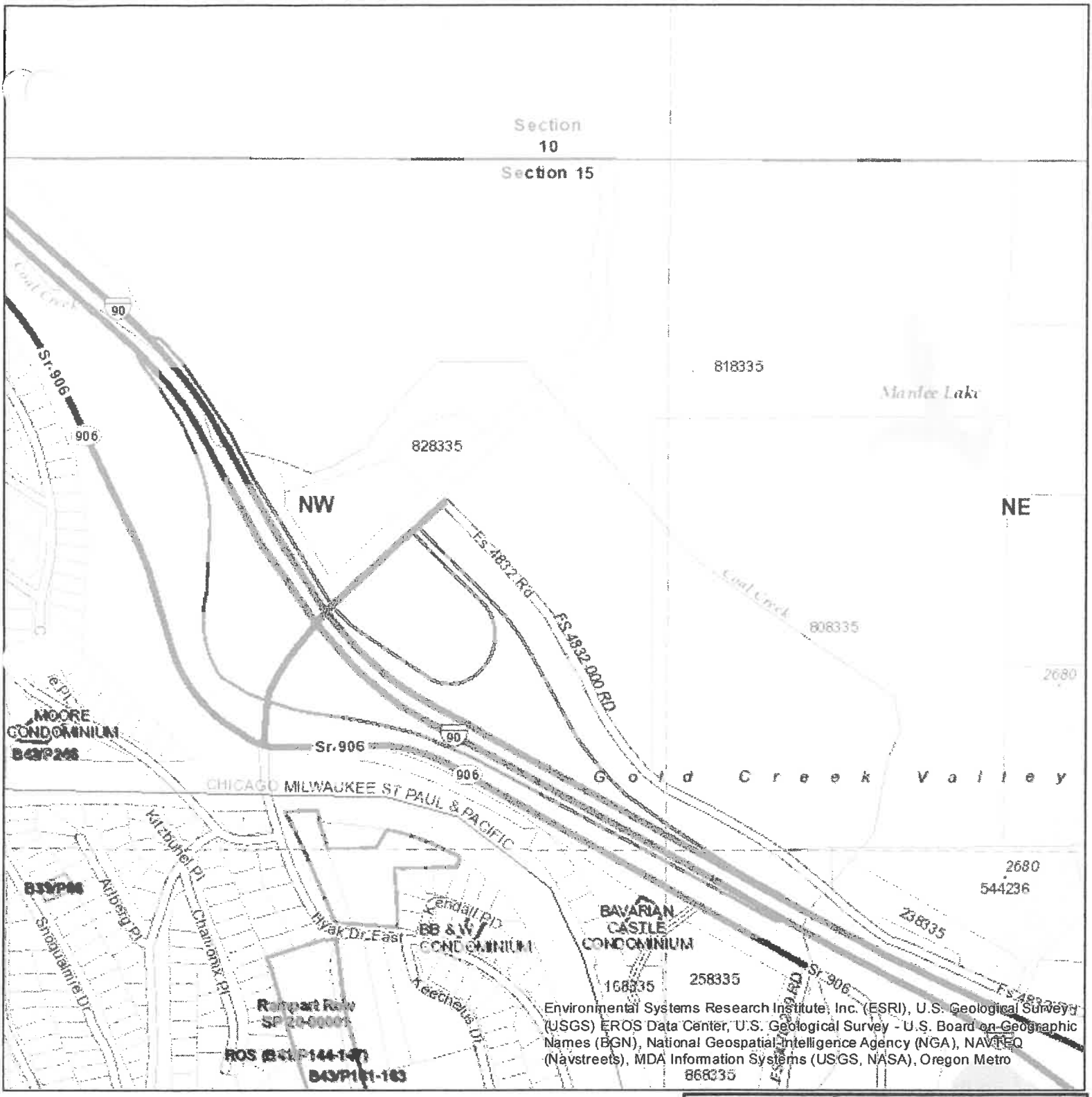
N

0 0.075 0.15 0.3 0.45 0.6 mi

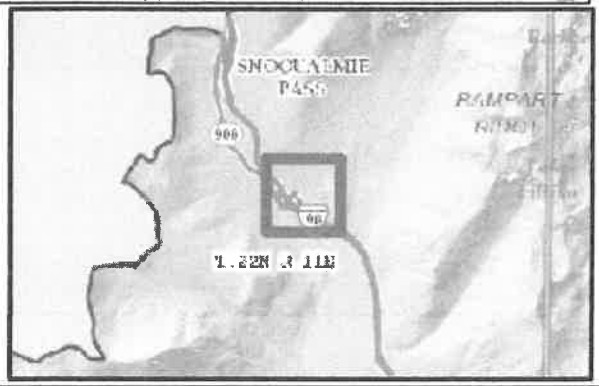
Parcel Map



Date: 6/22/2022

1 inch = 752 feet

Relative Scale 1:9,028



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N

0 0.0425 0.085 0.17 0.255 0.34 mi

Ex. 2

EXHIBIT 2

Question #9 Narrative Project Description

Question #9. a. Why is the amendment needed and being proposed?

This amendment is being proposed to create consistency with the Kittitas County Comprehensive Plan, Zoning Designations, and the Growth Management Act. Kittitas County, as part of their comprehensive plan compliance effort, created new land use designations to become compliant with the goals of the Growth Management Act. One of those new designations was the Rural Recreational Land Use. This amendment is due to the need for lands to be included into the Rural Recreational Land Use. There are limited areas within Kittitas County that were designated appropriately, and one might say inappropriately designated. For example, one of these areas is the Master Plan Resort, now called Suncadia just west of the City of Cle Elum. This master planned resort with golf courses is just that a Master Plan Resort and is continuously being built out mainly as residential development with golf courses/trails etc. There are other areas along the SR903 corridor that are mainly residential development that contain higher residential uses than recreational uses. You also have land that includes the Snoqualmie ski area, which is appropriately designated as recreational land use. It is also important to note that recreational second homes area are allowed under this land use designation. As you look at the land use map of county and the total acreage of rural recreational lands you will see there is a need for additional lands to be designated with a recreational land use designation along with a rural recreational zone. This proposal fits this needed as it is adjacent to Rural Recreational zoning to the south and to the north, but more importantly this land does not fit the Rural Working Land use designation. This land is not a working farm or forest land. This amendment is 1-2.5 miles away from Snoqualmie Pass (ski areas) and fits in with the recreational nature of hiking, snow shoeing, skiing, mountain biking etc. that occurs in the surrounding area. Also, this proposal contains a recreational element of having streams flowing through it that provides for recreational fishing activities, along with Mardee Lake, hiking, snow shoeing, skiing, mountain biking all that are similar if not the same uses allowed on the surrounding/adjacent lands.

This proposal includes a total of 4 parcels to be designated under the Rural Recreational Land Use Designation. This amendment has a main access point off Exit 54 onto a county owned road which eventually dead ends where the public parks and conducts recreational activities such as hiking snow shoeing etc. There is a forest service road that parallels a portion of the subject property. With regards to the domestic water availability this proposal is within the Snoqualmie Pass Utility Districts water and sewer service area, which just completed their water plan amendment and water right assessments.

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Ex. 3

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EXHIBIT 3

Question #9. b. How is the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?

The proposed Map amendment is consistent with the County-Wide Planning Policies.

First, second home residential development has been increasing all throughout Kittitas County. This phenomenon has been increasing over time due to many factors. The most recent factor is that the COVID pandemic has taught companies, employees, that working from home can be the standard. This pandemic has assisted in the increase of second home sales and development in Kittitas County. This issue at hand is the lack of inventory that is occurring within Kittitas County therefore proving there is an additional need for land to be placed within the Rural Recreational, that can allow for a second home market for individuals that have the flexibility of going into the office once or twice a week.

Second, the road system that surrounds this area is at the appropriate levels of service. The main access point is off I-90 at Exit 54 (if you are heading west) immediately onto a county road providing access to the subject properties. Furthermore, there is an additional road that parallels a portion of the property that has the potential to provide additional access (Forest Service 4832) to these parcels, all in compliance with the Transportation Element of the Kittitas Countywide Planning Policies and Chapter 4 (Transportation Plan) of the Kittitas County Comprehensive Plan.

Within Section 4. Transportation, of the Planning policies it states "Objective: To provide for adequate and appropriate transportation systems within the County that are coordinated with county and city comprehensive plans". This proposal is consistent with the Transportation element of the County-Wide Planning Policies.

In addition, this transportation area as planned for by the county in its transportation plan, further meets various transportation policies as contained within the Transportation element of the County-Wide Planning Policies along with other elements under these Planning Policies:

Policy 4.1: Transportation plans (i.e., transportation elements of comprehensive plans) shall promote the development and implementation of a safe, efficient, and environmentally sound transportation system in accordance with federal and state requirements, including the State's Growth Management Act that is responsive to the community.

Policy 4.2: Transportation plans will support the planning goals for comprehensive plans set forth in RCW 36.70A.020 and 36.70A.070(6), including promotion of economic development consistent with available resources and public services and facilities.

Policy 4.3: Transportation plans will be consistent with their respective comprehensive plans and will be compatible with the applicable components of other local and regional

transportation plans (e.g., QUADCO Regional Transportation Planning Organization, bordering counties, WSDOT and local agencies).

Policy 4.5: Transportation plans and project prioritization shall be developed in active consultation with the public.

Policy 4.6: Inter-jurisdictional transportation plans shall promote a coordinated and efficient multi-modal transportation system, including alternative forms of transportation for the movement of goods and people.

Policy 4.8: Transportation improvements which are necessary to maintain the identified level of service standards shall be implemented concurrent with new development so that improvements are in place at the time of development, or that a financial commitment is provided to ensure completion of the improvements within six years.

In addition to the transportation element the proposal is consistent with the Housing element and the open space and recreation elements of the countywide planning policies as follows:

Section 5. HOUSING of the County Wide Planning policies.

Objective: To encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types typical of the character of Kittitas County, and preserve existing, useful housing stock.

Policy 5.1: Consistent with RCW 36.70A.070(2)(c) a wide range of housing development types and densities within the county will be encouraged and promoted; including multiple-family and special needs housing, to provide affordable housing choices for all.

Section 10. OPEN SPACE AND RECREATION of the County Wide Planning policies.

Objective: To encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

Policy 10.1: Preserve open space and create recreational opportunities through the use of innovative regulatory techniques and incentives such as but not limited to: purchase of development rights, transfer of development rights, conservation easements, Public Benefit Rating System, and level of service standards.

Section 11. ENVIROMENT of the County Wide Planning policies.

Objective: To protect and enhance the County's quality of life and rural environment by safeguarding its environmental resources.

Policy 11.1: All jurisdictions shall protect critical areas through comprehensive plans and policies and develop regulations that are consistent with the adopted environmental ordinances.

Policy 11.2: Groundwater should be identified and protected, including appropriate protection of aquifer recharge areas. Supplies of potable domestic water, irrigation water, and firefighting water should be ensured in the rural, suburban, and urban areas.

Policy 11.3: Water rights are those rights defined in state law, including RCW 90.03.010 and 990.44.035, as well as those rights as defined by agreements between the State and the County.

Kittitas County

Countywide Planning Policies

Last amended on July 5, 2016

Ordinance Number 2016 - 013

PREAMBLE TO THE COUNTY-WIDE PLANNING POLICIES

These Planning Policies are to be used solely to establish a framework from which the comprehensive plans of the County and cities within the county are developed and adopted, pursuant to RCW 36.70A, The Growth Management Act.

These policies are adopted to ensure consistency and coordination among the comprehensive plans of the County and the cities.

Nothing in these policies shall be construed to alter the land use powers of the cities or County.

VISION STATEMENT

This statement is a general vision of the future of our county, toward which this framework and these policies aim.

Kittitas County and the cities will value and protect and enhance the quality of life by protecting the visual and physical environment; fostering economic opportunity, diversity, and security; supporting a wide range of natural resource-based industries; ensuring access to recreational opportunities; promoting educational excellence; and providing for affordable housing and accessible transportation.

Discussion and Explanation

Planning for growth and change must be based on maintaining and enhancing the existing quality of life, the character of the County, and meeting the needs of the community as a whole.

Actualizing this vision requires a collaborative effort among public officials from all jurisdictions and active citizen participation. Public officials have decision making responsibility; however active citizen involvement through a variety of venues must be encouraged and valued.

The entire community must be willing to share the burden and the responsibility of achieving mutually identified planning goals.

The implementation of County-wide Planning Policies will promote more efficient growth patterns which may result in reduced cost of public services and facilities in the long term due to more logical distribution of governmental services.

ROLE OF THE KITTITAS COUNTY CONFERENCE OF GOVERNMENTS

i. The Kittitas County Conference of Governments (KCCOG) may serve as mediator in matters of conflict resolution regarding interpretations and issues of clarification related to this document.

ii. All jurisdictions of Kittitas County will jointly work to identify and address service areas and their impacts through the KCCOG.

iii. The process for engaging in conflict resolution mediation with regard to development impact fees shall be agreed upon by all parties involved, KCCOG shall serve as the first level of conflict resolution according to the agreed upon process.

1. INTERLOCAL AGREEMENTS

Objective: To encourage cooperation between Kittitas County and the cities and towns within the County on a basis of mutual advantage and to provide services and facilities in a manner that will be best suited to geographic, economic, population, and other factors that influence the needs and development of local communities.

Policy 1.1: Measures intended to implement countywide planning policies may include interlocal agreements, contracts, memorandums of understanding, and joint ordinances, or a combination thereof.

Policy 1.2: Cities and the County shall execute interlocal agreements to coordinate and manage growth in UGAs and should consult special districts as appropriate. Interlocal agreements shall acknowledge and implement the Countywide Planning Policies and shall incorporate uniform criteria for orderly annexation.

Policy 1.3: Joint funding arrangements through mechanisms such as interlocal agreements should be adopted for a period after annexations of developed properties to consider compensation for the County's loss of revenues and its capital facility expenditures prior to annexation, and any city obligations to provide capital facilities to the area annexed.

2. URBAN GROWTH AREAS

Objective: To cooperatively determine future Urban Growth Areas and provide opportunities for a broad range of needs and uses within such areas for the following twenty (20) years for each jurisdiction.

General Policies

Policy 2.1: The County, in cooperation with the cities, will designate Urban Growth Areas (UGAs) for each jurisdiction that is expected for the next twenty (20)

years as required by the Growth Management Act. Policies may consider potential growth anticipated for the subsequent fifty (50) years.

Policy2.2: The designation of UGAs beyond the existing limits of incorporation will be based on demonstration of necessity to meet population projections and a demonstration by the cities that municipal utilities and public services either already exist, or are planned for and can be effectively and economically provided by either public or private sources.

Policy 2.3: UGAs will be determined by projections of population growth in both rural and urban areas of the County. These projections shall be reached through negotiation at the KCCOG, taking into account current growth rates and the Office of Financial Management (OFM) anticipated population projections.

Policy 2.4: The subdivision, rezone, capital improvements, and governmental service decisions of all County governmental jurisdictions should be directed by their projected share of growth and should be in proportion to that projected share of growth. These projections will be reviewed on an annual basis as needed at a regularly scheduled KCCOG meeting.

Policy 2.5: Proposals for development, subdivisions, and public projects within the unincorporated UGAs shall be subject to joint review by the County and the affected incorporated jurisdictions according to the development standards and comprehensive plans. The County shall enforce these standards as agreed upon in the joint permit review process or interlocal agreements.

Policy 2.6: Subdivisions and development within the UGAs shall be orderly and coordinated between County and city governments and utility service purveyors.

Policy 2.7: Within UGAs, the forming of unincorporated areas of suburban density shall be planned and coordinated.

Policy 2.8: The County should consider the use of joint SEPA lead agency status with any incorporated area for projects within a UGA to ensure coordination of mitigation for potential environmental impacts.

Policy 2.9: Final development approval will continue to reside with the County for areas outside of City limits.

Policy 2.10: Consistent development regulations and development standards including but not limited to: street alignment and grade, public road access, right-of-way, street improvements, sanitary sewer, storm water improvements, power, communications, utilities, park and recreation facilities, and school facilities should be adopted for areas within the identified twenty (20) year UGA boundaries for each jurisdiction within Kittitas County.

Policy 2.11: To encourage logical expansions of municipal boundaries into UGAs and to enable the most cost-efficient expenditure of public funds for the provision of municipal services into newly annexed areas, the County and the respective cities shall jointly develop and implement development, subdivision and building standards, coordinated permit procedures, and innovative financing techniques including the possibility of development impact or other fees for the review and permitting of any new development within UGAs.

Policy 2.12: City services should not be extended outside 20-year UGAs; however municipal services may be extended to serve a Master Planned Resort approved pursuant to the Kittitas County Comprehensive Plan Master Planned Resort Policies and RCW 36.70A.360. Such services include, but are not limited to: central sewage collection and treatment, public water systems, urban street infrastructure, and storm water collection facilities.

Policy 2.13: County adoption of city standards for development within corresponding UGAs shall be negotiated. These may include the following:

1. Street locations, both major and secondary
2. Street right-of-way
3. Street widths
4. Curbs and gutters
5. Sidewalks
6. Road construction standards
7. Cul-de-sacs, location and dimensions
8. Storm drainage facilities, quantity, quality, and discharge locations
9. Street lights, conduit, fixtures, locations
10. Sewer, septic regulations, private sewer, dry sewer facilities
11. Water, pipe sizes, locations, construction standards
12. Electrical and natural gas distribution systems
13. Communication utilities, telephone, cable TV, etc.
14. Fire protection, station locations, fire flows, uniform codes
15. School facilities
16. All building requirements
17. Subdivision and platting requirements
18. Mobile homes and manufactured home regulations
19. Zoning ordinances: permitted uses in UGAs, setbacks, building heights, lot coverage, etc.
20. Libraries
21. Any other like services.

Policy 2.14: The availability of the full range of government services will be subject to the annexation policy of the adjacent municipality. Utility extensions into the UGA shall be consistent with the adopted comprehensive plan and capital facilities plan of the utility purveyor.

Policy 2.15: In rural unincorporated areas outside UGAs, the County may designate limited areas of more intensive rural development (LAMIRD), consistent with the provisions of RCW 36.70A.070(5).

Policy 2.16: All planning efforts within UGAs associated with an incorporated city shall be accomplished on a joint basis between the city and the County and include participation from residents of unincorporated areas to the satisfaction of the County.

Policy 2.17: Amendments or changes to the UGA designation may only be proposed once a year and must be reviewed by the KCCOG. Amendments may only be proposed by a city or the County.

Policy 2.18: Amendments to the UGA shall be mutually agreed upon between a city and the County. The KCCOG shall review and make recommendations regarding UGA amendments that have the potential to affect population allocations.

Policy 2.19: An amendment to a UGA shall only be approved once the city or the County has demonstrated that the UGA designation criteria listed in policies 2.1 through 2.4 have been met.

3. REDUCE SPRAWL

Objective: To reduce the inappropriate conversion of undeveloped land including farmland into sprawling, low-density development.

Policy 3.1: Commercial developments including retail, wholesale or service related activities having a gross floor area more than 4,000 square feet, with associated parking facilities, shall be located only within UGAs and Limited Areas of More Intense Rural Development (LAMIRDs). When commercial facilities are developed in conjunction with an approved Master Planned Resort, those portions of hotel/motel, short-term visitor accommodations, residential uses, conference and meeting rooms, and eating and drinking, and active recreation service facilities which are not devoted to retail sales shall not be subject to the 4,000 square foot limitation. All other retail, wholesale, or service related facilities included in the Master Planned Resort shall be subject to the 4,000 maximum square foot size.

Policy 3.2: New industrial development which is not resource-based and requires urban services and zoning permits shall be located only within UGAs or industrial zoned land. Temporary industrial uses may be allowed within Master Planned Resorts approved by the County pursuant to RCW 36.70A.360 and the County Comprehensive Plan Master Planned Resort policies; provided, however, that any such use shall be limited to master planned resort construction, development, maintenance, and operational purposes and shall be subject to annual review and approval by the County. Nothing in this section shall prohibit Master Planned Resorts approved by the County from continuous

maintenance and operational needs of such resorts.

Policy 3.3: Planned Unit Developments (PUDs) which include commercial and/or industrial uses in addition to residential uses shall be located in UGAs or Master Planned Resorts pursuant to RCW 36.70A.360 and .362, and the County's Comprehensive Plan Master Planned Resort Policies.

Policy 3.4: The location of all PUDs shall be established to foster the efficient expansion and management of infrastructure and utilities and demonstrate compatibility with resource land uses; impact fees may be assessed to compensate the cost of increased demands upon infrastructure, services, and utilities.

Policy 3.5: Only residential PUDs will be allowed outside of UGAs and LAMIRDs and are subject to the policies contained herein; densities of PUDs allowed outside UGAs and LAMIRDs shall be determined by the underlying zone classification.

Policy 3.6: The County may authorize master planned resorts in Kittitas County pursuant to RCW 36.70A.360 and .362, and the County's Comprehensive Plan Master Planned Resort Policies.

4. TRANSPORTATION

Objective: To provide for adequate and appropriate transportation systems within the County that are coordinated with county and city comprehensive plans.

Policy 4.1: Transportation plans (i.e., transportation elements of comprehensive plans) shall promote the development and implementation of a safe, efficient, and environmentally sound transportation system in accordance with federal and state requirements, including the State's Growth Management Act that is responsive to the community.

Policy 4.2: Transportation plans will support the planning goals for comprehensive plans set forth in RCW 36.70A.020 and 36.70A.070(6), including promotion of economic development consistent with available resources and public services and facilities.

Policy 4.3: Transportation plans will be consistent with their respective comprehensive plans and will be compatible with the applicable components of other local and regional transportation plans (e.g., QUADCO Regional Transportation Planning Organization, bordering counties, WSDOT and local agencies).

Policy 4.4: The County and cities shall cooperate in the analysis of, and response to, any proposed major regional industrial, retail/commercial, recreation, or residential development proposals that may impact the transportation system in Kittitas County.

Policy 4.5: Transportation plans and project prioritization shall be developed in active consultation with the public.

Policy 4.6: Inter-jurisdictional transportation plans shall promote a coordinated and efficient multi-modal transportation system, including alternative forms of transportation for the movement of goods and people.

Policy 4.7: The transportation plans will, to the maximum extent practical, provide a safe and environmentally sound system that meets community, elderly, disabled and low-income population needs.

Policy 4.8: Transportation improvements which are necessary to maintain the identified level of service standards shall be implemented concurrent with new development so that improvements are in place at the time of development, or that a financial commitment is provided to ensure completion of the improvements within six years.

5. HOUSING

Objective: To encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types typical of the character of Kittitas County, and preserve existing, useful housing stock.

Policy 5.1: Consistent with RCW 36.70A.070(2)(c) a wide range of housing development types and densities within the county will be encouraged and promoted; including multiple-family and special needs housing, to provide affordable housing choices for all.

Policy 5.2: All types of housing for individuals with special needs should be allowed by all jurisdictions.

Policy 5.3: Multi-family housing meeting the needs of all income levels should be encouraged by all jurisdictions within Urban Growth Areas.

Policy 5.4: Jurisdictions shall consider innovative economic techniques and strategies for providing affordable housing as part of their economic development strategy.

6. ECONOMIC DEVELOPMENT

Objective: To provide an environment encouraging economic growth within the County and its jurisdictions that is compatible with County character.

Policy 6.1: The jurisdictions in Kittitas County will work with local and regional economic development interest groups in preparing and implementing economic development plans.

Policy 6.2: Economic vitality and job development will be encouraged in all the jurisdictions consistent with all comprehensive plans developed in accordance

with the Growth Management Act.

Policy 6.3: Economic development activities will be implemented in a manner which supports our quality of life and is consistent with comprehensive plans. This can be achieved by:

1. Recognizing that education and training which produce a skilled work force are essential to the county's economic vitality.
2. Basing the level of economic development activity on our ability to manage the resulting growth.
3. Requiring urban non-resource based economic development activities to locate within designated UGAs or incorporated cities.
4. Requiring economic development proposals to show how increased services and infrastructure support will be provided.
5. Undertaking countywide and regional efforts to coordinate economic development activities.
6. Ensuring that the economic development element of local comprehensive plans and countywide and regional growth management plans are compatible.

7. PROPERTY RIGHTS

Objective: To ensure that private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

Policy 7.1: The rights of property owners operating under current land use regulations shall be preserved unless a clear public health, safety, or welfare purpose is served by more restrictive regulation.

Policy 7.2: Surface water runoff and drainage facilities shall be designed and utilized in a manner which protects against the destruction of property and the degradation of water quality.

8. PERMITS

Objective: To ensure predictability by processing applications for both state and local government permits in a timely and fair manner.

Policy 8.1: Upon receipt of a complete application, land use proposals and permits shall be expeditiously reviewed and decisions made in a timely manner.

9. NATURAL-RESOURCE BASED INDUSTRIES

Objective: To maintain and enhance natural resource-based industries, including but not limited to: productive timber, agricultural, and fisheries industries. Encourage the conservation of

productive forest lands and productive agricultural lands, and discourage incompatible uses.

Policy 9.1: Industrial developments which are solely resource based may be permitted beyond UGAs.

Policy 9.2: Industries and commercial developments which provide for and/or compliment sales of agricultural production and agricultural tourism, or enhance recreational tourism within the County shall be encouraged within rural areas.

Policy 9.3: All economic development and population growth in the County shall be accommodated in a manner that minimizes impacts on agricultural land, forestry, mineral resources, shorelines, and critical areas.

10. OPEN SPACE AND RECREATION

Objective: To encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

Policy 10.1: Preserve open space and create recreational opportunities through the use of innovative regulatory techniques and incentives such as but not limited to: purchase of development rights, transfer of development rights, conservation easements, Public Benefit Rating System, and level of service standards.

Policy 10.2: New park and recreational facility plans shall include natural features, topography, floodplains, relationship to population characteristics, types of facilities, various user group needs, and standards of access including travel time.

Policy 10.3: Indoor and outdoor recreation facilities shall be designed to provide a wide range of opportunities allowing for individual needs of those using these facilities.

Policy 10.4: Expansion and enhancement of parks, recreation, scenic areas, and viewing points shall be identified, planned for, and improved in shorelands and urban and rural designated areas.

11. ENVIRONMENT

Objective: To protect and enhance the County's quality of life and rural environment by safeguarding its environmental resources.

Policy 11.1: All jurisdictions shall protect critical areas through comprehensive plans and policies and develop regulations that are consistent with the adopted environmental ordinances.

Policy 11.2: Groundwater should be identified and protected, including appropriate protection of aquifer recharge areas. Supplies of potable domestic water, irrigation water, and firefighting water should be ensured in the rural, suburban, and urban areas.

Policy 11.3: Water rights are those rights defined in state law, including RCW 90.03.010 and 90.44.035, as well as those rights as defined by agreements between the State and the County.

12. CITIZEN PARTICIPATION

Objective: To encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

Policy 12.1: The County and cities shall provide regular and ongoing opportunities for public review and comment throughout the Comprehensive Plan development process.

Policy 12.2: The County and cities shall continue to encourage public awareness of the Comprehensive Plan by providing public participation opportunities and public education programs designed to promote a widespread understanding of the Plan's purpose and intent.

Policy 12.3: The County and cities shall encourage citizen participation throughout the planning process as mandated by state statute and codes for environmental, land use, and development permits.

Policy 12.4: The County and cities shall utilize broad based Citizen Advisory Committees to participate and assist in the development of Comprehensive Plan Elements, sub-area plans, and functional plans as necessary.

13. PUBLIC FACILITIES AND SERVICES

Objective: To ensure that public facilities and services necessary to support development shall be adequate to serve the development at the time of occupancy and service levels are not decreased below minimum standards.

General Public Facilities and Services

Policy 13.1: Planning and financing for public facilities to serve potential business and industries except natural resource based should be limited to urban growth areas.

Policy 13.2: Siting requirements for County public facilities within UGAs shall be jointly and cooperatively established with the municipalities. Municipal services

should be extended by cities within unincorporated areas of UGAs.

Policy 13.3: The cities and the County shall develop a cooperative communication process through KCCOG, which includes public involvement at an early stage, to consider siting of city, countywide, and statewide public facilities, including but not limited to, solid waste disposal, correctional, transportation, education and human service facilities.

Policy 13.4: The siting of any public facility requires that the facility location be compatible with area land uses. Local comprehensive plans and regulations will establish standards to ensure such compatibility.

Policy 13.5: In determining a local government's fair share of siting of public facilities, the decision maker shall consider at least the following:

1. The location and effect of existing public facilities on the community.
2. The potential for re-shaping the economy, the environment, and the community character resulting from the siting of the facility.

Policy 13.6: The County and cities should jointly sponsor the formation of Local Improvement Districts for the construction or reconstruction of infrastructure to a common standard which are located in the city and the Urban Growth Areas

Policy 13.7: The levels of service for capital facilities shall be cooperatively defined, planned, and financed by all segments of the public and private sector involved in providing a particular service.

Policy 13.8: Financing methods for infrastructure serving residential needs should be mitigated for resource lands as designated by the County in keeping with anticipated levels of service impact.

Policy 13.9: All development should be evaluated so that it is assigned a fair and proportionate share of future infrastructure costs within UGAs and other designated service areas.

Policy 13.10: All jurisdictions shall participate in identifying needed regional services. All jurisdictions shall cooperate to identify adequate revenue sources and in creating financing mechanisms for regional services and infrastructure. Financing mechanisms may include increment financing or tax base sharing.

Policy 13.11: All jurisdictions shall coordinate bond elections for capital facility planning and financing.

Policy 13.12: Public facilities will not be located in Resource Lands or Critical Areas unless no feasible alternative site location exists, such as in the case of utility transmission facilities.

Essential Public Facilities

Policy 13.13: The comprehensive planning process in each jurisdiction shall identify land for all essential public facilities of city, countywide, or statewide significance, such as human service facilities, educational or solid waste handling facilities, transportation facilities, correctional facilities and in-patient care facilities.

Policy 13.14: Essential public facilities requiring siting outside cities or UGAs must be self-supporting and must not require the extension, construction, or maintenance of municipal services and facilities. Criteria shall be established that address the provision of services when siting an essential public facility. Essential public facilities should not be located outside cities or designated twenty-year urban growth areas unless the nature of their operations needs or dictates that they be sited in the rural area of the County.

Policy 13.15: Essential public facilities shall be sited in places that enhance the region's development strategy and that encourage their efficient use by the public.

Policy 13.16: All jurisdictions shall identify existing essential public facilities including but not limited to:

1. Utility corridors, sewer, water, power and communication facilities
2. All transportation facilities
3. Landfills, solid waste handling, and disposal facilities
4. Sewage treatment facilities
5. Recreational facilities
6. Schools
7. Municipal facilities (city halls, fire stations, police stations, libraries, and post offices)
8. Parks
9. State and local correctional facilities
10. In-patient facilities, including substance abuse facilities
11. Mental health facilities
12. Group homes
13. Secure community transition facilities
14. Any facility on the state ten-year capital plan maintained by the Office of Financial Management

Policy 13.17: All jurisdictions shall establish a countywide process for siting essential public facilities of region-wide significance. This process will include:

1. An inventory of needed facilities;
2. A method of fair share allocation of facilities;
3. Economic and other incentives to jurisdictions receiving such facilities;
4. A method of determining which jurisdiction is responsible for each facility;
5. A public involvement strategy; and
6. Assurance that the environment and public health and safety are protected.

Policy 13.18: Essential public facilities which are identified by the County, by regional agreement, or by State or Federal government shall require public involvement through meetings and hearings, and involve review and comment from citizens and local jurisdictions.

Policy 13.19: All jurisdictions shall strive to locate regional and essential public facilities so as to distribute them equitably countywide. No single community shall be required to absorb an undue share of the impacts of regional and essential facilities.

14. Historic Preservation

Objective: To identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Policy 14.1: The County and cities shall consult with local historic preservation groups to ensure coordination of plans and policies by the Department of Archaeology and Historic Preservation.

Policy 14.2: The County and cities shall consult with local historic preservation groups and/or advisory groups as appropriate.

GLOSSARY OF TERMS

Capital Facilities: Capital Facilities are those physical features or assets which provide a public service such as, but not limited to: fire stations, water towers, police stations, libraries, highways, sewage treatments plants, communication, and recreation facilities.

Development Impact Fees: Development impact fees mean a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. Impact fee does not include a reasonable permit or application fee.

Development Regulations: Development regulations means any controls placed on development or land use activities by a county or a city, including but not limited to: zoning ordinances, official controls, planned unit development ordinances, subdivision ordinances, and binding site plans ordinances.

Development Standards: Development standards mean any required minimal functional standard which describes or defines how development is to occur. Development standards are intended to serve as an established level of expectation by which development is required to perform.

Essential Public Facilities: Essential public facilities include those facilities that are typically difficult to site, such as: airports; state education facilities; state or regional transportation facilities; state and local correctional facilities; solid waste handling and disposal facilities; and in-patient facilities including substance abuse facilities, mental health facilities, group homes and other health facilities.

Interlocal Agreements: Interlocal agreements mean any binding agreements, contracts, or other stipulations between two or more governing entities which implement the provisions of the County-wide Planning Policies.

LAMIRD: Limited Areas of More Intense Rural Development (LAMIRDs) are an optional designation available through the Growth Management Act to recognize areas of rural

	development that are more intensive than the balance of the rural area. The LAMIRD designation allows for redevelopment and infill in historical rural towns and communities, as well as intensification and new development of isolated small businesses and small-scale recreational uses. Specific guidance for designation and development in LAMIRDs is provided in RCW 36.70A.070(5).
Level of Service:	A level of service is an indicator of the extent or degree of service provided by, or proposed to be provided by a public facility, such as, but not limited to, fire protection, water supply, sewage treatment, library services, highways, and communication and recreational services.
Local historic preservation group:	Local historic preservation group means a committee, advisory board or other group that is designated by a local jurisdiction or recognized by the Washington State Department of Archaeology and Historic Preservation.
Local Improvement District:	Local improvement district means the legislative establishment of a special taxing district to pay for specific capital improvements.
Municipal Services:	Municipal services are those services in keeping with and/or required in incorporated cities such as, but not limited to, centralized sewage collection and treatment, public water systems, urban street infrastructure, power and storm water systems, emergency services, libraries, and government.
Planned Unit Development:	A planned unit development is the result of a site specific zone change, based on a binding site plan. The planned unit development zoning district is intended to encourage flexibility in design and development that will result in a more efficient and desirable use of land.
Policy:	A broad based statement of intent that gives management direction or guidance in the decision making process. The policy statement is used to select a primary course of action.
Resource Lands:	Resource lands mean those lands designated by the County which are to be protected from urban growth encroachments and incompatible land uses. Resource lands include all lands designated as Commercial Forest, Forest

	and Range, Agricultural Lands of Long-Term Commercial Significance, and Mineral Resource Lands.
Transfer of Development Rights:	Transfer of development rights are the conveyance of development rights to another parcel of land where restrictions places on development of the original parcel prevent its previously allowed development. Transfer of development rights are usually associated in a program which involves sending and receiving zones.
Urban Growth Areas:	Urban growth areas are those areas designated by the County or an incorporated city and approved by the County, in which urban growth is encourages. Urban growth areas are suitable and desirable for urban densities as determined by the sponsoring jurisdiction's ability to provide urban services.
Utilities:	Utilities mean the supply, treatment, and distribution, as appropriate, of domestic water, sewage, stormwater, natural gas, electricity, telephone, cable television, microwave transmissions, and streets. Such utilities consist of both the service activity along with the physical facilities necessary for the utilities to be supplied. Utilities are supplied by a combination of general purpose local governments as well as private and community based organizations.

Ex. 4

EXHIBIT 4

Question #9. c. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?

This proposal is governed by the Rural Lands element of the Kittitas County Comprehensive Plan Chapter 8. Presently the rural land uses in Kittitas County are a mixture of diverse development patterns that have been developed in the past. The rural lands element is intended to preserve rural character through the adopted goals and policies designed to encourage and protect the types of uses that are characteristic to the rural area. The goals and policies are intended to accomplish this in part by reducing conflicting land uses within the County's rural rea while providing a variety of rural densities, protecting agriculture land resources and activities, guarding the county's water resources for such environments.

The current Kittitas County Comprehensive Plan provides for GPOs that identify Goals and Policies for each element of the plan. I have addressed a number of these in the following to show how we are compliant with the Kittitas County Comprehensive Plan with this proposal.

RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.

>>The requested map change is consistent with this goal. This proposed map change will allow for the enhancement and access of natural areas and the expansion of recreational opportunities in Kittitas County.

RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.

>>The requested map change is consistent with this goal. The land that this map change affects will be served a community water system through the Snoqualmie Pass Utility District (SPUD). This amendment request is within the SPUD water service area. More importantly this land provides for recreational space, uses such as cross-country skiing, snow shoeing, hiking, mountain biking just to name a few. All these types of uses can either be privately or potentially publicly used while preserving the rural character.

RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.

>> The requested map change is consistent with this goal. The land that this map change affects contains parcels that are immediately accessed off I-90 providing good access to the subject parcels therefore supporting the increase in rural tourist and rural recreational space opportunities while maintaining the characteristics of the environment.

RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

>> The requested map change is consistent with this goal. The land that this map change affects allows and encourages commercial activities characteristic to the recreational activity in the area (Snoqualmie ski pass, hiking, snow shoeing, mtn. biking etc.) while maintaining the rural area.

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RR-P54: Convenience and motorist services, when permitted near highway, freeway, and major arterial intersections, shall be designed to be compatible with surrounding rural character.

>> The requested map change is consistent with this goal. This land that this map change affects is immediately off I-90 off Exit 54 (westbound). By being immediately off this exit provides for the recreation and economic opportunity for convenience and motorist services that can be designed and compatible with the surrounding neighborhood.

RR-P56: Developments located for commercial, residential/recreational purposes, such as Master Planned Resorts or Planned Unit Developments, shall have adequate water, septic, and public facilities to service such development without over-burdening the County public services.

>>The requested map change is consistent with this goal. The land that this map change affects is within the Snoqualmie Pass Utility (water and sewer) District that has adequate water etc. to provide for innovated developments of this nature, therefore not over-burdening the county public services.

RR-P58: Developers should be required to approach project design which provides a visual rural environment characteristic of Kittitas County including preservation of open spaces, adequate buffering between development and natural areas, and preservation of critical areas and forested lands.

>>The requested map change is consistent with this goal. The land that this map change affects is not proposing any development but a land use designation and zone change. If in the future further development is proposed the goal will be met and is required through the development regulations.

This Element of the Plan addresses the policies for these existing and future seasonal and full-time residential structures.

The County and the various cities have different roles regarding public and private recreation. Rural residents, with their larger acreage home sites, do not depend upon the neighborhood parks popular in cities to the same extent as the urban population. The residents of the County, as well as others throughout the State and Nation, depend upon the massive trail systems which provide hiking, horse riding, biking, and other exclusive recreational opportunities throughout the year.

The distribution of a wide variety of recreation areas over such a large expanse impacts County roads and public safety agencies. Kittitas County is a recreation destination for many out-of-County tourists, and while this benefits local businesses, it also increases the County's recreation related expenditures. Maintaining recreational lands access and safety, and the County's existing recreation facilities should be a key focus.

Following are the policies for activities on Rural Recreation lands.

RR-P54: Convenience and motorist services, when permitted near highway, freeway and major arterial intersections, shall be designed to be compatible with surrounding rural character.

RR-P55: The County should seek financial support from State and federal agencies to assist in providing for recreational area access and safety.

RR-P56: Developments located for commercial, residential/recreational purposes, such as Master Planned Resorts or Planned Unit Developments, shall have adequate water, septic and public facilities to service such development without over-burdening the County public services.

RR-P57: Commercial service proposals in Rural Recreation areas shall have provisions within any conditional use decisions to assure compatibility with adjacent rural environments.

RR-P58: Developers should be required to approach project design which provides a visual rural environment characteristic of Kittitas County including preservation of open spaces, adequate buffering between development and natural areas, and preservation of critical areas and forested lands.

RR-P59: Rural recreation development should be promoted where there is potential for limited infill of seasonal recreation structure, in areas where seasonal structures are not uncommon, and upon soils and geologic conditions which can support structural development.

RR-P60: Consider incentive programs that create active and passive open space.

RR-P61: Commercial uses proposed for development to service recreational tourists and residents will be permitted in spaces when found to be suitable to surrounding rural areas.

RR-P62: International Wildland-Urban Interface Code should be enforced when approving a recreational residential structure for greatest protection of life and property.

RR-P63: Specific natural hazards in rural recreation areas shall be considered before creation of habitable or residential structure.

The second rural designation within the Plan is the ***Rural Working*** lands. Uses within this designation generally encourage farming, ranching and storage of agriculture products, and some commercial and industrial uses compatible with the rural environment and supporting agriculture and/or forest activities. Areas in this designation often have low population densities with larger parcel sizes compared to Rural Residential areas. Agriculture and forestry activities are generally less in scope than in the Resource lands.

Rural Recreation is the third land use designation. These lands often include scenic roadways, vistas, ski and hiking areas, and recreational and seasonal recreation residences. They include resort activities and provide limited commercial services to tourists and seasonal residents where rural character is preserved. Rural Recreation lands may be located in flood or other hazard areas where fishing and outdoor activities are prevalent.

The final rural lands designation is ***Limited Areas of More Intensive Rural Development***, or ***LAMIRDs***. These areas are often small, rural communities where rural residents and others can gather, work, shop, entertain, and reside. Commercial and industrial development compatible with rural character may continue to locate and prosper in rural areas under limited conditions. LAMIRDs are typically areas that were developed prior to the enactment of the Growth Management Act.

Zone classifications shown in **Table 8-1** outline the zones designed to achieve the goals and policies outlined in the designations. There are relatively few classifications within the Rural Residential and Rural Working lands. Most zoning classifications exist within the LAMIRDs since they allow a broader and more intense mix of uses.

8 | RURAL AND RESOURCE LANDS

8.1 INTRODUCTION

Rural lands are characterized by a lower level of services; mixed residential, agricultural and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities. Rural lands often have an established land use pattern that inhibits urban character and are generally, and anticipated to continue to be, served by septic systems and individual wells or small community water systems.

The Rural and Resource Lands chapter of the Kittitas County Comprehensive Plan addresses unincorporated portion of the County outside Urban Growth Areas (UGA). The Land Use Element in Chapter 2 and the Rural and Resource Lands chapter together form the basis for future land use patterns within the County. They also form a basis for decision makers to make land use decisions in the unincorporated areas in Kittitas County. This Chapter is in two sections. The first section discusses land use designations for the County's rural lands and is the County's Rural Element. It outlines the goals, policies and objectives related to protecting rural character with a variety of densities as required by the Washington State Growth Management Act. (RCW 36.70A.070(5)) Rural lands are outside UGAs and commercial agricultural, commercial forest, and mineral lands.

The second section provides for goals, policies and objectives for the County's resource lands. Resource lands are considered the commercial agriculture lands, the commercial forested lands and mineral lands.

8.2 GOALS

The State of Washington Growth Management Act requires that the County "include measures that apply to rural development and protect the rural character of the area as established by the County." These measures must be used to control rural development, assure visual compatibility of rural development with surrounding areas, reduce sprawl and protect against conflict with the use of agricultural, forest and mineral resource lands (RCW 36.70A.070).

The definition of "Rural Character" is defined at RCW 36.70A.030(16) and is the basis for the following broad goals in this Element.

RR-G1: Open space and visual and natural landscape should predominate over the built environment

RR-G2: Opportunities should exist for traditional rural lifestyle and rural based economies.

RR-G3: Spaces and development should be compatible with fish & wildlife habitat

RR-G4: Undeveloped land should not be converted to development of sprawl and low density.

RR-G5: Activities generally should not require extension of urban governmental services.

RR-G6: Land use should be consistent with protection of surface and ground water flows and recharge/discharge areas.

"Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element." (RCW 36.70A.030(17))

"Rural governmental services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. (RCW 36.70A.030(18))

The Resource section of this Chapter refers to the commercial agriculture, forest, and mineral resources of long-term significance that are not characterized by urban growth. (RCW 36.70A.170)

8.3 POLICIES

Kittitas County planning policies help define rural and resource lands, appropriate land uses and service levels, and unique rural features. They also identify innovative land use techniques which may be used to protect these features.

Rural policies are intended to enhance and protect the County's rural character, and to encourage appropriate rural land use patterns and service levels. As Kittitas County is a primarily rural area, many of the goals and policies listed in this and other elements are intended to be interpreted through a broad-spectrum rural lens. Rural Lands planning policies include:

RR-P1: The County shall promote the retention of its overall character by establishing zoning classifications that preserve rural character identified to Kittitas County.

RR-P2: In order to protect and preserve Resource Lands, non-resource development and activities on adjacent Rural lands shall require preservation of adjacent vegetation, existing landforms (e.g. ravines) or use of other methods that provide functional separation from the resource land use.

RR-P3: The use of cluster platting and conservation platting shall be encouraged in specific rural areas to lessen the impacts upon the environment and traditional agricultural/forestry uses and to provide services most economically. The use of other innovative land use techniques that protect rural character and resource land uses will be evaluated for future implementation.

RR-P4: A certain level of mixed uses in rural areas and rural service centers is acceptable and may include limited commercial, service, and rural industrial uses.

RR-P5: Protecting and preserving resource lands shall be given priority. Proposed development allowed and adjacent to resource lands shall be conditioned to protect resource lands from negative impacts from that development.

RR-P6: Allow for lands which offer adequate supply of rock and gravel resources located in areas compatible for such uses and conditioned so that operation does not negatively impact rural character.

RR-P7: Policies will be consistent with Kittitas County's "right to farm" ordinance, 17.74 KCC.

8.4 RURAL LANDS

8.4.1 Introduction

Kittitas County's rural land use designation consists of a balance of differing natural features, landscape types, and land uses. Rural land uses consist of dispersed and clustered residential developments, farms, ranches, wooded lots, and agricultural and recreational/commercial and industrial uses that serve local, national and international populations as customers. Rural landscapes encompass the full range of natural features including wide open agriculture and range land, forested expanses, rolling meadows, ridge lines and valley walls, distant vistas, streams and rivers, shorelines and other critical areas.

Rural lands exhibit a vibrant and viable landscape where a diversity of land uses and housing densities are compatible with rural character. "Rural character," as identified through scientific research over the past two decades, indicates that residents of rural communities, homebuilders, and planners see it in various ways depending upon the community and the rural area. This research demonstrates that "rural character" is not identical in all areas and must be determined by communities. Overall, the research shows that "rural character" is best determined by concepts existing within the community such as existing densities and building materials (Tilt, et. al., 2006), "nature-related areas" particularly having forest, not just trees, and open spaces related to the community (Kaplan, Austin, 2004, 2003, and 2001), and "natural amenities and perception of recreational and (individual community) residential development" (Mascouriller, 2002). Study shows that cluster development, when used not to increase density creating suburban or urban-like environments, are most marketable, and preserve "open spaces" desired by communities and potential residents most effectively of all development techniques at this time (Burney, 2006 and Lacey, 1990).

Kittitas County residents, through an extensive public involvement process in 2012, provided descriptions of "rural" that they wish to preserve. Such descriptions include many of the conclusions presented by scientific research including, "natural open spaces and streams," "forests," "recreational opportunities and spaces," "agriculture lands and activities," "mountain views," and "development away from urban areas." These descriptions capture the essence of "rural character" in Kittitas County, and fall squarely within the broad definition in RCW 36.70A.030.

"Rural character" in Kittitas County is predominantly a visual landscape of open spaces, mountains, forests, and farms and the activities which preserve such features. It balances environmental, forest, and farm protection with a variety of rural development and recreational opportunities. Many sizes and shapes of

properties can be found in the Rural Lands as well as assorted economic activities and opportunities, small rural residential development, and recreational opportunities throughout the County. The Interstate and State Highway systems which traverse the length and width of the County introduce countless travelers and visitors to the County. The County's highways and byways provide access to opportunities and means to create and preserve agri-tourist activities. They also provide access to extensive outdoor recreation activities identified by State law and by residents of Kittitas County as being "rural." This rich mix of uses and transportation systems allows the variety of lifestyle choice, which makes up the fabric of rural Kittitas County community life.

The most common uses in rural lands are agriculture, recreation and logging, which have been basic industries historically and remain important in terms of employment, income and tax base. Kittitas County will strive to encourage and support these activities in areas they occur and are appropriate. Some choose a private, more independent lifestyle, or space for small farm activities. Others choose the more compact arrangement found in clustering, with its accompanying open space and close neighbors designed in ways that enhance and preserve rural character.

One of the main attractions of the rural residential lifestyle is the low intensity of development and the corresponding sense of a slower pace of living. Part of what creates that attraction is the rural-level facilities and services. This Comprehensive Plan supports and preserves this rural lifestyle by limiting service levels to those historically provided in the County's rural areas. Residents should expect County services, such as road maintenance and emergency responses to be limited and to decrease as the distance from a rural activity center or urban area increases.

8.4.2 Planning for Rural and Resource Lands

Present rural land uses in Kittitas County are a mixture of diverse development patterns stemming from trends established decades ago. The County has been characterized as having an abundance of rural uses including the strong recreational opportunities throughout the entire area. The existence of mountainous topography, intense forest lands, and large lakes in the Upper Kittitas County area draws large populations to skiing, camping, hunting, and hiking opportunities. Vibrant river and stream waters invite sports fishermen from around the State to the area. Hunting is prevalent in all areas of the County, including the middle portion of the region where sage and tall grasses are abundant for game bird and mammal habitat.

The Lower Valley of Kittitas County has extensive irrigation and rich soils which have been valuable for agriculture and vital to the economy. Many farms have existed over a century and are very characteristic of the County's dominant rural character. Small, unincorporated communities exist throughout the County. These communities provide distinct, yet small scale services which rural residents depend upon. Many of these communities are located within "Limited Area of More Intensive Rural Development" or LAMIRDs as defined with the Washington State Growth Management Act. Combined, this mix of rural densities and uses has created a landscape unique to Kittitas County's rural lifestyle.

The Rural and Resource element is intended to preserve rural character through adopted goals and policies designed to encourage and protect the types of uses that are characteristic to the rural area. The goals and policies are intended to accomplish this in part by reducing conflicting land uses within the County's rural area while providing a variety of rural densities, protecting agriculture land resources and activities, guarding the County's water resources and insuring appropriate services and facilities for such environments.

A variety of rural densities characteristic to a rural environment are encouraged through the adoption of goals and policies within this Element. This Element also provides for a variety of rural uses which are compatible with the County's rural character, and decrease the need for road and utility improvements, police and fire protection, schools in rural areas and other services often found in more urban environments. Without limiting these types of urban services, their existence can often contribute to "rural sprawl," or the scattering of development throughout rural areas which can be inconsistent with an identified rural character. The proper mix of rural uses and densities permits rural growth to be accommodated in a variety of areas where it is compatible with both resource and urban activities.

The goals and policies of this Element are also intended to provide for the preservation of viable and vibrant landscapes associated with rural character. At the same time, these policies seek to capitalize on the recreational characteristics while preserving the natural resources in the County.

Nonconforming Lots

Nonconforming lots, i.e. lots that do not meet the County's current zoning standards - present a challenge to the County's plans to preserve the rural character of the County outside Urban Growth Areas. A recent count yielded approximately 5,900 nonconforming lots that fall below the minimum lot size for the rural areas. These are legally created lots that were created prior to the current zoning and subdivision rules.

Because these lots were created legally, they are theoretically capable of being developed in the future. However, in practical terms, the majority of these lots are unlikely to be able to meet existing development standards, ranging from legal access (many are landlocked) to meeting the minimum lot size necessary for the provision of septic systems and a well (since neither public water nor sewer are available).

Addressing the issue of nonconforming lots is a challenge that the County recognizes will need long-term, incentive-based approaches. Over time the County may consider inclusion of those nonconforming lots most capable of future development for inclusion in a Transfer of Development Rights program or some similar incentive program.

8.4.3 Purpose of Rural Lands

Following are goals that relate to the general intent of Rural Lands:

RR-G7: The County should consistently work to preserve and maintain the rural character of Kittitas County for the benefit of its residents.

RR-G8: The County should strive to sustain and protect the westerly mountainous, recreational open space, and its easterly non-resource agricultural and rangeland activities.

RR-G9: The County should continue to explore ways to provide rural economic opportunity.

RR-G10: The County should look for opportunities for a variety of rural density and housing choices while maintaining rural character and protecting health and safety.

RR-G11: The County should provide for infrastructure and services necessary to rural development.

The *policies* outlined below are intended to reduce conflicting land uses within the entire County's rural area while providing a variety of rural densities, protecting open spaces, and insuring that appropriate services and facilities are provided for rural developed environments.

RR-P8: Incentive-based land use strategies will be examined and adopted to encourage land uses which are compatible to the rural environment.

RR-P9: Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.

RR-P10: Allow for a variety of rural densities which maintain and recognize rural character, agricultural activities, rural community and development patterns, open spaces and recreational opportunities.

RR-P11: Only allow comprehensive plan amendments, rezones, bonus densities, and other measures that increase rural densities where adequate supplies of potable water are available that will not adversely affect surface and ground water and agriculture.

RR-P12: Set allowed densities based on the available water resources and reserve adequate resources to support the Kittitas County's economic base, including agriculture.

RR-P13: Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters.

RP-14: Uses common in rural areas of Kittitas County enhancing rural character, such as agriculture uses in Lower Kittitas and rural residential uses and recreation uses in Upper Kittitas shall be protected from activities which encumber them.

RP-15: Give preference to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and other open space activities.

RR-P16: Land use development within the Rural area that is not compatible with Kittitas County rural character or agricultural activities as defined in RCW 90.58.065(2)(a) will not be allowed.

RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas. Direct rural development to lands that have adequate public services.

RR-P18: Buffer standards and regulations should continue to be developed that will be used between incompatible rural uses.

RR-P17: Cottage and home occupations which are rural in nature are allowed within all rural land use designations and regulations. Impact upon surrounding environments and upon existing public services shall be considered when such industries are proposed.

RR-P18: Future "General Commercial" zones will not be allowed outside Urban Growth Areas and LAMIRDs.

RR-P19: Kittitas County will provide criteria within its zoning code to determine what uses will be permitted within rural zone classifications in order to preserve rural character.

RR-P20: Residential and commercial buildings outside Type 1 LAMIRDs will be located in areas buffered by vegetation to maintain Kittitas County's historic rural character.

RR-P21: Functional separation and setbacks found necessary for the protection of water resources, rural character and/or visual compatibility with surrounding rural areas shall be required where development is proposed.

RR-P22: Provisions will be made for roadside stands, farmers' markets, "U-pick," and customer share cropping operations.

8.4.4 Rural Designations

Rural Lands are divided by function of the uses intended. The purpose of placing certain lands in these land use designations is to accommodate these various functions. The following *goals* are intended to guide the designation of rural lands:

RR-G12: Permit residential development in rural areas which enhance and protect rural character.

RR-G13: Preserve and protect non-resource forests and agriculture lands which are dominant in Kittitas County.

RR-G14: Provide opportunity for development for recreational purposes which are consistent with rural character and protect public health and safety.

RR-G15: Provide opportunity for limited development of rural community.

8.4.5 Rural Land Use Descriptions

Rural areas provide a choice in living environments through a mix of large lots and existing smaller lots in rural centers and Limited Areas of More Intensive Rural Development (LAMIRDs).

Table 8-1 identifies the Rural Land Use designations within the Kittitas County rural areas and corresponding zoning classifications. The table also displays the estimated acreages of each designation and classification determined by the Geographic Information System (GIS) of the County. The land use designations are limited in number to reflect the functions within the rural areas of the County.

Four land use designations have been identified within the Rural Land Use Plan. ***Rural Residential*** lands are those which are adjacent or near UGAs or LAMIRDs. They generally have a lower population density than urban areas but higher than most rural areas. A limited level of government services usually exists, and they are often inside Fire Districts and are outside flood areas and most hazard areas. Rural Residential lands are characterized by activities generally associated with small-scale farms, dispersed single-family homes, and some types of recreational uses and open spaces. Lands are typically too far from the urban area to enable cost-effective provision of public services, and the typical uses do not require urban services.

The second rural designation within the Plan is the ***Rural Working*** lands. Uses within this designation generally encourage farming, ranching and storage of agriculture products, and some commercial and industrial uses compatible with the rural environment and supporting agriculture and/or forest activities. Areas in this designation often have low population densities with larger parcel sizes compared to Rural Residential areas. Agriculture and forestry activities are generally less in scope than in the Resource lands.

Rural Recreation is the third land use designation. These lands often include scenic roadways, vistas, ski and hiking areas, and recreational and seasonal recreation residences. They include resort activities and provide limited commercial services to tourists and seasonal residents where rural character is preserved. Rural Recreation lands may be located in flood or other hazard areas where fishing and outdoor activities are prevalent.

The final rural lands designation is ***Limited Areas of More Intensive Rural Development,*** or ***LAMIRDs.*** These areas are often small, rural communities where rural residents and others can gather, work, shop, entertain, and reside. Commercial and industrial development compatible with rural character may continue to locate and prosper in rural areas under limited conditions. LAMIRDs are typically areas that were developed prior to the enactment of the Growth Management Act.

Zone classifications shown in **Table 8-1** outline the zones designed to achieve the goals and policies outlined in the designations. There are relatively few classifications within the Rural Residential and Rural Working lands. Most zoning classifications exist within the LAMIRDs since they allow a broader and more intense mix of uses.

Table 8-1 Rural Land Use Designations, Corresponding Zoning Classifications and Acreages

Type of Land Use	Land Use	Use Intensity	Description	Acres	Zoning Classification	Acres
Resource	Commercial Agriculture	Resource Lands	Agricultural lands of long-term commercial significance	289,515.8	Commercial Agriculture	289,515.8
	Commercial Forest	Resource Lands	Forest lands of long-term commercial significance	800,275.0	Commercial Forest	800,275.0
	Mineral Lands	Resource Lands	Mineral lands of long-term commercial significance	5,690.7	Zoning Classification Varies[2]	5,690.7
Section Total:						**1,095,481.5**
Rural	Rural Working	Low	Supports Ag, Timber and Mineral uses not in resource lands	328,754.3	Agriculture 20	111,226.4
					Forest and Range	217,527.9
	Rural Residential	Moderate	Residential opportunities with rural character outside of UGAs and LAMIRDS	29,900.9	Agriculture 5	11,921.6
					Rural 5	17,936.5
					General Commercial	0.7
					Planned Unit Development	42.1
	Rural Recreation	Moderate	Activities to support and enhance recreational opportunities	10,461.9	General Commercial	22.0
					Master Planned Resort	6,444.5
					Planned Unit Development	363.8
					Rural Recreation	3,681.7
	LAMIRD	More Intense	Non-incorporated urban like development	1,210.4	Agriculture 20	28.3
					Agriculture 3	42.4
					Forest and Range	77.6
					General Commercial	194.2
					General Industrial	4.7
					Highway Commercial	45.2
					Light Industrial	36.3
					Limited Commercial	13.6
					Planned Unit Development	218.0
					Residential	412.3
					Residential 2	41.8
					Rural 3	42.4
					Rural 5	53.6
Section Total:						**370,327.6**
County Total:				1,465,809.1		1,465,809.1

[1] *Acreages are approximate.*

Note: The totals in this table are subject to change based on improved accuracy of GIS shapefiles and assessor's information.

Rural Residential

Following are the goals of the Rural Residential designation:

RR-G16: Allow for residential opportunity with rural character and a variety of densities outside UGAs without population expecting all urban services.

RR-G17: Generally, provide services supporting rural development and lower population densities.

RR-G18: Designate areas where lots are generally less than 10 acres in size and have a common land use pattern.

RR-G19: Permit siting in areas generally without commercial activity.

RR-G20: Protect residential activities from flooding areas and natural hazard areas.

RR-G21: Preserve views of open space while providing opportunity for variety of rural densities.

The following are policies for activities on Rural Residential lands:

RR-P23: Municipal, or public urban services should not be extended outside of urban growth areas in Rural Lands. However, municipal services may be provided to a Master Planned Resort which is approved pursuant to County Comprehensive Plan policies and development regulations so long as all costs directly attributable to the extension of such services to the resort or community, including capacity increases, are fully borne by the resort or community.

RR-P24: Residential development near water will limit impervious surfaces to the size necessary to conduct the allowed use proposed on the site.

RR-P25: New rural residential development shall provide adequate water for domestic use.

RR-P26: Capital Facilities and Utilities may be sited, constructed, and operated by outside public service providers (or sited, constructed, and/or operated jointly with a Master Planned Resort (MPR), limited area of more intensive rural development (LAMIRD)) on property located outside of an urban growth area if such facilities and utilities are located within the boundaries of such resort or community which is approved pursuant to County Comprehensive Plan policies and development regulations.

RR-P27: Electric and natural gas transmission and distribution facilities may be sited in any areas of Kittitas County including "Rural" designated areas, municipalities, UGAs, Master Planned Resorts, and LAMIRDs.

RR-P28: Public services and public facilities established under RCW 36.70A.070(5)(d) are limited to just those necessary to serve the developed area boundaries and will not be allowed to expand into adjacent Rural Lands.

RR-P29: Essential public facilities as defined in RCW 36.70A.200 shall be allowed located in rural lands when:

- The nature of the facility requires spaces for operation not commonly found in UGAs
- Can be self-supporting and not depend upon services of municipalities

- Operational needs require use of rural lands

Operation of such facilities will not affect the activity or nature of rural lands.

RR-P30: Clustering of development can only occur where it results in the protection of open space and protects against conflicts with the use of farming or other resource lands. When clustering of development is proposed on land that shares boundaries with public lands and provides existing public access to recreational uses on adjacent public lands, easements for public access connections shall be considered during development review. The open space portion of the cluster development shall be located to protect fish & wildlife habitat and migration corridors.

RR-P31: County restrictions on free-running dogs shall be developed and enforced.

RR-P32: Residential uses, where permitted, shall be located where farming and forestry activities and opportunities are not negatively impacted.

RR-P33: Residences will be located to create the least interference with the movement of farm vehicles and farmlands.

RR-P34: The benefits of cluster residential development will be explored with criteria for such to occur in rural areas. Criteria, such as limited density, open space minimums and lot size maximums, will be developed to preserve the rural character existing in the area where clustering is proposed.

RR-P35: Cluster residential development in forested areas will be sited to maintain visual compatibility with the surrounding landscape and to limit the removal of natural vegetation and trees.

RR-P36: Planned Unit Developments (PUD) in rural areas will only be established where such developments will not result in high density environments which require urban services and reduce maintenance of rural character.

RR-P37: Innovative housing developments which preserve rural character will be encouraged.

RR-P38: Future amendments should consider placing more emphasis on public benefits that can be accessed and enjoyed by the general public, such as public access trails, publicly accessible formal and informal recreation features, and contiguous open space protected in perpetuity through conservation easements.

RR-39: Public benefits of cluster platting that are provided as Transfer Development Rights lots shall be specifically identified on recorded plats and maintained through easements, covenants, plat notes or other mechanisms.

Rural Working

Following are the goals pertaining to the designation of Rural Working lands:

RR-G22: Provide preservation of agriculture activities where producers can live and work on their own lands separate from Resource Lands.

RR-G23: Support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance.

RR-G24: Provide some buffer between rural residential lands and resource lands.

RR-G25: Provide areas of low intensity land use activities within the agriculture and forest activities.

The following are policies for activities on Rural Working lands:

RR-P40: Conveyance instruments including plats and short plats, development permits and building permits, within 500 feet of land designated as Rural Working lands or Resource Lands shall contain a notice to potential buyers and residents as directed within RCW 36.70A.060(1)(b).

RR-P41: Right to farm ordinances will continue and new ordinances achieving the objective will be researched.

RR-P42: Irrigation delivery facilities should be managed and maintained to facilitate the unimpeded delivery of water to agricultural lands.

RR-P43: Kittitas County will continue to research new land use techniques such as Transfer Development Rights, Purchase of Development Rights and open space preservation tools to provide economic incentives to farmers to continue agriculture activities.

RR-P44: Planned Unit Developments (PUD) should be prohibited in Rural Working land zones.

RR-P45: Commercial/Industrial development in Rural Working lands shall be compatible to the rural environment, and must be developed as determined necessary to not significantly impact surface and groundwater.

RR-P46: Development standards for access, lot size and configuration, fire protection, water supply and dwelling unit location will be adopted for development within or adjacent to forest and agriculture lands.

RR-P47: Kittitas County will continue to research innovative incentive-based strategies – including tax incentives - that encourage and support farming activity.

RR-P48: Kittitas County will encourage voluntary farm conservation and agriculture preservation activities, and support activities engaged in agriculture preservation.

RR-P49: In addition to the notice requirements in RCW 36.70A.060(1)(b), non-farming residents should be informed on the practices of farming so that they are aware of the non-urban activities and impacts that occur in the agricultural environment.

RR-P50: Open ranges are a resource land not subject to nuisance complaints due to residential activity.

RR-P51: Where proposed residential development is determined in conflict with natural resource activities, all mitigation measures to make the development compatible with the activities shall be completed and cost borne by the developer.

Liberty Historic District

The Liberty Historic District is an historic mining town recognized by the National Register of Historic Places. Development in this district is subject to the Historic District Overlay Zone.

Liberty Historic Land Use Issues and Concerns:

1) The Liberty Historic District is a nationally designated historic district in the County.
2) The surrounding forested lands around Liberty are important to the natural historic character of the town site, including the four privately owned parcels.
3) The designation of the Liberty townsite as a special historical suburban classification would require the development of a community water system.
4) Liberty has a small finite number of buildable lots.

RR-P52: The Liberty Historic District is in the Rural Working land use designation. To ensure compatibility with the historic district, development in the adjacent forest lands shall conform to any standards that assure compatibility.

RR-P53: Future development in the historic district shall be primarily residential and be consistent with any existing or new design review standards.

Rural Recreation

Following are the goals pertaining to the Rural Recreation designation:

RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.

RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.

RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.

RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

Substantial amounts of recreation lands in this County are owned by the public and private parties. These provide more than ample opportunities for water recreation, hunting, fishing, camping, hiking, trail riding, winter recreation and wildlife viewing. In addition to publicly-owned areas, many private businesses cater to the public in providing skiing, golfing, camping and trail riding on private lands.

Rural recreation in Kittitas County is also largely provided in the form of recreational residences, primarily in the upper western area of the County. These developments are often "second homes" for persons living in other parts of the State These recreational residences are a significant contributor to the County's economy.

This Element of the Plan addresses the policies for these existing and future seasonal and full-time residential structures.

The County and the various cities have different roles regarding public and private recreation. Rural residents, with their larger acreage home sites, do not depend upon the neighborhood parks popular in cities to the same extent as the urban population. The residents of the County, as well as others throughout the State and Nation, depend upon the massive trail systems which provide hiking, horse riding, biking, and other exclusive recreational opportunities throughout the year.

The distribution of a wide variety of recreation areas over such a large expanse impacts County roads and public safety agencies. Kittitas County is a recreation destination for many out-of-County tourists, and while this benefits local businesses, it also increases the County's recreation related expenditures. Maintaining recreational lands access and safety, and the County's existing recreation facilities should be a key focus.

Following are the policies for activities on Rural Recreation lands.

RR-P54: Convenience and motorist services, when permitted near highway, freeway and major arterial intersections, shall be designed to be compatible with surrounding rural character.

RR-P55: The County should seek financial support from State and federal agencies to assist in providing for recreational area access and safety.

RR-P56: Developments located for commercial, residential/recreational purposes, such as Master Planned Resorts or Planned Unit Developments, shall have adequate water, septic and public facilities to service such development without over-burdening the County public services.

RR-P57: Commercial service proposals in Rural Recreation areas shall have provisions within any conditional use decisions to assure compatibility with adjacent rural environments.

RR-P58: Developers should be required to approach project design which provides a visual rural environment characteristic of Kittitas County including preservation of open spaces, adequate buffering between development and natural areas, and preservation of critical areas and forested lands.

RR-P59: Rural recreation development should be promoted where there is potential for limited infill of seasonal recreation structure, in areas where seasonal structures are not uncommon, and upon soils and geologic conditions which can support structural development.

RR-P60: Consider incentive programs that create active and passive open space.

RR-P61: Commercial uses proposed for development to service recreational tourists and residents will be permitted in spaces when found to be suitable to surrounding rural areas.

RR-P62: International Wildland-Urban Interface Code should be enforced when approving a recreational residential structure for greatest protection of life and property.

RR-P63: Specific natural hazards in rural recreation areas shall be considered before creation of habitable or residential structure.

Ex. 5

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EXHIBIT 5

Question #9. d. How have conditions changed that warrant a comprehensive plan amendment?

Since the original decision to identify these lands as Rural Working Lands there has been substantial changes in the area that now makes these lands no longer fit the Rural Working lands designation. We are requesting a map change to Rural Residential lands because the following conditions have changed the use of the area:

First and foremost, this proposal is forested ground but is not considered a working forest property. There have been major changes in the timber industry over the last 15 plus years, last two remaining local timber processing mills have shut down or are on limited operations and are no longer buying timber to process into lumber. This has eliminated the ability of the land to sustain any reasonable commercial timber harvest cycle and has changed the use of this land forever. With the current forest & range zoning designation covering this property and the change in the timber industry alone creates inconsistencies with the purpose and intent of the Forest & Range zoning district, which states the following "this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where development of lands for uses and activities incompatible with resource land management are discouraged.". These conditions over the last 15along with this land not designated as forest resource lands of long-term commercial significance warrant a change and not meeting the intent of the existing zone warrant a change in the land use and zone designation.

Secondly, there has been major changes with regards to water rights. Snoqualmie Pass Utility District has recently completed their update to their comprehensive water plan. During this update water rights have increased to allow for future growth. See Exhibit #. With these new changes in water the applicant can be provided with domestic water from an existing community water system therefore eliminating the need to for individual wells to be used.

Thirdly, there has been the continued development of the surrounding areas and adjacent lands. 20 acre lots have been developed to the east of this proposal. Directly across I-90 Kittitas County recently (within the last 4-5 years) approved a planned unit development that contains residential, commercial, open space, and recreational uses. This newly planned unit development is less than a ½ mile away and along with this change will create additional need of recreational lands.

Finally, the implementation of the newly designation of Rural Recreational lands constitutes a major change. As you can see when Kittitas County designated lands in the Snoqualmie Pass Area as Rural Recreational, they just designated the existing ski pass areas and their associated uses. This property was not taken into consideration regarding whether other private lands provided a recreational use or for that matter be designated as recreational lands. This land is Rural Recreational lands designated to the west and to the south and it is only fitting, through meeting that criterial, be designated as rural recreational lands along with a zoning designation of rural recreational.

Ex. 6

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EXHIBIT 6

Question #10 Transfer of Development Rights

Question #10. Please describe whether this amendment will require transferred of development rights, and if they are required, described how this requirement will be met.

>>The transfer of development rights does not apply at the comprehensive plan amendment stage, per Kittitas County Code 17.13. 080.2.a. & b., which states the following:

17.13.080.2.

a. The tender of density credits is not a precondition for any amendment to the Comprehensive Plan, Zoning Map, or proposed development to be approved. The density credits are required before the County issues final plat approval or permits, if no land division is involved, for any development of the additional units in the Comprehensive Plan amendment. The developer must submit the density credits when applying for the permit.

b. The ordinance granting each Comprehensive Plan Amendment shall condition the approval upon the applicant's compliance with the requirement of development credits.

Ex. 7

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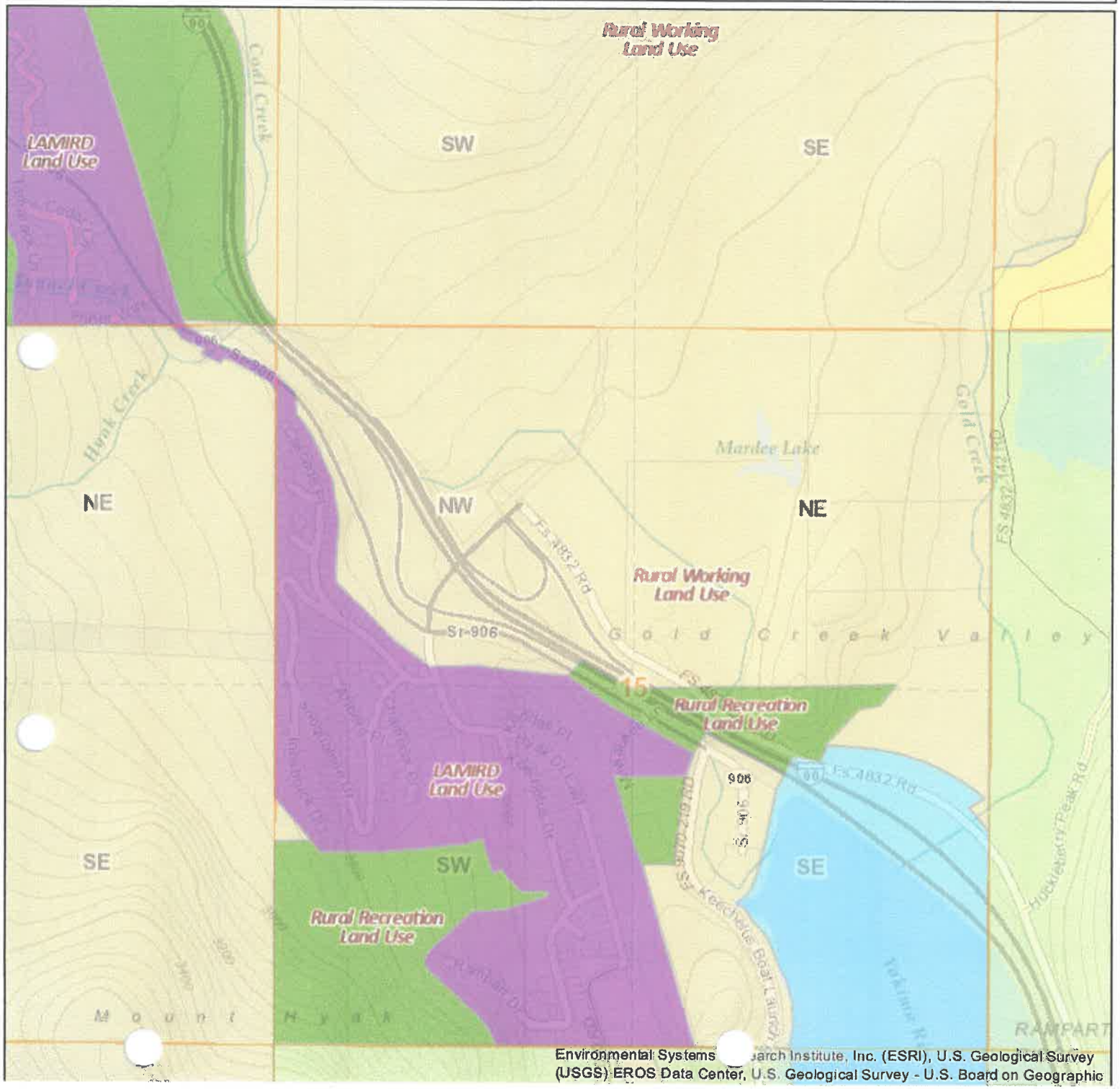
Question #11. Items a thru c.

See other exhibits providing this information.

Ex. 8

Land Use Designation



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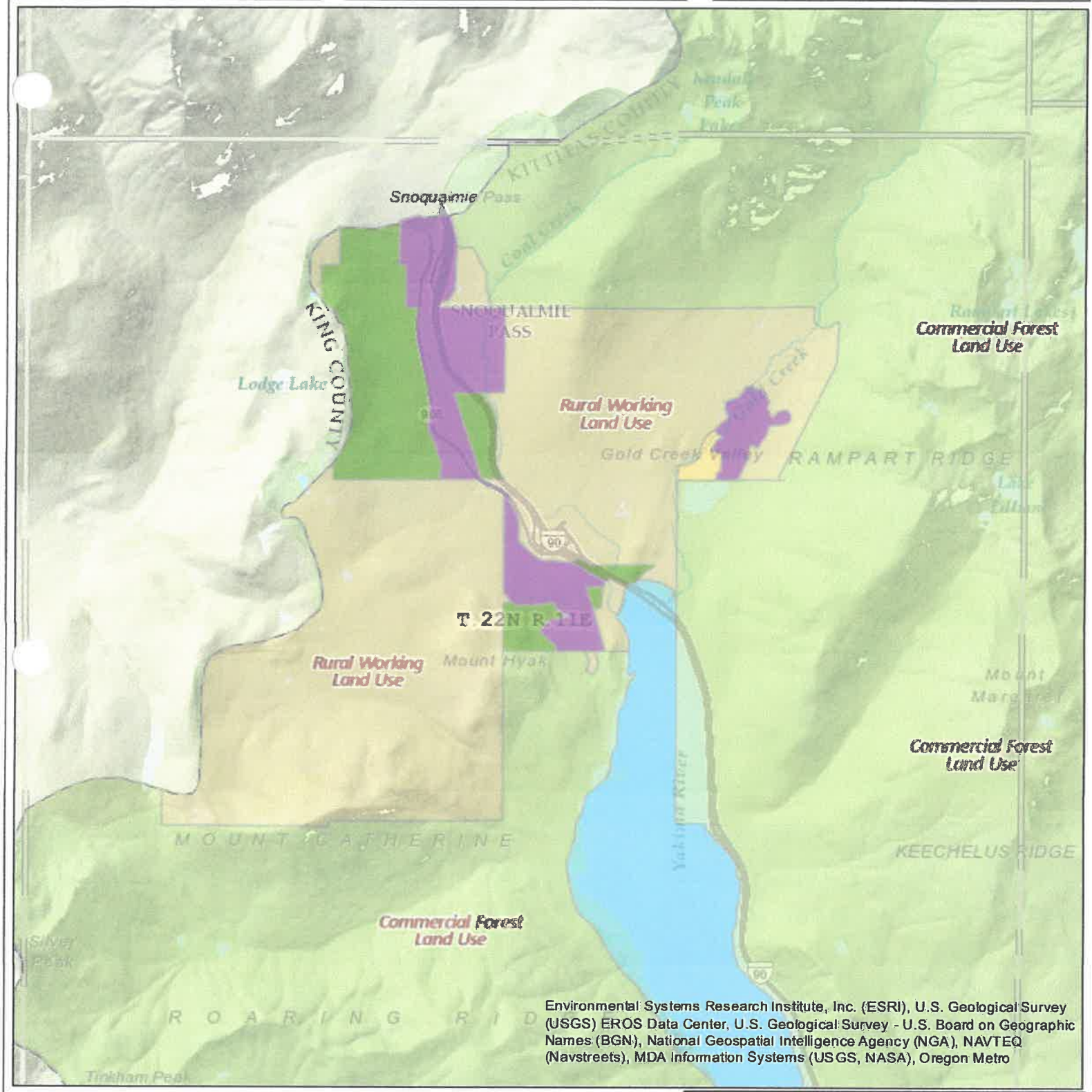
Kittitas County COMPAS Map



Date: 6/21/2022

1 inch = 6,019 feet
Relative Scale 1:72,224

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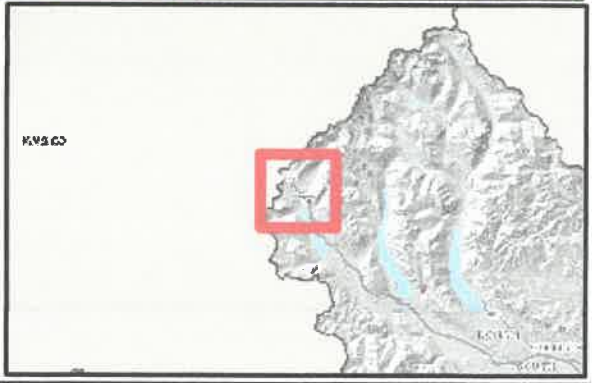
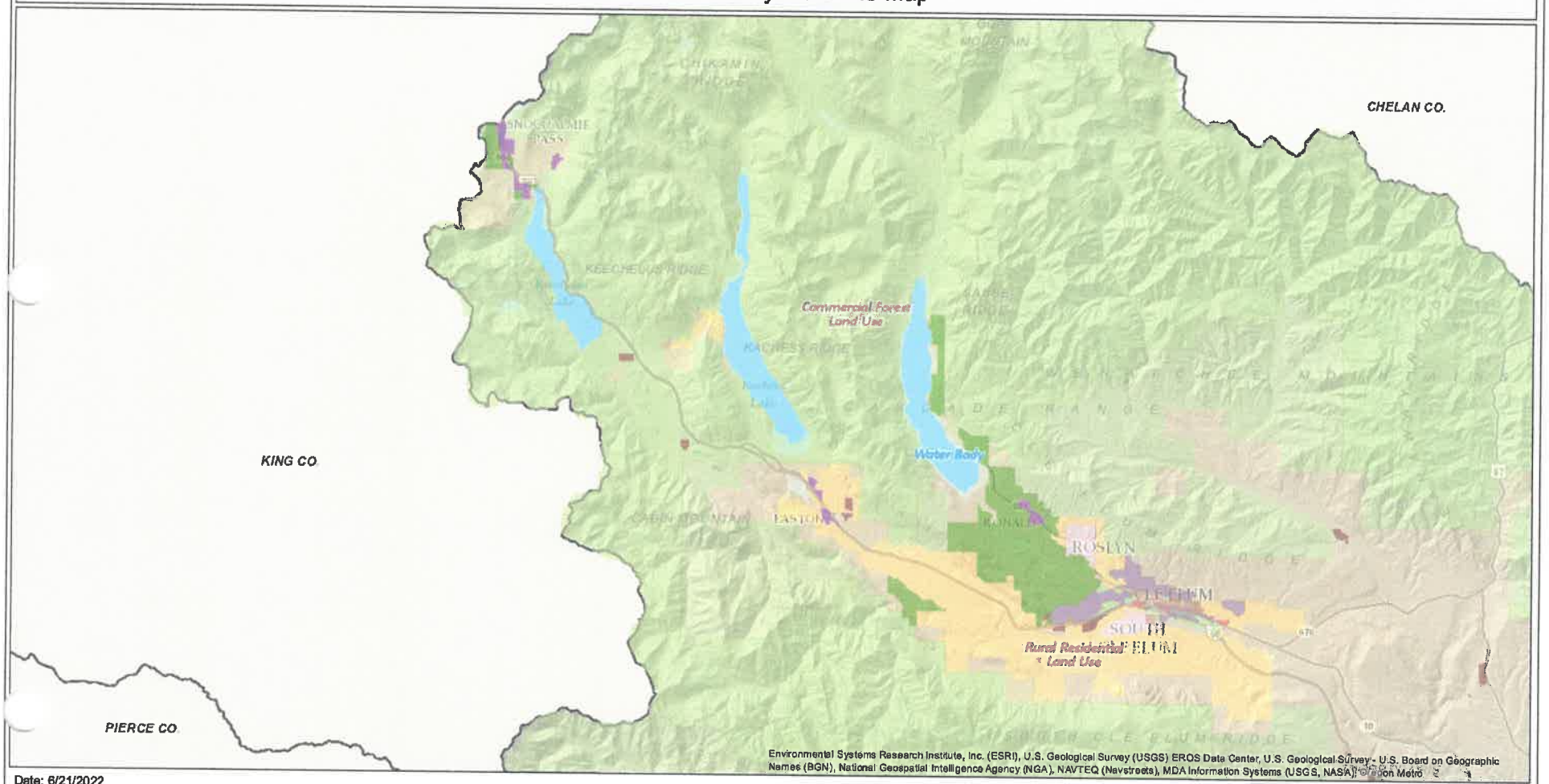
N

0 0.3250.65 1.3 1.95 2.6 mi



Kittitas County COMPAS Map



Date: 6/21/2022

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1 inch = 24,075 feet

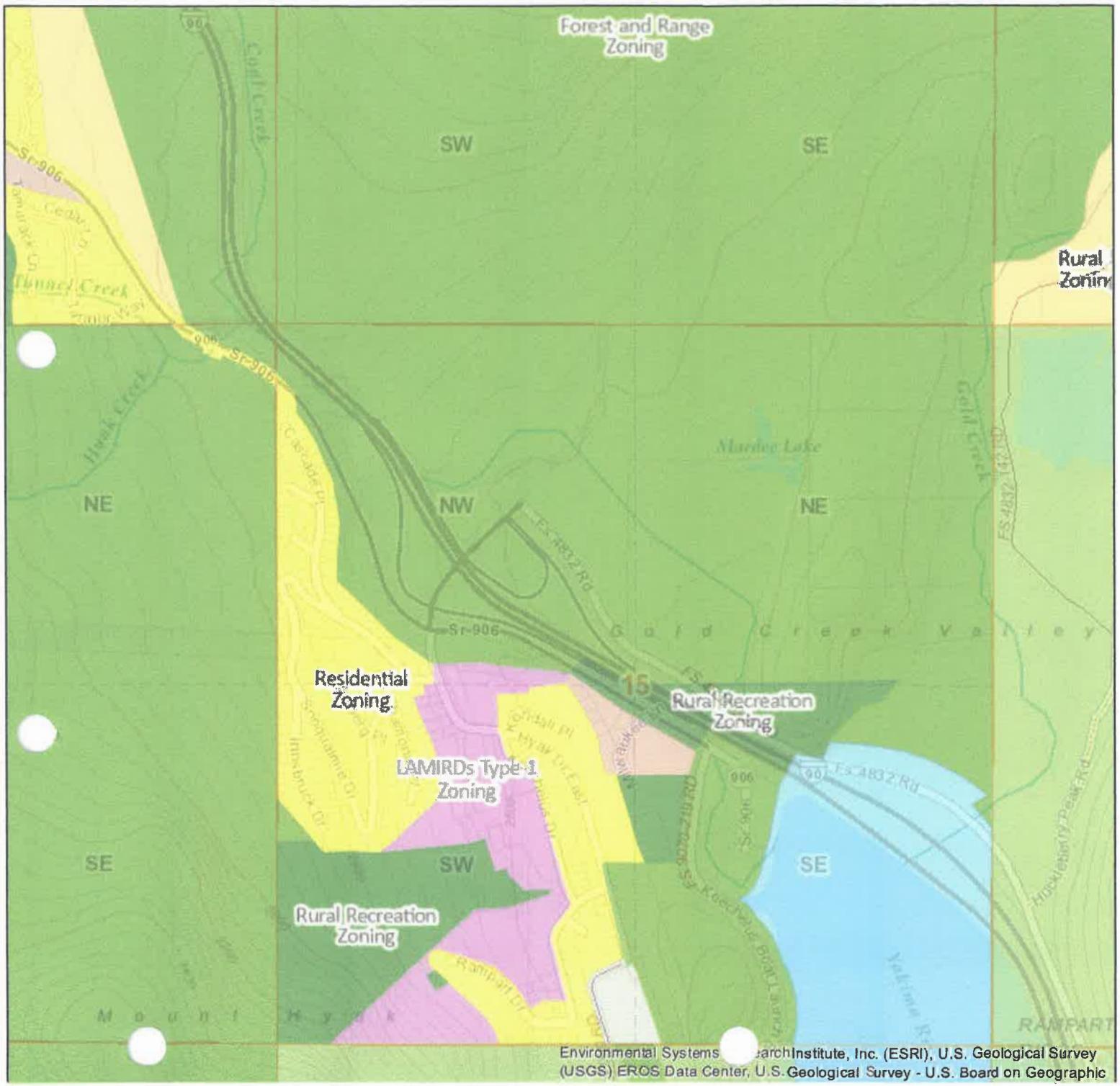
Relative Scale 1:288,895

N

0 1.25 2.5 5 7.5 10 mi

Ex. 9

Zoning Designation



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Ex 10

Rezone

Question #9. Narrative Project Description

See Exhibit 2

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Ex. 11

Rezone

Question #10. Describe how this proposal will provide for the transfer of any required transferrable development rights.

See Exhibit 6

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Ex 12

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Rezone Criteria

Question 11A. The proposed amendment is compatible with the comprehensive plan.

This Project's relationship and compatibility with the Kittitas County Comprehensive Plan is consistent with the goals and policies outlined within Exhibit 4 of this proposal along with the additional goals and policies listed below.

H-G1: Support strategies that increase and maintain the availability of affordable housing for all incomes levels throughout the county.

This zone change will allow for additional housing to be built in the future with domestic water provided by Group A water system. Housing units needed for future populations, per the comprehensive plan, is projected to be 8,611 units by the year 2037. This is one of the very few areas in the upper county that is be served by a Group A water system via the Snoqualmie Pass Utility District.

H-G3: Provide equitable housing options to allow residents with supported living needs to live as independently as possible throughout the County.

The proposal will create the possibility for new homes to be built in the future which will provide future home ownership.

H-G7: Provide a sufficient number of housing units for future populations in rural areas of Kittitas County while maintaining environmental corridors and quality habitats.

This proposal will could provide for additional housing units while maintaining the environmental corridors and quality habitats that this land contains.

H-G8: Provide for future populations while protecting individual property rights.

This proposal allows for the continued protection of private property rights.

H-P3: Identify lands within areas which are served by centralized water and sewer systems, paved streets and other public services provide to them which are suitable for high density residential use including multi-family and single family planned unit developments and cluster housing.

This proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. The subject parcels have immediate access from I-90 and are within a 1.5 to 2 miles of other public services.

Ex. 13

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Rezone

Question 11.B. The proposed amendment bears a substantial relation to the public health, safety, or welfare.

The proposed amendment must bear a substantial relation to only one of the following: public health, safety or welfare and this proposal benefits county residents in all three categories.

Kittitas County Population Growth: The Kittitas County Conference of Governments (COG) made a recommendation to the Board of County Commissioners to adopt the Office of Financial Management's (OFM) numbers and distribution of populations projections through 2037. These projections are intended to guide in the development of Kittitas County. This recommendation included a population projection of 65,967 residents within Kittitas County by the year 2037. Using this projection, the 20-year population allocation for Kittitas County is anticipated to increase by 23,297 people. This proposal provides for the possibility of housing that will add to the greater mix of residential housing types that will assist in meeting the carrying capacity that the county is required to provide for in the Kittitas County Comprehensive Plan. By changing this zone to Agricultural-5 with property located in the future boundaries of a Group A Water System that has the water rights to serve this area bears a substantial relation to the public health, safety and/or welfare; and

Public Health:

In 2016 Kittitas County had the availability of new domestic water supplies greatly reduced as the Department of Ecology has determined that the water in the upper Yakima River basin has been over allocated. In addition, the Department of Ecology has found that there is a connection between surface and ground water in the Upper Yakima River Basin and has determined that there will be no new water rights (surface or ground) issued for any use unless mitigated by an existing senior water right. Since this decision Kittitas County came into compliance with the adoption of their comprehensive plan along with the continued development on how to provide water for domestic purposes. One example is that Kittitas County has purchased water rights and developed an over the county water program to meet the domestic needs of Kittitas County. Furthermore, private water banks were developed, with approval from WA ST. Dept. of Ecology to also allow for the ability to provide domestic water for new and future residential uses. Furthermore, this proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. By providing domestic water and sewer by being within the service area of the Snoqualmie Pass Utility District this amendment bears a substantial relation to the public health; and

Welfare:

The Merriam-Webster dictionary defines "welfare" as "the state of doing well especially in respect to good fortune, happiness, well-being, or prosperity ". Home ownership intermixed with recreation activities are specifically designed to provide happiness and well-being. The property is located adjacent to other properties in the same area that provide for wide variety of recreational opportunities for both summer and winter (Snoqualmie Pass Skiing, snow shoeing, mtn. biking, fishing, hunting, hiking, access to Wenatchee National Forest to name a few). By providing these new opportunities the proposal bears a substantial relation to welfare; and

Safety:

The Merriam-Webster dictionary defines "safety" as "the condition of being safe from undergoing or causing hurt, injury, or loss". The change in the zone from Forest & Range - 20 to Rural Recreational will provide a similar environment for the continued and growing rural population and recreation uses. The proposal is already being encircled by surrounding smaller densities along with other existing recreational uses. By zoning these parcels to Rural Recreational will bring this property into consistency with the surrounding area, allow for innovated techniques to occur for residential development while protecting the rural character and natural environment with a safe water and sewer supply in a safe environment, therefore this amendment bears a substantial relation to safety.

Ex. 14

Rezone

Question 11.C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.

The Merriam-Webster dictionary defines "merit" as "a good quality or feature that deserves to be praised' and/or "the quality of being good, important, or useful ".

Protection of existing natural areas: With the concept of preserving natural areas, by designating this land as rural recreation land provides for consistency within the immediate area and those similar recreational uses. All the surrounding land has been continually developed making it even more difficult to continue with any future recreational types of scenarios. By changing the land use designation and zoning designation allows for the continued rural recreational lifestyle to occur. By doing this the amendment and rezone has merit and value for the county.

Protection of Coal Creek: Coal Creek is located on a portion of this proposal. By including this rural recreational growth on these lands allows for the continue recreational use (merit and value for the County) of Coal Creek and other associated natural areas.

Water Availability: This amendment and rezone will also allow any future recreational use/development to use the Snoqualmie Pass Utility (water & sewer) District for domestic uses. By doing this the amendment has merit and value for the county allowing further protections to the natural recreational area.

Access: With access from I-90 and the existing county road allows for the immediate access to the subject property and provides the ability for future connectivity for future recreational development proves that this amendment has merit and value for the county.

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Ex. 15

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Question 11.D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.

The proposed amendment needs to be found appropriate because one of the following (i) because of changed circumstances (ii) because of a need for additional property in the proposed zone (iii) because the proposed zone is appropriate for reasonable development of the subject property. As stated above the amendment for the proposal needs to meet only one of these criteria.

Because of Changed Circumstances:

First and foremost, this proposal is forested ground but is not considered a working forest property. There have been major changes in the timber industry over the last 15 plus years, last two remaining local timber processing mills have shut down or are on limited operations and are no longer buying timber to process into lumber. This has eliminated the ability of the land to sustain any reasonable commercial timber harvest cycle and has changed the use of this land forever. With the current forest & range zoning designation covering this property and the change in the timber industry alone creates inconsistencies with the purpose and intent of the Forest & Range zoning district, which states the following "this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where development of lands for uses and activities incompatible with resource land management are discouraged.". These conditions over the last 15along with this land not designated as forest resource lands of long-term commercial significance warrant a change and not meeting the intent of the existing zone warrant a change in the land use and zone designation.

Secondly, there has been major changes with regards to water rights. Snoqualmie Pass Utility District has recently completed their update to their comprehensive water plan. During this update water rights have increased to allow for future growth. See Exhibit #. With these new changes in water the applicant can be provided with domestic water from an existing community water system therefore eliminating the need to for individual wells to be used.

Thirdly, there has been the continued development of the surrounding areas and adjacent lands. 20 acre lots have been developed to the east of this proposal. Directly across I-90 Kittitas County recently (within the last 4-5 years) approved a planned unit development that contains residential, commercial, open space, and recreational uses. This newly planned unit

development is less than a ½ mile away and along with this change will create additional need of recreational lands.

Finally, the implementation of the newly designation of Rural Recreational lands constitutes a major change. As you can see when Kittitas County designated lands in the Snoqualmie Pass Area as Rural Recreational, they just designated the existing ski pass areas and their associated uses. This property was not taken into consideration regarding whether other private lands provided a recreational use or for that matter be designated as recreational lands. This land is Rural Recreational lands designated to the west and to the south and it is only fitting, through meeting that criterial, be designated as rural recreational lands along with a zoning designation of rural recreational.

Because of a need for additional property in the proposed zone

This amendment is due to the need for lands to be included into the Rural Recreational Land Use. There are limited areas within Kittitas County that were designated appropriately, and one might say inappropriately designated. For example, one of these areas is the Master Plan Resort, now called Suncadia just west of the City of Cle Elum. This master planned resort with golf courses is just that a Master Plan Resort and is continuously being built out mainly as residential development with golf courses/trails etc. There are other areas along the SR903 corridor that are mainly residential development that contain higher residential uses than recreational uses. You also have land that includes the Snoqualmie ski area, which is appropriately designated as recreational land use. It is also important to note that recreational second homes area are allowed under this land use designation. As you look at the land use map of county and the total acreage of rural recreational lands you will see there is a need for additional lands to be designated with a recreational land use designation along with a rural recreational zone. This proposal fits this needed as it is adjacent to Rural Recreational zoning to the south and to the north, but more importantly this land does not fit the Rural Working Land use designation. This land is not a working farm or forest land. This amendment is 1-2.5 miles away from Snoqualmie Pass (ski areas) and fits in with the recreational nature of hiking, snow shoeing, skiing, mountain biking etc. that occurs in the surrounding area. Also, this proposal contains a recreational element of having streams flowing through it that provides for recreational fishing activities, along with Mardee Lake, hiking, snow shoeing, skiing, mountain biking all that are similar if not the same uses allowed on the surrounding/adjacent lands. Because the proposed zone is appropriate for reasonable development of the subject property because.

The surrounding land is no longer used as resource-based land. The land that is now used for rural recreational lands. The proposed rezone for the property provides for the reasonable development of the land for rural recreational uses.

As stated above this proposed amendment is appropriate because of changed circumstances and because of a need for and because the proposed zone is appropriate for reasonable development of the subject property.

Ex. 16

Rezone

Question 11.E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

Chapter 17.30

R-R – RURAL RECREATION ZONE

17.30.010 Purpose and intent.

The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County.

As pointed out throughout this proposal the uses that are surrounding the subject parcels are consistent with this proposed land use and zone change by being recreational is nature compared to the existing zoning of Forest & Range. In comparison the intent of the forest & range zone is where natural resource management is the highest priority and the development of lands for uses and activities incompatible with resource management are discouraged. With respect to the uses allowed (permitted & conditional uses) within the existing zone and compared to the proposed zone of Rural Recreational there are some extremely intense uses that do not appropriately fit this recreational area (See Exhibit 9).

Within the Forest & Range-20 zone (KCC 17.56), the current zoning of this proposal, there are certain uses such as, Agricultural enhance uses, Agricultural direct marketing activities, Agricultural seasonal harvest festivities use, Agricultural expanded seasonal harvest festivities, Taverns, Asphalt/Concrete Plants, mini-warehouse, refuse & recycle centers, boarding house, Mining & excavation, & Rock Crushing uses, that are allowed within this zone. This land does not lend itself to the agricultural uses within with the Forest & Range zone. This land is mainly timber land along with natural amenities. Most importantly, The Forest & Range zone allows for one of the most intensive uses in Kittitas County, with the use being mining and rock crushing. These two types of uses do not fit within this land or for that matter the surrounding recreational lands. These types of uses should not be allowed within a recreational area of Snoqualmie pass and if allowed could be a detriment to the recreational vitality of the area.

The surrounding land, the surrounding uses of the property, the changing uses of the land to more of a rural recreational area, the available of water & sewer through the Snoqualmie Pass Utility (water & sewer) District water only shows that the property is suitable for development in general conformance with zoning standards of the Rural Recreational zone.

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17.15.060

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use ** See KCC Chapter 17.08 Definitions*	Rural Non-LAMIRD							
	Rural Residential		Rural Working		Rural Recreation			Rural Residential & Rural Recreation
	Ag 5[49]	Rural 5[49]	Ag 20[49]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
A. Agriculture								
Agricultural Enhanced Uses*			p[55]	p[55]		p[55]		
Agricultural direct marketing activities*	p[62]	p[62]	p[62]	p[62]				
Agricultural seasonal harvest festivities*	p[63]	p[63]	p[63]	p[63]				
Agricultural expanded seasonal harvest festivities*	C	C	C	C				
Animal boarding*	P	P	P	P		CU	CU	
Agriculture processing*	CU [23]		CU [23]	CU **		P		
Agriculture production*	p[24]	P	P	p[24]	p[24]	p[24]	p[24]	p[24]
Farm Stand,*	p[22] / AC[51]	p[22] / AC[51]	p[22] / AC[51]	p[22] / AC[51]	p[22] / AC[51]	P	p[22] / AC[51]	p[22] / AC[51]
Agriculture Sales,*	CU		CU			P		
Dairy	CU	CU	CU	CU	CU	CU	CU	
Feedlot*			CU	CU **				
Grazing*	P	P	P	P	P	P	P	P
Marijuana processing*								
Marijuana production*								
Marijuana, retail sales*								
Nurseries	P	P	P	CU **		P	CU[61]	
Riding academies	CU		CU	CU	CU		CU	
Small-scale event facility*	AC [45] /CU	AC [45] /CU	AC [45] /CU	AC [45] /CU				
U-Pick/U-Cut Operations*	P / AC[51]	CU	P / AC[51]	P / AC[51]			CU	
Farm Visit	CU	CU	AC[51]	AC[51]	CU	Cu	CU	p[52]
Commercial Activities associated with agriculture*	AC		AC					
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
B. Civic Uses/Community Services								
Cemetery	p [21]	p [21]	p [21]	CU **	p [21]	p [21]	p [21]	p [21]
Clubhouses, fraternities and lodges*	AC [44]	AC [44]	AC [3]	AC [35]	AC		AC	
Cultural and education facilities					P		P	
Libraries			CU [3]			CU		
Meeting facilities					P			

				Forest & Range			Rural Recreational	
Museums and galleries						CU		
Religious institutions	CU		CU	CU	CU	CU	CU	
Schools, public or private*	P [25]		P [25]	CU			CU	
Interpretive Center*			AC	AC			AC	
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
C. Commercial								
Auction sales of non-agriculture products						CU		
Bank						CU		
Bed and breakfast*	AC	AC	AC	AC **			AC	
Clinic*								
Day care facilities*								
Funeral home/mortuary								
Hospital*								
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					CU [6]			
Office*						P [17]		
Restaurant				CU [36]	P	CU	CU	
Retail sales,* general				CU [36]	P	CU [18]	CU [18]	
Retail sales,* lumber and building materials								
Retail sales,* vehicles								
Services					P [20]	CU[50]		
Shooting range*			CU [31]	CU ** [31]			CU [31]	
Tavern				CU [36]	P	CU		
Temporary sales office					P			
Vehicle/equipment service and repair*	P [16]		P [16]	CU [36]	P [42]	P [42]		
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
D. Industrial								
Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU [37]				
Explosives, storage or manufacture								
Forest product processing* (portable)	P	P	CU	CU [35]				
Forest product processing* (permanent)			CU	CU **				
Freighting and trucking yard or terminal*								
Hazardous waste storage*								
Hazardous waste treatment*								
Impound/towing yard*								

				Forest & Range			Rural Recreational	
Junkyard*								
Manufacturing*								
Mini-Warehouse				CU [59]		CU [14]		
Refuse disposal/recycle*			CU [19]	CU[58]				
Research laboratories								
Wastewater treatment								
Warehousing and distribution	PA [47]	PA [47]	PA [47] /CU [46]	PA [47]				
Wholesale business								
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
E. Recreation								
Campground*	CU [12]	CU [12]	CU [12]	CU[12] p [54] **	CU [13]	CU [12]	CU [12]	CU
Golf course*	CU	CU	CU	CU **	CU		CU	
Guest ranch or guest farm*	CU	CU	CU	CU **			CU	
Parks and playgrounds*	P	P	P [3]	P	P	P	P	P
Recreation, Indoor*					P	CU	CU	P [26]
Recreation , outdoor*	AC	AC	CU	CU	AC	AC	AC	P [26]
Recreational vehicle park*	CU	CU			CU		CU	CU
Recreational vehicle/equipment service and repair*				CU [60]				
Recreational vehicle storage				CU [26]			CU [26]	P [26]
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
F. Residential								
Accessory dwelling unit*	PA [27]	PA [27]	PA [27]	PA [27] **			PA [27]	PA [27]
Accessory living quarters*	P [28]	P [28]	P [28]	P [28] **	P [28]		P [28]	P [28]
Adult family home*	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]	P [41]
Boarding house			CU [29]	CU [29] **				
Convalescent home			CU	CU **				
Dwelling, single-family*	P [33]	P [40]	P	P [34]	P [1]	PA [2]	P	P
Dwelling, two-family*	P		P [3]	P [34]	P [1]		CU	P
Dwelling, multiple-family*					P [1]			P
Farm labor shelter*	CU [4]		CU [4]	CU [4] **				
Group home*	CU	CU					CU	
Group Care Facility*	CU[56]	CU	CU[56]	CU			CU	
Home occupation*	P/CU [5]	P/CU [5]	P/CU [5]	P/CU [5] **	P/CU [5]		P/CU [5]	P/CU [5]
Manufactured home*	P	P	P	P **	P	PA[2]	P	P
Manufactured home park								
Mobile home	P [38]	P [38]		P [34]				
Special care dwelling*	P[30]	P[30]	P[30]	P[30]			CU[30]	P[30]

Temporary trailer	P –	P Z	P Z	P Z **	P Z	P Z	P Z	P Z
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
G. Resource								
Forestry*	P	P	P	P [34]				
Forest product sales*				P				
Mining and excavation*	CU	CU [39]	CU	P [34]				
Rock crushing*		CU [39]		P [34]				
	Ag 5[51]	Rural 5[51]	Ag 20[51]	Forest & Range[51]	Master Planned	General Commercial	Rural Recreation	PUD
H. Utilities and Public Facilities								
Electric vehicle infrastructure*	P [32]	P [32]	P [32]	P [32]	P [32]	P [32]	P [32]	P [26]
Public facilities*	PA[53]	PA[53]	PA[53]	PA[53]	PA[53]	PA[53]	PA[53]	PA[53]
Solar Power Production Facilities	[57]	[57]	[57]	[57]	[57]	[57]	[57]	[57]
Utilities	P [9] /ACU [9] /CU [9]	P [9] /ACU [9] /CU [9]	P [10] /ACU [10] /CU [10]	P [9] /ACU [9] /CU [9]	P [11] /ACU [11] /CU [11]	P [9] /ACU [9] /CU [9]	P [9] /ACU [9] /CU [9]	P [9] /ACU [9] /CU [9]
Watershed management activities*	PA	PA	PA	PA	PA	PA	PA	

** Publisher's Note: Footnote 37 was erroneously referenced in this section by Ordinance 2013-001

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

1. Provided use is integrated into and supports the on-site recreational nature of the master planned resort and short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
2. No new residence shall be permitted except that related to the business or enterprises allowed in this zone such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone.
3. Not permitted in the Agriculture Study Overlay Zone. Clubhouses, fraternities and lodges limited to facilities that serve traditional rural or resource activities (such as granges).
4. Provided:
   a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
   b. The shelters must conform with all applicable building and health regulations;
   c. The number of shelters shall not exceed four (4) per twenty (20) contiguous acres of land area;
   d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
   e. Should the parent agricultural operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable buildings and health regulations.
5. No sign advertising a home occupation shall exceed sixteen (16) square feet in size. Home occupations with no outdoor activities or noise are permitted; home occupations with outdoor activities or noise are a conditional use. In-home daycares with six (6) or fewer individuals receiving care in a twenty-four (24) hour period are permitted; in-home daycares with seven to twelve (7-12) individuals receiving care in a twenty-four (24) hour period require a Conditional Use Permit.
6. Provided short-term visitor accommodation units constitute greater than fifty percent (50%) of the total resort accommodation units.
7. When used for temporary occupancy for a period not-to-exceed one (1) year related to permanent home construction or seasonal/temporary employment.
8. Public transportation deadhead stations permitted; passenger terminals are a Conditional Use.
9. Utilities are defined and regulated by KCC Chapter 17.61, Utilities.
10. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Not permitted in the Agriculture Study Overlay Zone.
11. Utilities are defined and regulated by KCC Chapter 17.61, Utilities. Limited to the capital facilities, utilities, and services necessary to maintain and operate the master planned resort.
12. In considering proposals for location of campgrounds, the Board shall consider at a minimum the following criteria:
   a. Campgrounds should be located at sufficient distance from existing rural residential/residential development so as to avoid possible conflicts and disturbances;
   b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
   c. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
   d. Adequate and convenient vehicular access, circulation and parking should be provided;
   e. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation).
13. Campgrounds and Recreational vehicle sites with power and water are permitted; campgrounds and recreational vehicle sites without power and water require a conditional use permit.
14. The following standards shall apply to the approval and construction of mini-warehouses:
   a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
   b. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;

c. No commercial or manufacturi... ...ivities will be permitted within any building or storage ur...
d. Lease documents shall spell out all conditions and restrictions of the use;
e. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.

15. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
16. Limited to farm implement repair and maintenance.
17. Limited to offices directly related to tourism and recreation.
18. Retail sales are limited to groceries and sales directly related to tourism and recreation. Structural footprint containing all of these activities may not exceed 4,000 square feet.
19. Limited to composting facilities.
20. Limited to those services typically found on other destination resort properties and designed to serve the convenience needs of the users and employees of the master planned resort. Shall be designed to discourage use from non-resort users by locating such services well within the site rather than on its perimeter.
21. No new cemeteries. Existing cemeteries may expand or enlarge within established cemetery boundaries as of the date of amendment adoption, and in compliance with applicable standards and regulations.
22. When located no more than forty-five (45) feet from the centerline of the public street or highway and selling goods produced on site.
23. Hay processing, and small-scale processing of agricultural products produced on the premises are permitted without a conditional use permit.
24. Excluding swine and mink, provided a minimum of one (1) acre is available. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
25. Existing schools are permitted; new schools require a conditional use permit. Not permitted in the Agriculture Study Overlay Zone.
26. Recreational vehicle storage may be enclosed or outdoor storage of recreational vehicles or both. Permitted where the use is only serving a residential PUD or in the Rural Recreation and Forest and Range zoning districts and subject to the following standards and conditions:
    a. All stored vehicles must be licensed if required by law, and operational. This land use does not include vehicle sales.
    b. Unless it is limited to serving a residential PUD and otherwise permitted or authorized, recreational vehicles shall not be stored outside when the site is contiguous to a residential zoning district.
    c. No commercial or manufacturing activities are permitted except when recreational vehicle/equipment service and repair has been permitted subject to the requirements of KCC 17.15.060.2 Footnote 60.
    d. In the Forest and Range zoning district, and when not limited to serving a recreational planned unit development, the site shall either be:
        i. Contiguous to a State Highway, or
        ii. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
        iii. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.
    e. Recreational vehicle storage shall be designed to be compatible with the surrounding rural character, subject to the following standards:
        i. Storage areas shall be enclosed with a minimum five-foot-high, security fence. The applicant may be required to provide additional plans for aesthetic improvements and/or site-screening.
        ii. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
        iii. Findings shall be made that the proposal does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
        iv. Measures shall be taken to protect ground and surface water.

    Electric Vehicle Infrastructure subject to provisions of KCC Chapter 17.66.
27. Subject to the following requirements:
    a. ADUs shall be allowed as a permitted use within designated UGAs;
    b. ADUs shall be subject to obtaining an Administrative Use permit in areas outside UGAs;
    c. Only one ADU shall be allowed per lot;
    d. Owner of the property must reside in either the primary residence or the ADU;
    e. The ADU shall not exceed the square footage of the habitable area of the primary residence;
    f. All setback requirements for the zone in which the ADU is located shall apply;
    g. The ADU shall meet the applicable health department standards for potable water and sewage disposal;
    h. No mobile homes or recreational vehicles shall be allowed as an ADU;
    i. The ADU shall provide additional off-street parking;
    j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
    k. An ADU must have adequate acreage to meet maximum density within the zone classification.
28. Subject to the following requirements:
    a. Accessory Living Quarters shall be located within an owner-occupied primary residence;
    b. Accessory Living Quarters are limited in size to no greater than fifty percent (50%) of the habitable area of the primary residence;
    c. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal;
    d. Only one (1) Accessory Living Quarters shall be allowed per lot;
    e. Accessory Living Quarters are to provide additional off-street parking;
    f. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists.
29. Maximum of four (4) boarders and two (2) bedrooms dedicated to the use.
30. Subject to the following requirements:
    a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
    b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
    c. Placement is subject to obtaining a building permit for the manufactured home;
    d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
    e. The Special Care Dwelling unit cannot be used as a rental unit;
    f. The Special Care Dwelling unit must be removed when the need for care ceases;
    g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
    h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
    i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.

31. Structures and facilities associated the operation of shooting ranges are permitted and subje all associated Kittitas County building codes and regulations. Shooting Ranges may be operated in conjunction with other permitted or conditional uses for the specified zone. Shooting Ranges are subject to periodic inspection and certification as deemed necessary by the Kittitas County Sheriff's Department. In considering proposals for the location of Shooting Ranges a detailed site plan shall be required; the Board's review of said site plan and the proposal as a whole shall include, but not be limited, to the following criteria:
    a. The general health, safety, and welfare of surrounding property owners, their livestock, their agricultural products, and their property.
    b. Adherence to the practices and recommendations of the "NRA Range Sourcebook."
    c. Adherence to the practices and recommendations of the "EPA Best Management Practices for Lead at Outdoor Shooting Ranges."
    d. Proposed shooting ranges in areas designated as agricultural land of long-term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture.
32. Subject to the provisions of KCC Chapter 17.66, Electric Vehicle Infrastructure.
33. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
34. When located in the Liberty Historic Overlay Zone, this use is subject to the provisions of KCC Chapter 17.59.
35. Limited to facilities that serve traditional rural or resource activities (such as granges). Allowed as a permitted use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
36. Allowed only as a conditional use in the Liberty Historic Overlay Zone, subject to the provisions of KCC Chapter 17.59.
37. Prohibited in the Liberty Historic Overlay Zone. Temporary asphalt plants only.
38. As of September 1, 1998, mobile homes are no longer allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. Mobile homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
39. Permitted when located within an established mining district; conditional use permit required when located outside established mining district.
40. Single family homes located in Twin Pines Trailer Park, Central Mobile Home Park, or Swiftwater shall be subject to the provisions of KCC Chapter 17.24, Historic Trailer Court Zone.
41. Pursuant to RCW 70.128.140.
42. Permitted when conducted wholly within an enclosed building (excluding off-street parking and loading areas).
43. Includes truck stop operations. Minor repair work permitted.
44. Limited to facilities that serve traditional rural or resource activities (such as granges).
45. Use shall not exceed 10,000 square feet and no more than eight (8) events shall occur within a calendar year.
46. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products.
47. Limited to seasonal, non-structural hay storage.
48. Services limited to resource based industries
49. All lots greater than one-half (1/2) acre will not have more than fifty percent (50%) of the lot covered by impervious surface.
50. An administrative conditional use permit is required when enhanced agricultural sales or sales of goods produced offsite are provided and/or when the farm stand is located more than forty-five (45) feet from the centerline of the public street or highway.
51. When enhanced agricultural sales are provided.
52. When approved as part of the PUD development plan.
53. Pursuant to KCC Chapter 17.62, Public Facilities Permits.
54. Limited to primitive campgrounds as defined by KCC 17.08.155A.
55. Agricultural Enhanced Uses which include eating and drinking establishments and/or event facilities for seminars or other social gatherings are limited to 4,000 square feet of total indoor floor area.
56. Only allowed as a conditional use when primary use of land is agriculture.
57. Pursuant to KCC 17.61C.050 and 17.61C.060.
58. Limited to expansion of existing county owned and/or operated facilities. New facilities are prohibited. (Note: A scrivener's error in O-2018-021 lists this footnote as number 57)
59. The following standards shall apply to the approval and construction of mini warehouses in the Forest and Range zone:
    a. The site shall either be contiguous to a State Highway or contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement;
    b. Findings shall be made that the use does not require urban government services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands;
    c. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts;
    d. Measures shall be taken to protect ground and surface water;
    e. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
    f. All buildings with storage units facing property boundaries shall have a minimum setback of thirty-five (35) feet;
    g. No commercial or manufacturing activities will be permitted within any building or storage unit except for RV storage when authorized under KCC 17.15.060.2, Footnote 60;
    h. Lease documents shall spell out all conditions and restriction of the use;
    i. Signs, other than on-site direction aids, shall number not more than two (2) and shall not exceed forty (40) square feet each in area.
60. Recreational vehicle/equipment service and repair is permitted by conditional use permit in the Forest and Range zoning district. The site shall either be:
    a. Contiguous to a State Highway, or
    b. Contiguous to a designated urban arterial or rural collector road located near a highway intersection or freeway interchange.
    c. It is not necessary for the site to have direct access to such arterial, collector or highway to meet this requirement.

    Vehicles under repair shall either be kept inside buildings or visually screened from surrounding areas. No on-street vehicle parking shall be allowed associated with the use. All vehicles, including recreational vehicles and customer and employee automobiles shall be stored or parked on-site at all times. Maintenance and repair activities shall not take place in RV storage enclosures or spaces, except limited maintenance and minor repairs may be performed on RV's that are already being stored at the site in order to avoid having to move them, when such maintenance and repair activities can be

completed in two hours or less and c .n the enclosures or spaces in which the RV's are already k , kept. This use shall be designed to be compatible with the surrounding rural character, subject to the following standards:

a. Findings shall be made that the use does not require urban governmental services such as municipal sewer or water service and does not compromise the long-term viability of designated resource lands.
b. Additional setbacks, physical barriers or site-screening may be required on sites that border resource lands in the Commercial Agriculture or Commercial Forest zoning districts.
c. Measures shall be taken to protect ground and surface water.

61. Nurseries limited to the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting. Sale of bulk landscape materials such as rock, bark, mulch and topsoil shall not be permitted in this zone. Pre-packaged landscape materials are excluded from this restriction.
62. Agricultural direct marketing activities shall comply with all of the following standards:
    a. The subject property shall be actively farmed by the property owner.
    b. Retail structures shall not total more than three thousand (3,000) square feet.
    c. The parcel, or adjacent parcel, shall include the residence of the owner or operator of the farm.
    d. Carnival rides, helicopter rides, inflatable features and other typical amusement park games, facilities and structures are not permitted.
    e. The use shall be operated in accordance with all applicable federal, state, and local ordinances.
    f. New structures or existing structures converted for public use shall meet current building and fire codes.
    g. Adequate sanitary facilities shall be provided in accordance with Kittitas County Public Health Department requirements.
    h. Adequate ingress/egress shall be provided to and from the site in accordance with Kittitas County Public Works requirements.
    i. Sufficient land area is provided to accommodate the proposed use and related parking, and the use and any appurtenant structures shall be so arranged on the land as to minimize any adverse effects on surrounding properties. The use shall not create particular hazards to adjacent properties.
63. Agricultural seasonal harvest festivities shall comply with all of the following standards:
    a. The site shall conform to the requirements for "agricultural direct marketing activities" except as provide for herein.
    b. Hours of operation shall occur between 8:00 a.m. and 6:00 p.m.
    c. Seasonal harvest festivities are prohibited on vacant property, unless the vacant land adjoins property occupied by the owner/operator of the festivities.
    d. Seasonal harvest festivities shall be limited to Friday, Saturday, Sunday, and Monday, from the second weekend of June through the December 31.
    e. Inflatable amusement devices, such as moonwalks, slides, or other inflatable games for children, shall be limited to a maximum of five (5) per seasonal harvest festivities event.

(Ord. 2021-015, 2021; Ord. 2019-013, 2019; Ord. 2018-021, 2018; Ord. 2018-018, 2018; Ord. 2018-001, 2018; Ord. 2016-023, 2016; Ord. 2015-010, 2015; Ord. 2014-015, 2014; Ord. 2014-005, 2014; Ord. 2014-004, 2014; Ord. 2013-012, 2013; Ord. 2013-008, 2013; Ord. 2013-001, 2013)

17.15.070 Allowed Uses in Rural LAMIRD Lands

Note to Reader: All allowed uses within Type 3 LAMIRDs, other than manufacturing, outdoor recreation, and natural resource processing will be limited to 30,000 square feet in area, and that impervious surfaces on lots greater than one acre in size are limited to one third (1/3) of the lot.

17.15.070.1 Rural LAMIRD Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use **See KCC Chapter 17.08 Definitions*	Rural LAMIRD[49] (Type 1 LAMIRDs)										Rural Employment Centers[50,52] (Type 3 LAMIRDs)			
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industr
A. Agriculture														
Animal boarding*	CU[1]	P	P	P	P				P			P		
Agriculture processing*				P[2]	P/CU[4]		P/CU[4]	P/CU[4]	CU		P/CU[4]	P/CU[4]	P/CU[4]	P/CU
Agriculture production*	CU[1]		P	P[5]			P[4]	P[4]	P[5]					P[4]
Agriculture sales,* Farm stand*				P[7]/AC	P	P					P	P	P	
Agriculture sales				CU										
Feedlot*														
Grazing*			P	P	P	P	P	P	P		P	P	P	P
Marijuana Processing*							ACU[56]	ACU[56]						

Ex. 17

Rezone

Question 11.F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

The proposed rezone of the property will enhance the properties in the immediate vicinity of the subject property. Under the land use and zoning of F&R-20 that allows for certain uses that are agricultural driven that does not fit this land, and more importantly this current zone allows for a very high intense use of Mining and Rock Crushing. This type of use is not conducive to the recreational vitality in the area, or for that matter conducive to the natural environment in the immediate vicinity. By rezoning this property, will not be materially detrimental to the use of the properties in the immediate vicinity of the subject property and would be more protective to the properties in the immediate vicinity help further grow the recreational aspect of the area.

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Kittitas County CDS

Ex. 18

Rezone

Question 11.G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

There are no irrigation water on the subject property nor any irrigation conveyance ditches that run through the property.

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Ex. 19

Rezone

Question 11.H. The proposed amendment is in full compliance with Chapter KCC 17.13 Transfer of Development Rights.

According to KCC 17.13 Transfer of Development Rights, specifically 17.14.080 2. the transfer of development rights is not a precondition for any amendment to the Comprehensive Plan, Zoning Map, or proposed development to be approved.

There are no Transfer of Development Rights needed at this time for this proposal.

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Ex. 20

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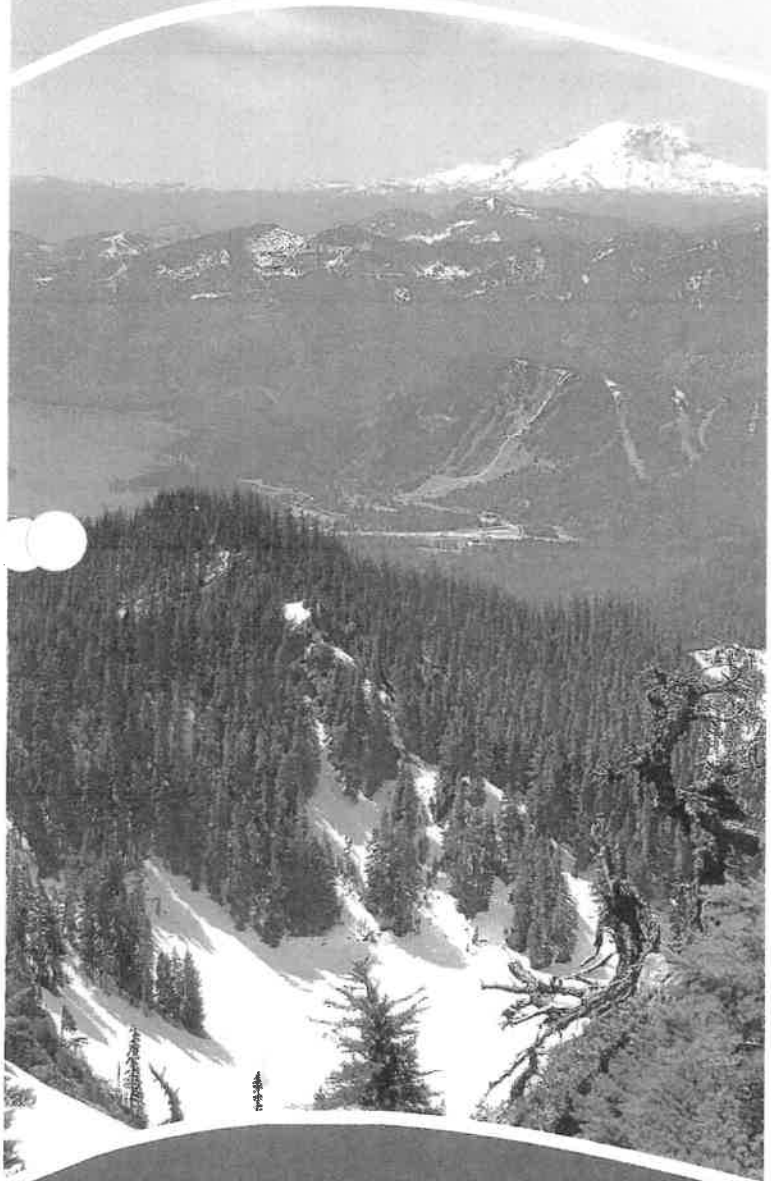
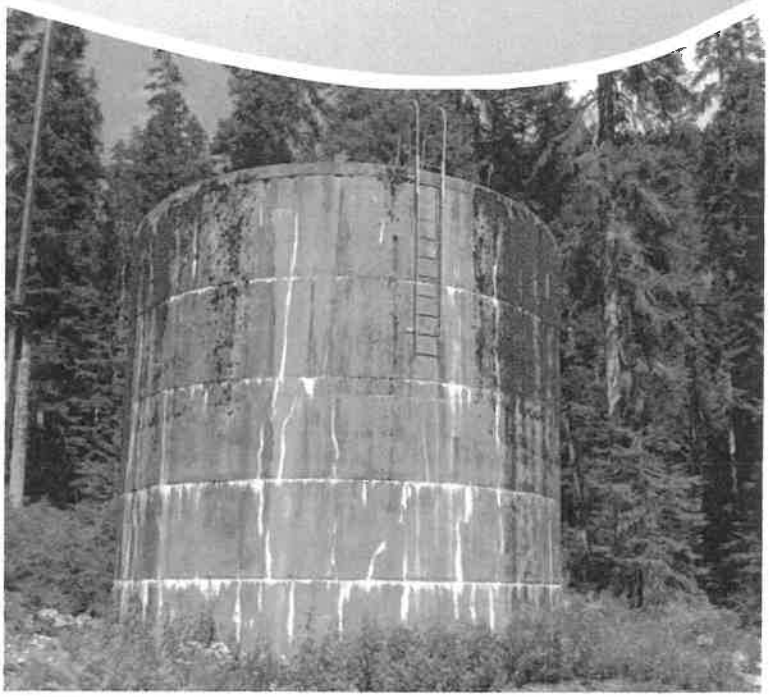
Snoqualmie Pass Utility District

WATER SYSTEM PLAN





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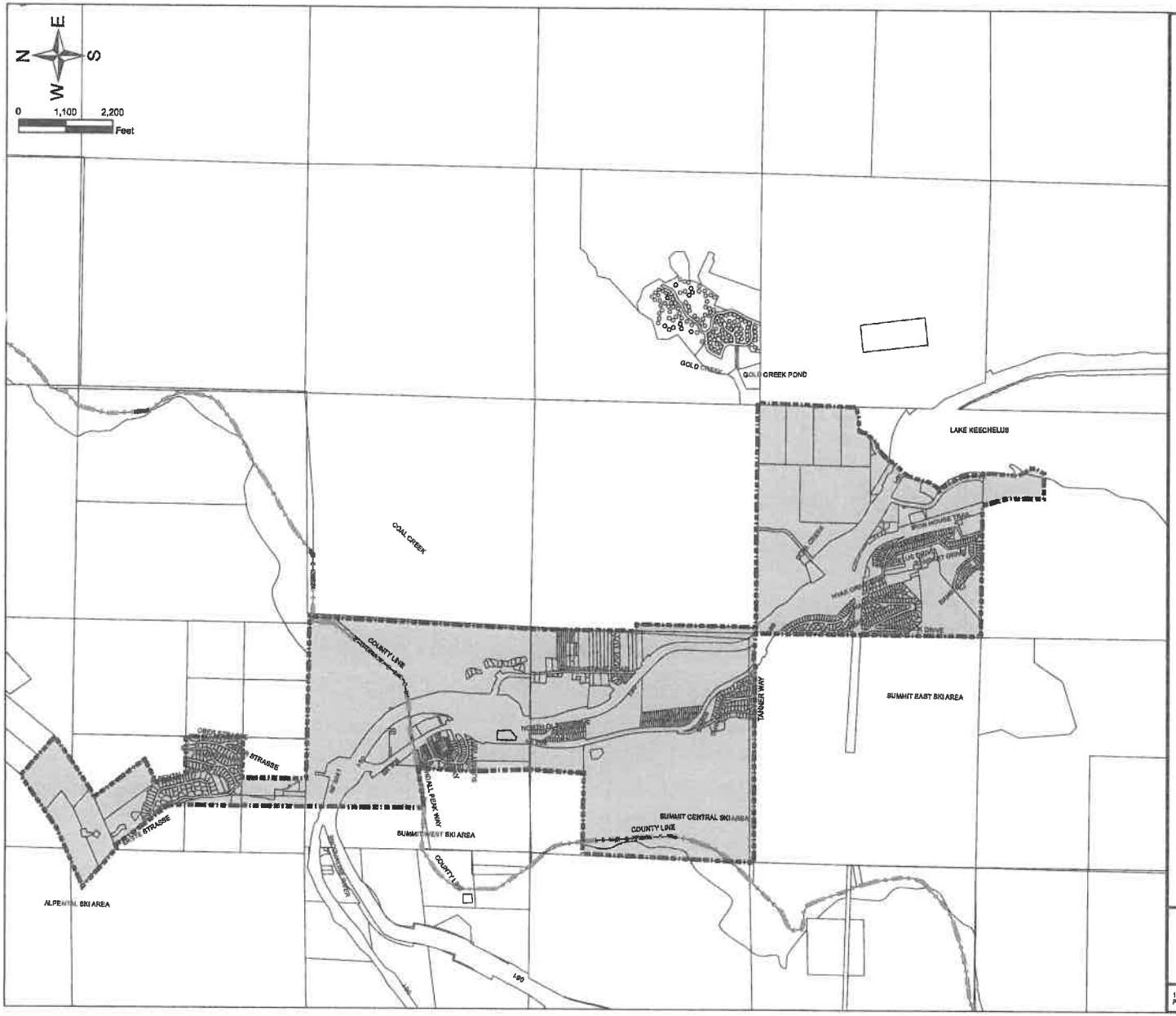
DRAFT

PROJECT NO. 19162E



SNOQUALMIE PASS UTILITY DISTRICT

Water System Plan Update

SERVICE AREA

Legend

- District Service Area
- County Line
- Water Rights Place of Use

Snoqualmie Pass Utility District

HLA Engineering and Land Surveying, Inc.

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FIGURE 1-2

2.4.1 Future ERUs and ADD

The projected number of water system services, ERUs, and ADD, are calculated from the water services by user category as shown in Table 2-5, and the average 2017 through 2019 demand per service for each user category, provided in Table 2-12.

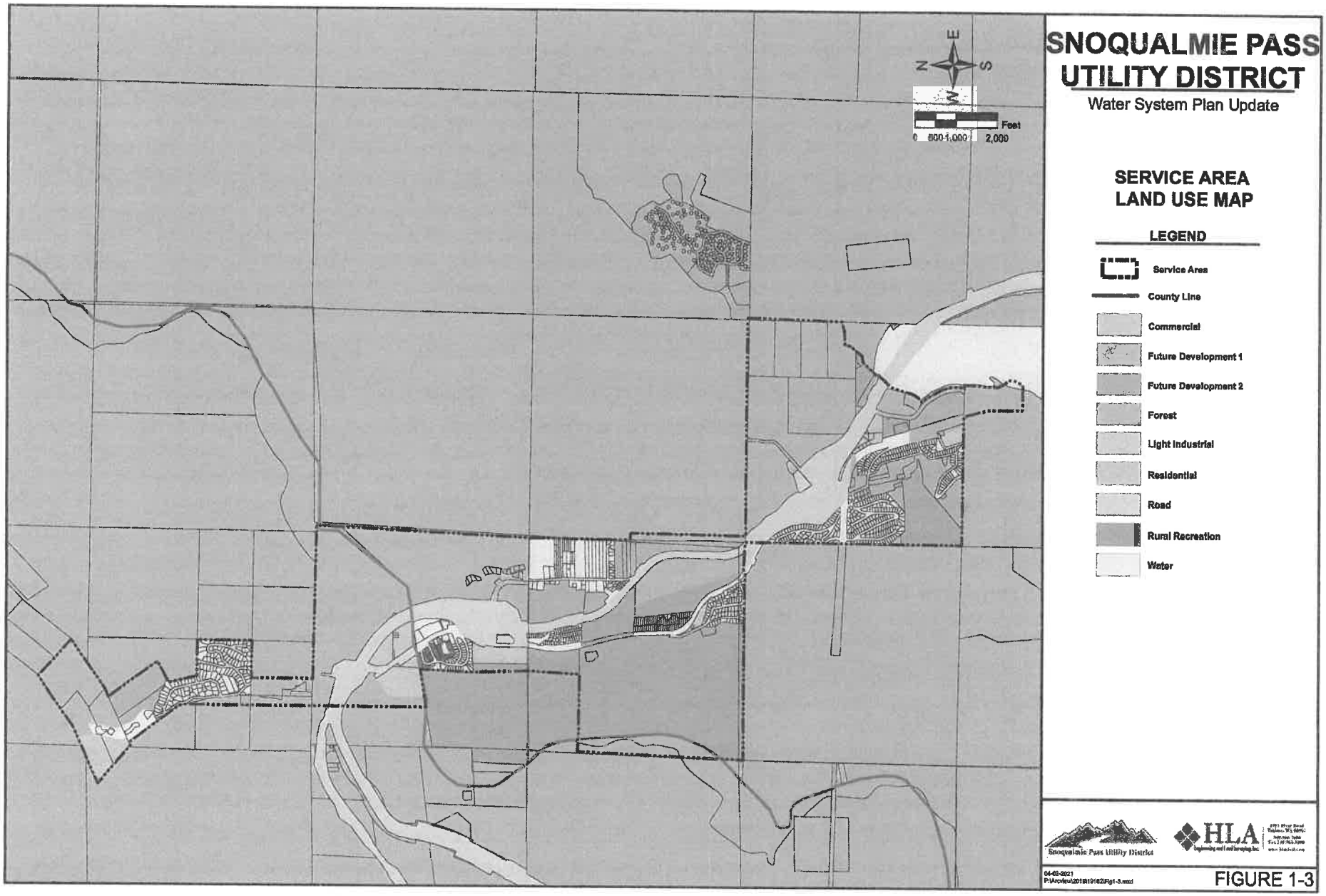
The calculated future number of services, ERUs, and projected ADD for years 2027, 2032, and 2042 are presented in Table 2-13, Table 2-14, and Table 2-15 respectively. These projections are based on the number of customers doubling in approximately 20 years which equates to a 3.5% annual increase. This is below percentages during recent years which showed an increase in residential connection of 6.3% over the last 3 years, and 4.8% over the last 5 years. The projections used in this plan use a 5% increase through 2027, followed by a 3.5% increase through 2032, and a 3% increase until 2042 at which time the full 20-year projection of available development will be nearly complete.

TABLE 2-13 YEAR 2027 ERU AND ADD

User Category	No. of Services	ERUs/Service	ADD/Service (gallons)	Total ERUs	Total ADD (gallons)
Single-Family Residential	810	1.00	54.9	810	44,469
MF Residential	13	13.42	736.4	174	9,573
Hotel/Motel (Recreational)	1	116.73	6,405.2	117	6,405
Commercial	48	15.77	865.3	757	41,534
Government	8	0.93	51.3	7	410
Ski Clubs	7	3.42	187.6	24	1,313
Snowmaking	2	60.32	3,309.9	121	6,620
Hydrants	5	35.22	1,932.5	176	9,662
Total Residential	823			984	54,042
Total Non-Residential	71			1,202	65,946
TOTAL	894			2,186	119,988
TOTAL without Snowmaking	892			2,066	113,368

TABLE 2-14 YEAR 2032 ERU AND ADD					
User Category	No. of Services	ERUs/Service	ADD/Service (gallons)	Total ERUs	Total ADD (gallons)
Single-Family Residential	960	1.00	54.9	960	52,704
MF Residential	15	13.42	736.4	201	11,046
Hotel/Motel (Recreational)	2	116.73	6,405.2	233	12,810
Commercial	57	15.77	865.3	899	49,322
Government	9	0.93	51.3	8	462
Ski Clubs	8	3.42	187.6	27	1,501
Snowmaking	2	60.32	3,309.9	121	6,620
Hydrants	6	35.22	1,932.5	211	11,595
Total Residential	975			1,161	63,750
Total Non-Residential	84			1,500	82,310
Subtotal	1,059			2,661	146,060
10% Contingency	106			266	14,606
TOTAL	1,165			2,927	160,666
TOTAL without Snowmaking	1,163			2,806	154,046

TABLE 2-15 YEAR 2042 ERU AND ADD					
User Category	No. of Services	ERUs/Service	ADD/Service (gallons)	Total ERUs	Total ADD (gallons)
Single-Family Residential	1,305	1.00	54.9	1,305	71,645
MF Residential	20	13.42	736.4	268	14,728
Hotel/Motel (Recreational)	2	116.73	6,405.2	233	12,810
Commercial	78	15.77	865.3	1,230	67,493
Government	12	0.93	51.3	11	616
Ski Clubs	11	3.42	187.6	38	2,064
Snowmaking	3	60.32	3,309.9	181	9,930
Hydrants	9	35.22	1,932.5	317	17,392
Total Residential	1,325			1,573	86,373
Total Non-Residential	115			2,011	110,304
Subtotal	1,440			3,584	196,677
10% Contingency	144			358	19,668
TOTAL	1,584			3,942	216,345
TOTAL without Snowmaking	1,581			3,761	206,415



SNOQUALMIE PASS UTILITY DISTRICT

Water System Plan Update

SERVICE AREA LAND USE MAP

LEGEND

- Service Area
- County Line
- Commercial
- Future Development 1
- Future Development 2
- Forest
- Light Industrial
- Residential
- Road
- Rural Recreation
- Water

Snoqualmie Pass Utility District

HLA Engineering and Land Surveying, Inc.

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FIGURE 1-3

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

July 29, 2022

Mardee Lake Inc.
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

sent via email

RE: Mardee Lake Rezone (CP-22-00005 / RZ-22-00005) - Deemed Complete

Parcel# 808335 Parcel# 818335 Parcel# 828335 Parcel# 838335

Dear Applicant,

Kittitas County Community Development Services received a Rezone/Comprehensive Plan Amendment application on June 30, 2022. The application has been determined **complete** as of July 29, 2022.

Continued processing of your application will include, but is not limited to, the following actions:

1. Posting of the property by the applicant is required prior to a notice of application. CDS will provide instructions on adequate posting. Signage may be obtained at the Community Development Services offices during regular business hours. The signage is available for pickup as of today, July 29, 2022.
2. A Notice of Application will be sent to all appropriate governmental agencies. Agencies will have 30 days to comment unless additional information is required.
3. Any comments received from any agencies will be considered in the decision making process.
4. The application will go to the Board of County Commissioners as part of the annual docket for a decision.

If you have any questions regarding this matter, I can be reached by phone at 509-962-7539 or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Sincerely,

Kelly Bacon

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926

cc: *Terra Design Group- Chad Bala, Agent* *via email*
Jeremy Johnston, Planning Official *via email*

From: Kelly Bacon (CD)
To: llewington18@gmail.com; (bala.ce@gmail.com)
Cc: Jeremy Johnston
Subject: CP/RZ - 22-00005 Mardee Lake Rezone - Deemed Complete
Date: Friday, July 29, 2022 11:25:29 AM
Attachments: CP-22-00005 Mardee Lake Deemed Complete 7-29-22.pdf

---

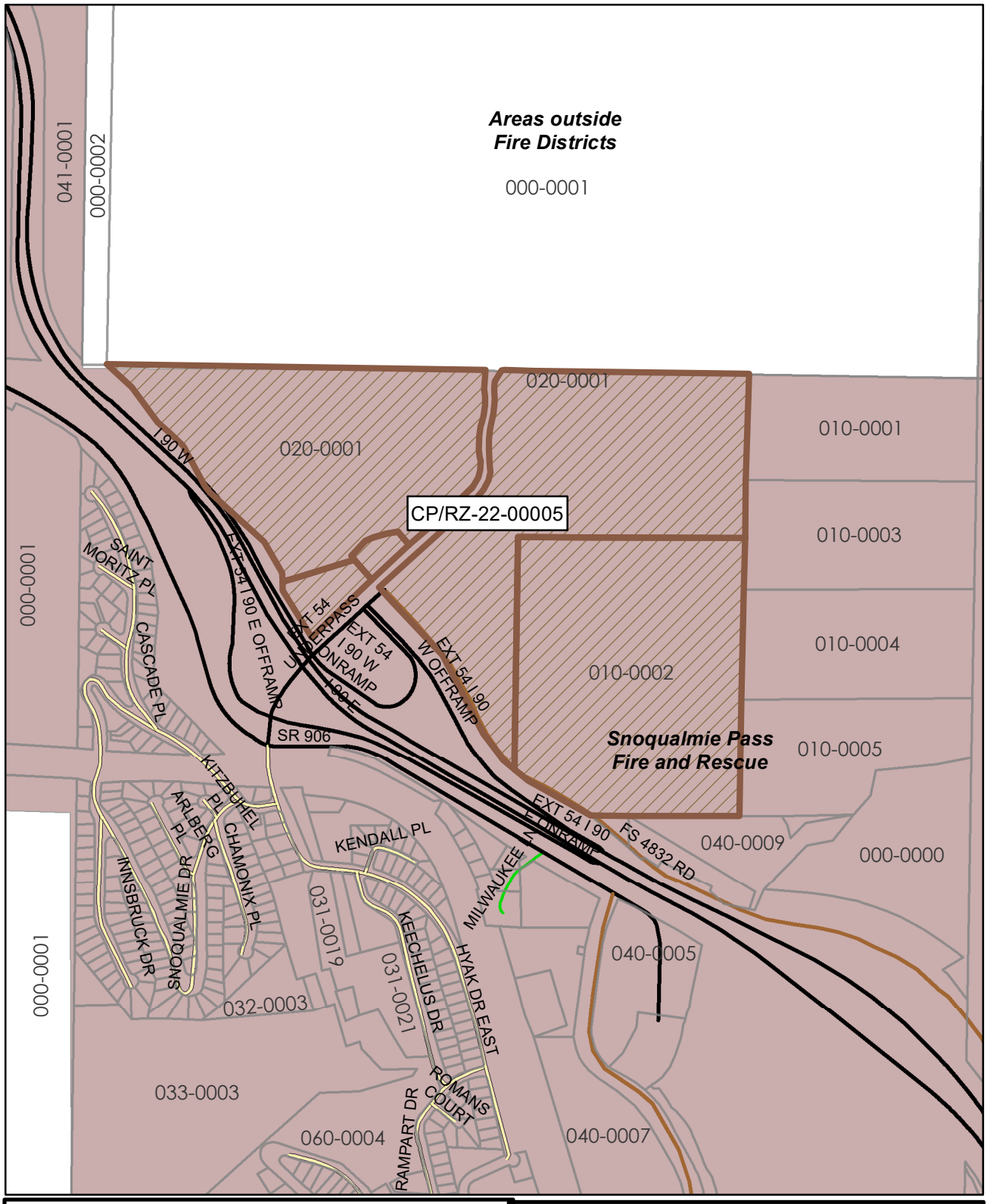
Good morning,

Attached please find correspondence in regard to the Mardee Lake Rezone application. Please contact me directly with any questions.

Thank you,

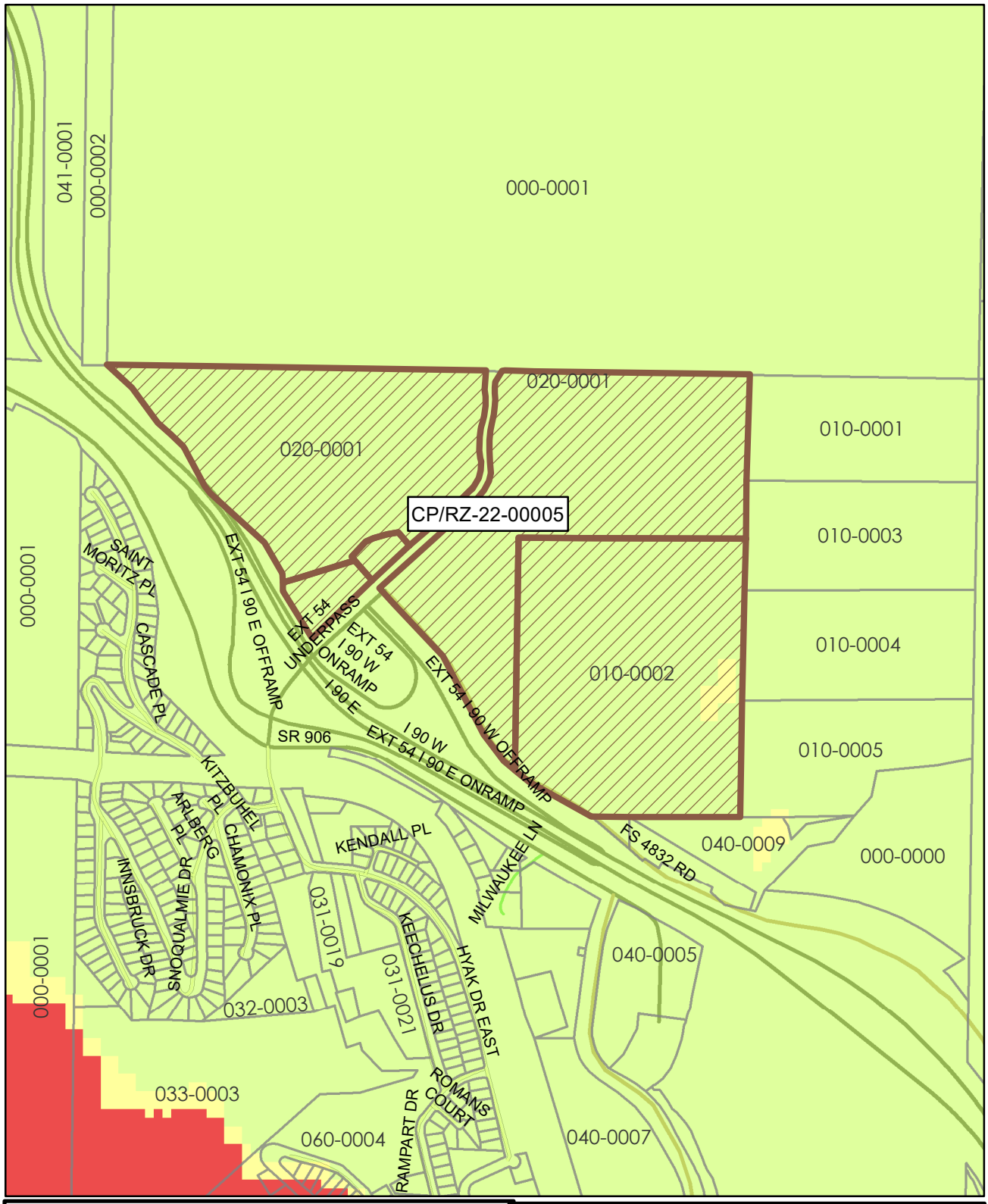
Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us



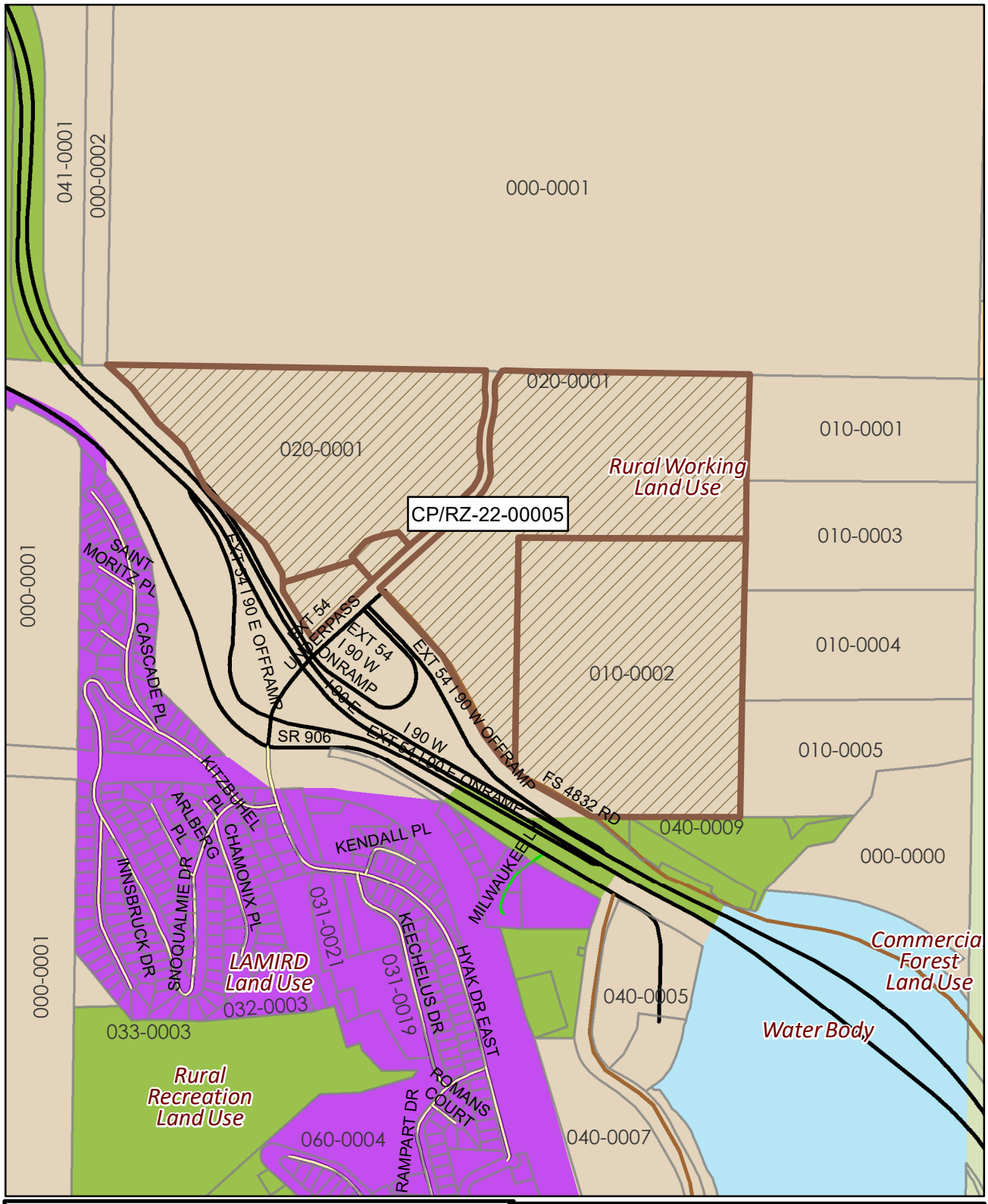
CP/RZ-22-00005
Mardee Lake

Fire District



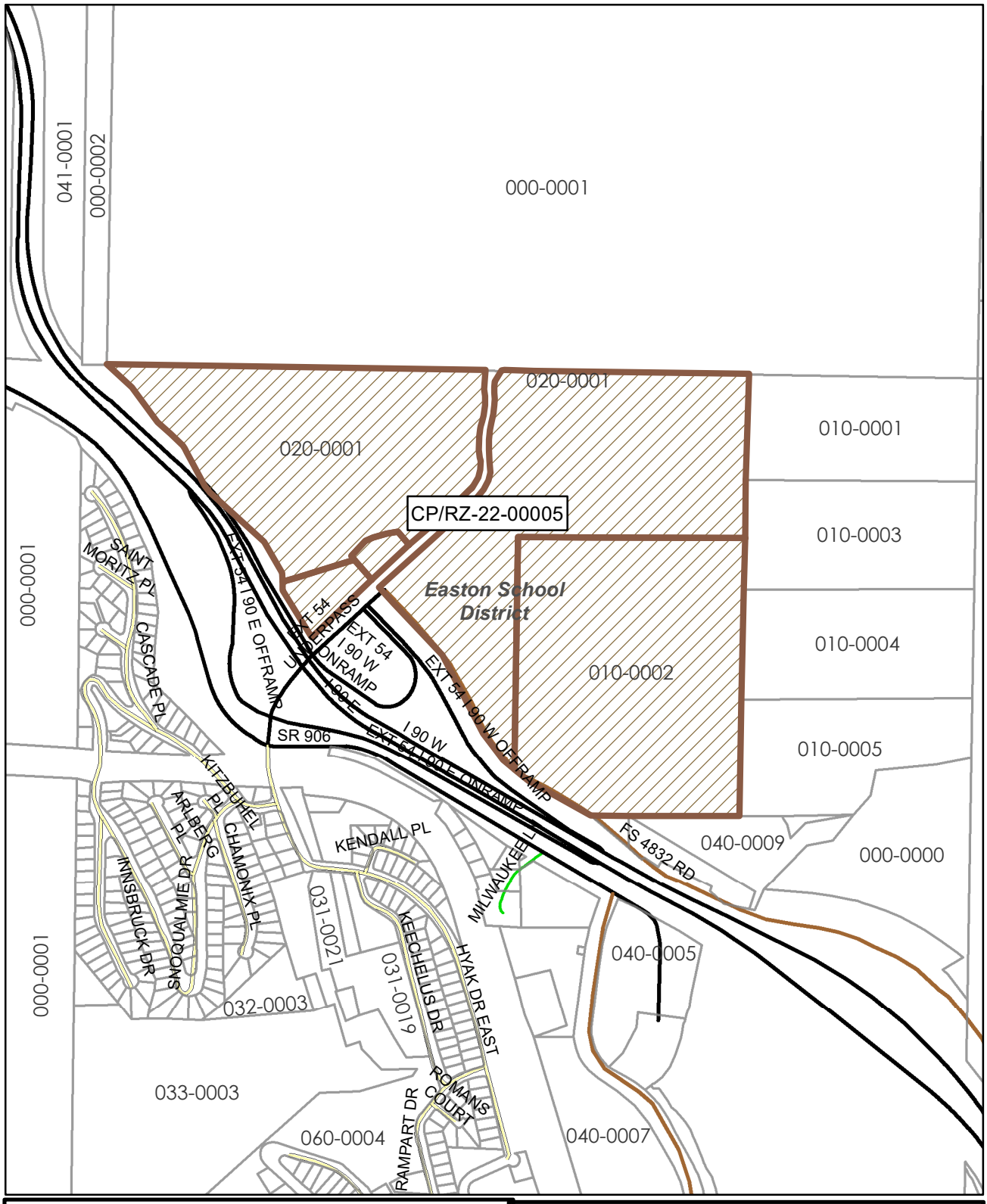
CP/RZ-22-00005
Mardee Lake

Hazardous Slopes



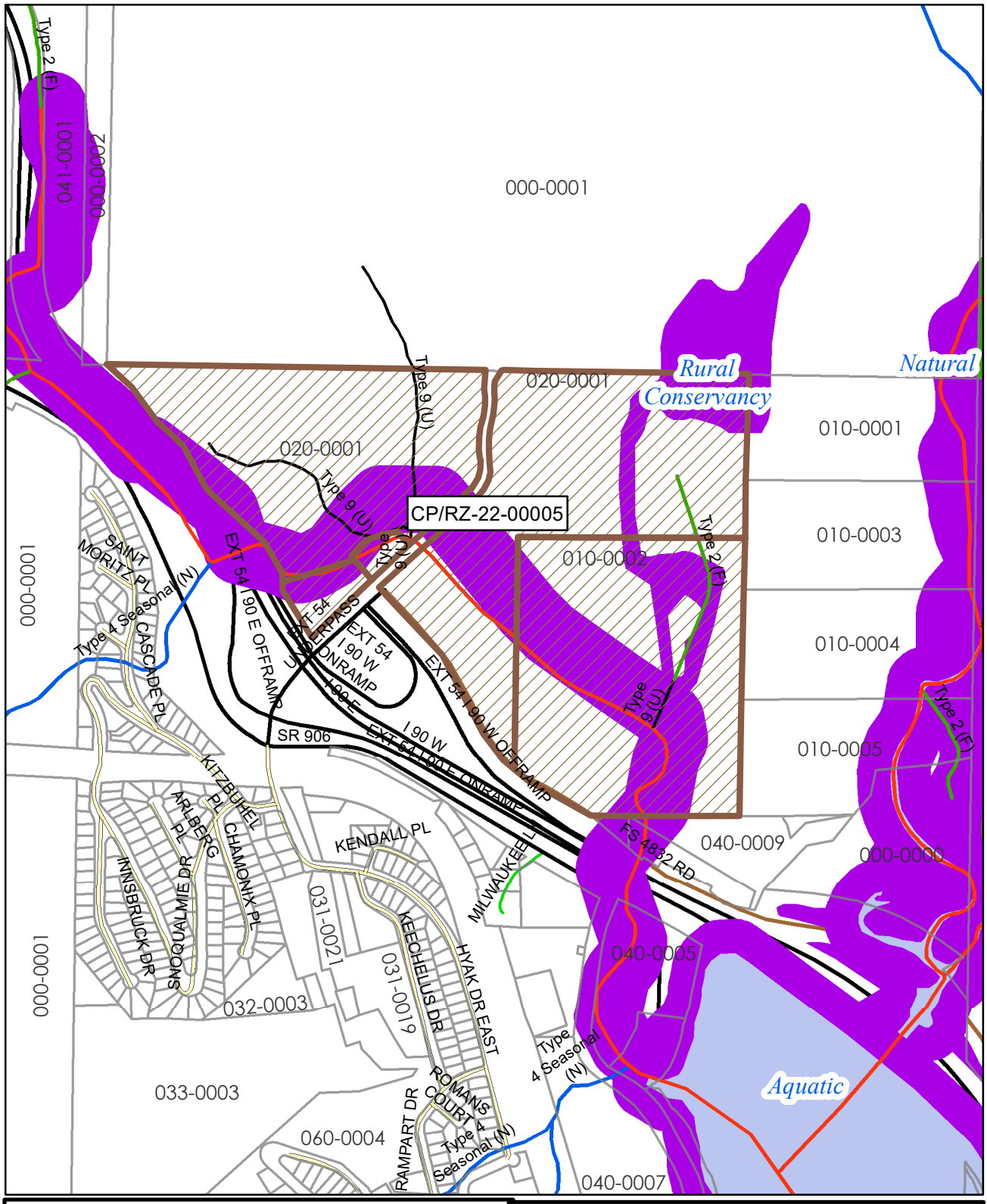
CP/RZ-22-00005
Mardee Lake

Land Use

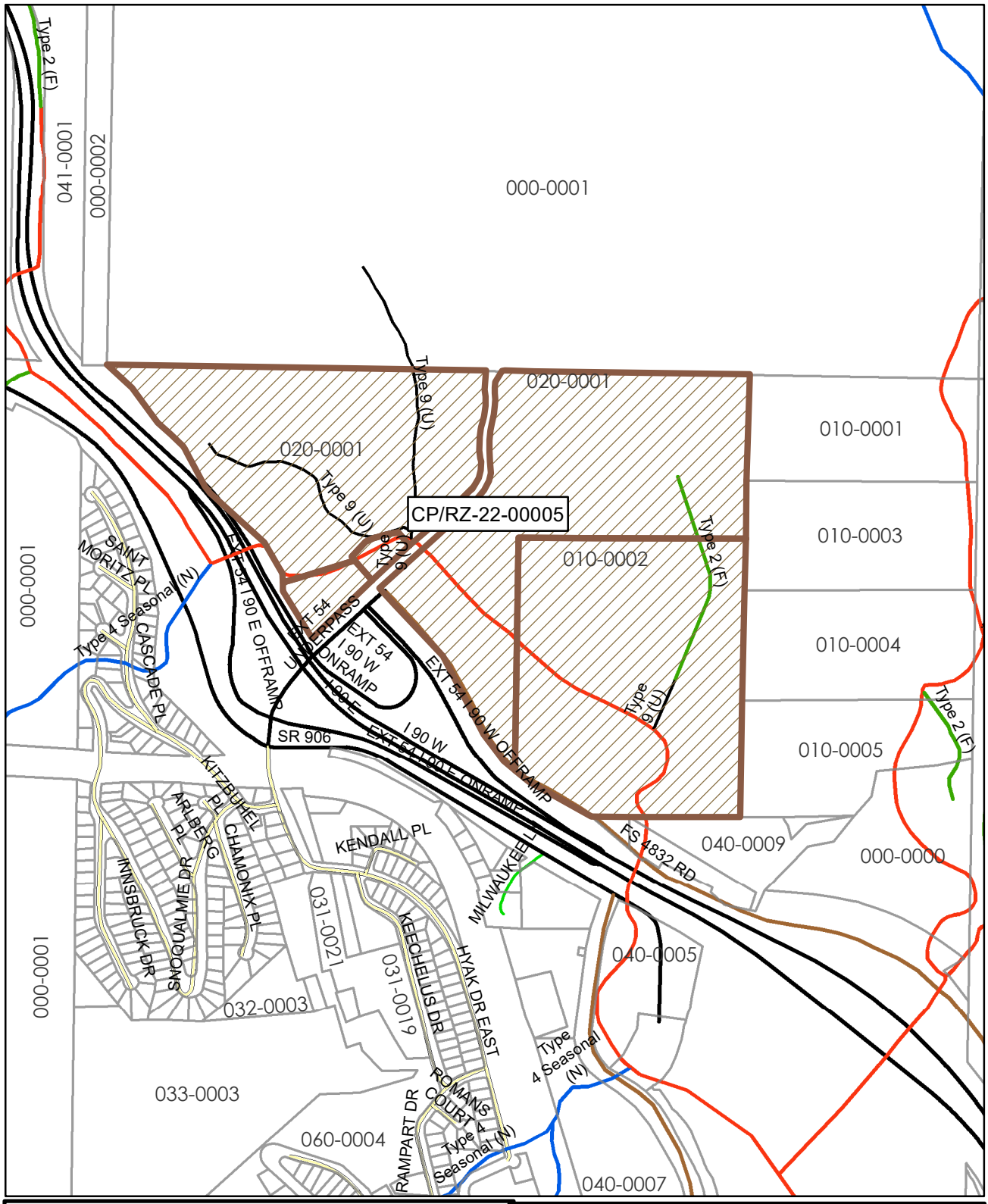


CP/RZ-22-00005
Mardee Lake

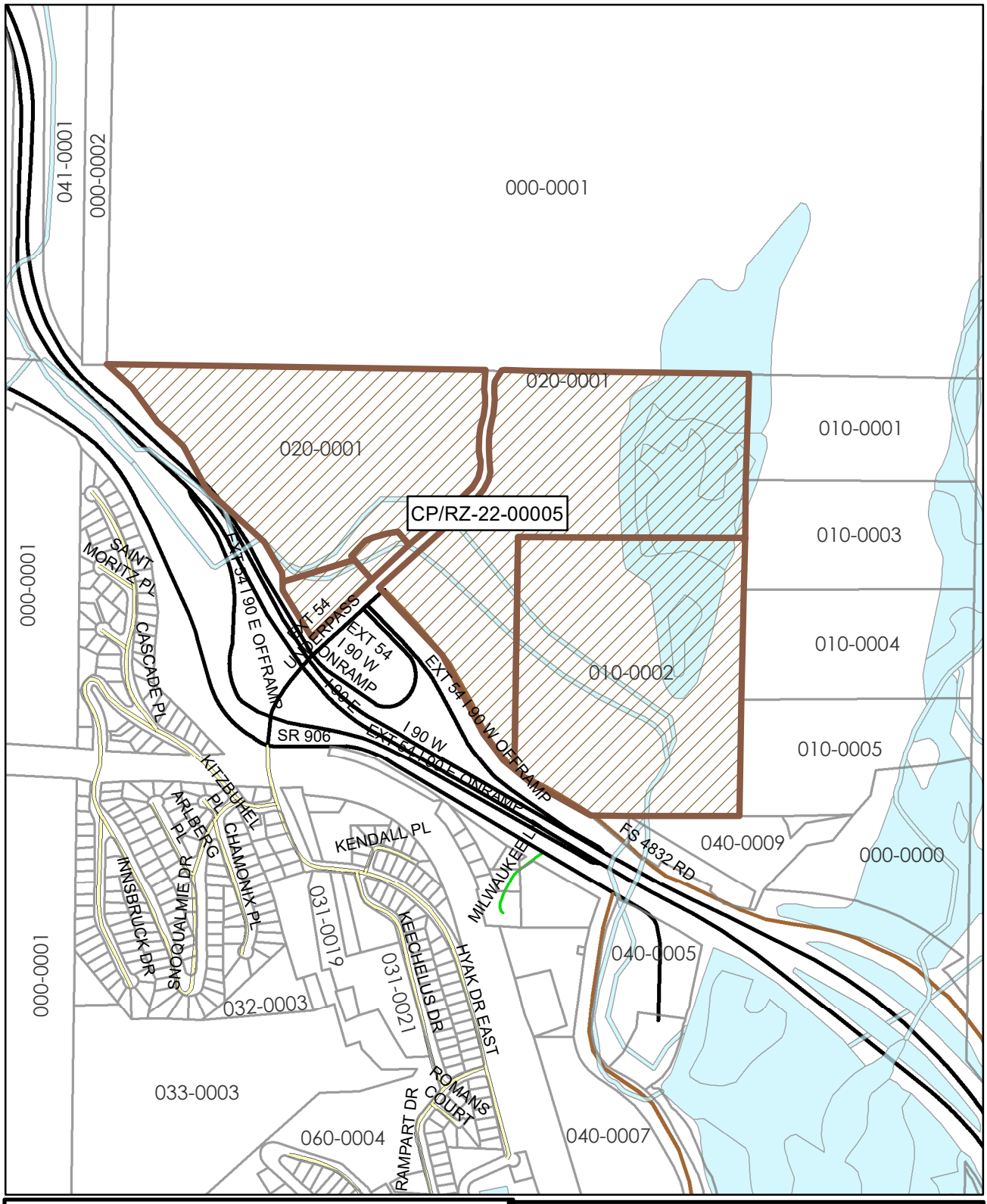
School District



CP/RZ-22-00005 Mardee Lake	Shoreline

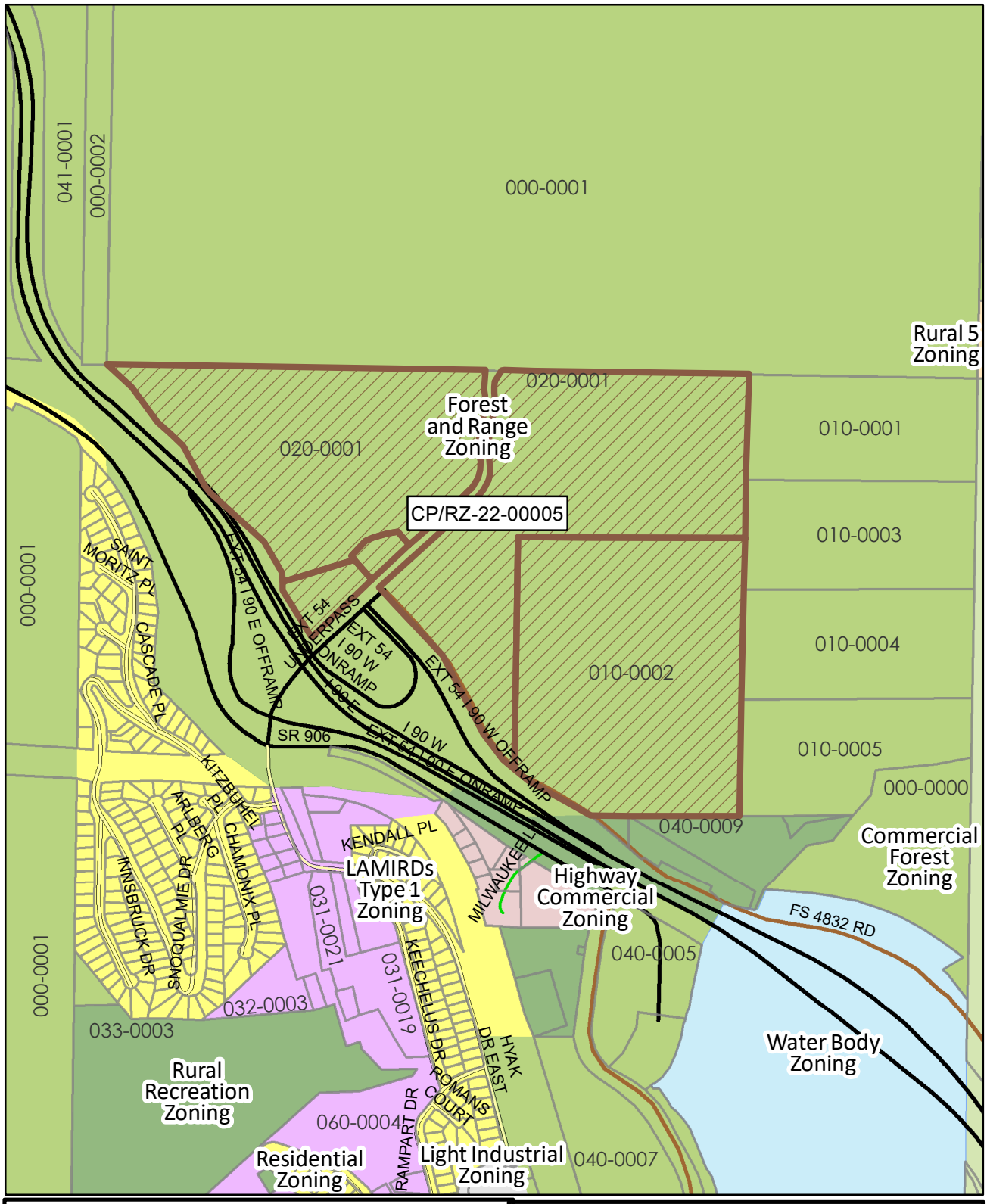


CP/RZ-22-00005 Mardee Lake	Streams



CP/RZ-22-00005
Mardee Lake

Wetlands



CP/RZ-22-00005
Mardee Lake

Zoning

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

AFFIDAVIT OF POSTING

Effective July 19, 2007, Kittitas County Code requires all project actions that are not processed administratively to have a notice posted at the site of the project. Per KCC 15A.03.110 the following applies:

1. The applicant shall post the subject property with signs as required by Community Development Services.
2. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
3. Signs shall be posted and on-site prior to the issuance of a Notice of Application.
4. The sign shall be posted in a sturdy manner to remain on-site until fifteen days after the expiration of the Notice of Decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
5. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
6. It shall be the responsibility of the applicant to place the structure on which the sign will be posted on site. At such time the structure and sign is in place, the applicant shall contact Community Development Services.

DATE: **June 29, 2022**	PLANNER: **Kelly Bacon**

PROJECT NAME: **Mardee Lake**	FILE NUMBER: **CP/RZ-22-00005**

PLEASE COMPLETE THE FOLLOWING:

I, Chad Bala, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Kittitas County Code. I understand that the required posting period begins immediately and ends 15 days after the ending of the appeal period on the Notice of Decision and the sign(s) will be posted at the site until this time. **Failure to post the site and return this form to Community Development Services in a timely manner will result in a delay of the application review for the project.**

Signature

8-1-22
Date

Please return the above certification to CDS; or email to Kelly.bacon.cd@co.kittitas.wa.us; or mail to: Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.

For Staff Use Only:
Received_____

From: Chad Bala
To: Kelly Bacon (CD)
Cc: llewington18@gmail.com; Jeremy Johnston
Subject: Re: CP/RZ - 22-00005 Mardee Lake Rezone - Deemed Complete
Date: Monday, August 1, 2022 5:00:59 PM
Attachments: LkMardee NotofAff_8-1-22.pdf

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Kelly,
When I picked up the signs last Friday I talked with Jeremy regarding the placement of the sign farthest west on the side of I-90 and how that isn't a good spot as it's not an easily accessible sign to read. The other two are close to your locations but I kept them close to the no trespassing signs as I don't know where right of way property stops and private property begins and we can't post on someone else land.

Thanks and let me know if you need anything else.

LAND USE ACTION

On Jul 29, 2022, at 11:38 AM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:

Great,

Just a heads up, I will be on vacation next week, August 1-5, 2022. If there are any questions that need immediate assistance in my absence please contact Jeremy Johnston. Otherwise, I look forward to working with you upon my return.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Chad Bala <bala.ce@gmail.com>
Sent: Friday, July 29, 2022 11:37 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Cc: llewington18@gmail.com; Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
Subject: Re: CP/RZ - 22-00005 Mardee Lake Rezone - Deemed Complete

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Thank you Kelly
I'll be by today or monday

Chad

> On Jul 29, 2022, at 11:25 AM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:
>
> Good morning,
>
> Attached please find correspondence in regard to the Mardee Lake Rezone application. Please contact me directly with any questions.
>
> Thank you,
>
> Kelly Bacon
> Planner I
> Kittitas County Community Development Services
> 411 N. Ruby Street, Ste 2
> Ellensburg, WA 98926
> Office: (509) 962-7539
> Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

<CP-22-00005 Mardee Lake Deemed Complete 7-29-22.pdf>

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: (RZ-22-00005 / CP-22-00005) Mardee Lake

NOTIFICATION OF: Notice of Application

NOTIFICATION MAIL DATE: August 11, 2022

I certify that the following documentation:

- Notice of Application for RZ-22-00005 / CP-22-00005 Mardee Lake Rezone Application and Comprehensive Plan Amendment

has been mailed and/or emailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Kelly Bacon

Signature

Kelly Bacon
Community Development Services Planner I
County of Kittitas
State of Washington

Subscribed and sworn to before me this 11th day of August, 2022

STEPHANIE MIFFLIN NOTARY PUBLIC 169937 COMMISSION EXPIRES 12-23-25 STATE OF WASHINGTON

Stephanie Mifflin
Notary Public for the State of Washington residing in Ellensburg.

My appointment expires: 12.23.25

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682
"Building Partnerships – Building Communities"

NOTICE OF APPLICATION

Notice of Application: Thursday, August 11, 2022
Application Received: Thursday, June 30, 2022
Application Complete: Friday, July 29, 2022

Project Name (File Number): Mardee Lake Rezone & Comprehensive Plan Amendment (RZ-22-00005 & CP-22-00005)
Applicant: Property owner – Mardee Lake Inc., Linda Lewington

Location: Tax parcels 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

Proposal: Mardee Lake Inc. is proposing to rezone four tax parcels totaling 150.98 acres currently zoned Forest and Range with a Rural Working Land Use to Rural Recreation Zoning and Land Use. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

Materials Available for Review: The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx "Rezones", then "RZ-22-00005 Mardee Lake."

Written Comments on this proposal can be submitted to CDS any time prior to 5:00 p.m. on September 12, 2022. All comments will be considered in the decision making process, and any person has the right to comment on this application and receive notification of the final decision, once made. Appeals of the rezone and comprehensive plan amendment decision must be filed within 60 days of the publication of the final decision (action) with the Eastern Washington Growth Management Hearings Board.

Environmental Review (SEPA): The County will issue a threshold determination on the environmental impacts of this application. A copy of the threshold determination, once made, can be obtained from the County.

Public Hearing: This project is being reviewed through the 2022 Annual Comprehensive Plan Docket Process. Therefore, an open record hearing will be scheduled to be held before the Kittitas County Planning Commission at a date to be determined. Public Hearing Notices for the 2022 Annual Comprehensive Plan Docket Process will be issued establishing the date, time and location of these hearings.

Additionally, an open record hearing is scheduled to be held before the Board of County Commissioners. This hearing will be held on **November 29, 2022 at 6 PM** in The Commissioner's Auditorium. You can attend the hearing in the following ways:

1. In person in the Commissioner's Auditorium at 205 W 5th Avenue Room 109 Ellensburg, WA 98926
2. By online WebEx video conferencing meeting link:

   https://kittitascounty.webex.com/kittitascounty/j.php?MTID=e2bf884bf4433f42c60429dd1066aedb2

3. By https://kittitascounty.webex.com or the Cisco WebEx App on your phone or electronic device:

   Meeting Number: 2493 277 4352 **Meeting Password:** SPzBMxVt886

4. By telephone: 1-408-418-9388

   Access Code/Meeting Number: 2493 277 4352

Designated Permit Coordinator (staff contact): Kelly Bacon, Contract Planner: (509) 962-7539; email at kelly.bacon.cd@co.kittitas.wa.us

Notice of Application: Thursday, August 11, 2022
Application Received: Thursday, June 30, 2022
Application Complete: Friday, July 29, 2022

Publish Daily Record: Thursday, August 11, 2022 & August 18, 2022
Publish NKC Tribune: Thursday, August 11, 2022 & August 18, 2022

Kelly Bacon (CD)

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Tuesday, August 9, 2022 9:59 AM
To: Kelly Bacon (CD)
Subject: Ad: 269847 / Re: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake
Attachments: JOHNSTON-18-269847-1.pdf

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Good morning Kelly,

Please see attached for your legal proof scheduled to run on August 11 and 18.

Please reply back with a final approval or any needed changes by our 10:30am deadline on August 10.

Thank you and have a wonderful Tuesday!

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Tuesday, August 9, 2022 9:08 AM
To: KVNews Legals <legals@kvnews.com>; Megan Breckenridge <mbreckenridge@kvnews.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>
Subject: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake

CAUTION, this email originated from outside the organization.

Good morning,

Please publish the attached as requested.

Thank you and happy Tuesday!

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926

Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

ADVERTISING PROOF

401 N Main St,
Ellensburg,WA 98926
Ph. (509) 204-8250 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
08/09/22	50096

JEREMY JOHNSTON
KC COMMUNITY DEVELOPMENT SERVICES
411 N. RUBY ST, SUITE 2
ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
269847	NOTICE OF APPLICATIO	08/11/22	08/18/22	4	$483.52

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$483.52**
Paid Amount:**$0.00**

Amount Due:**$483.52**

We Appreciate Your Business!

269847

AD# 269847AD#

NOTICE OF APPLICATION

Project Name (File Number): Mardee Lake Rezone & Comprehensive Plan Amendment (RZ-22-00005 & CP-22-00005)

Applicant: Property owner – Mardee Lake Inc., Linda Lewington

Location: Tax parcels 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

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3. By https://kittitascounty.webex.com or the Cisco WebEx App on your phone or electronic device:
Meeting Number: 2493 277 4352
Meeting Password: SPzBMxVt886

4. By telephone: 1-408-418-9388
Access Code/Meeting Number: 2493 277 4352

Designated Permit Coordinator (staff contact): Kelly Bacon, Contract Planner: (509) 962-7539; email at kelly.bacon.cd@co.kittitas.wa.us

Notice of Application: Thursday, August 11, 2022
Application Received: Thursday, June 30, 2022
Application Complete: Friday, July 29, 2022

PUBLISH: NKC Tribune: August 11 & 18, 2022

PUBLISH: Daily Record: August 11 & 18, 2022 / LEGAL #: 269847

Kelly Bacon (CD)

From: Kelly Bacon (CD)
Sent: Tuesday, August 9, 2022 10:19 AM
To: Megan Breckenridge
Subject: RE: 269847 / Re: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake

Megan,

The proof looks great. Thank you!

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Tuesday, August 9, 2022 9:59 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Ad: 269847 / Re: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake

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Please reply back with a final approval or any needed changes by our 10:30am deadline on August 10.

Thank you and have a wonderful Tuesday!

Megan Breckenridge

Advertising Assistant

Ellensburg Daily Record

Office: (509) 925-1414, ext. 570253

Direct Dial: (509) 204-8250

mbreckenridge@kvnews.com / legals@kvnews.com

[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Tuesday, August 9, 2022 9:08 AM
To: KVNews Legals <legals@kvnews.com>; Megan Breckenridge <mbreckenridge@kvnews.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>
Subject: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake

CAUTION, this email originated from outside the organization.

Good morning,

Please publish the attached as requested.

Thank you and happy Tuesday!

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

Kelly Bacon (CD)

From: Terry Hamberg <tribune@nkctribune.com>
Sent: Tuesday, August 9, 2022 7:36 PM
To: Kelly Bacon (CD)
Subject: Re: (Publishing) Notice of Application - RZ/CP 22-00005 Mardee Lake

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CONFIRMATION RECEIPT:

Thank you for sharing your Notice with Upper Kittitas County citizens. We have received your email and your notice will be published as requested.

Sincerely,
Jana Stoner, Publisher

Northern Kittitas County Tribune
P.O. Box 308
Cle Elum, WA 98922
(509) 674-2511
fax: (509) 674-5571
tribune@nkctribune.com

On Aug 9, 2022, at 9:08 AM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:

Good morning,

Please publish the attached as requested.

Thank you and happy Tuesday!

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926

Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

<RZ-22-00005 Mardee Lake NOA Legal.docx><RZ-22-00005 Mardee Lake NOA Legal.pdf>

Kittitas County Fire Marshal

Kittitas County Sheriff's Dept.
kim.dawson@co.kittitas.wa.us

KittCom
long@kittcom.org

Kittitas County Board of County Commissioners
julie.kjorsvik@co.kittitas.wa.us

Kittitas County Code Enforcement
toni.berkshire@co.kittitas.wa.us

Kittitas County Environmental Health
jesse.cox@co.kittitas.wa.us
holly.erdman@co.kittitas.wa.us

Kittitas County Solid Waste Programs
lisa.lawrence@co.kittitas.wa.us
patti.stacey@co.kittitas.wa.us

Kittitas County Public Works
kelee.hodges.pw@co.kittitas.wa.us

Airport Manager Assistant
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(Only use Register for Non-SEPA Applications/Use PORTAL for SEPA Required Projects)
tebu461@ecy.wa.gov
lowh461@ECY.WA.GOV
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SEATTLE, WA 98146

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SNOQUALMIE PASS, WA 98068

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CLE ELUM, WA 98922-9094

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DES MOINES, WA 98198-8947

DRISKELL, STEPHANIE S
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MCCALL, ID 83638-1885

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VASHON, WA 98070-0431

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SEATTLE, WA 98154-1192

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SNOQUALMIE PASS, WA 98068-1218

SKI LIFTS INC
PO BOX 1068
SNOQUALMIE PASS, WA 98068-1068

GOTO, DANIELLE M & DAVID R
2515 PIEDMONT PL W
SEATTLE, WA 98199

Kelly Bacon (CD)

From: Kelly Bacon (CD)
Sent: Thursday, August 11, 2022 8:50 AM
To: Kim Dawson; George Long; Julie Kjorsvik; Toni Berkshire; Jesse Cox; Holly Erdman; Lisa Lawrence; Patti Stacey; Kelee Hodges; Codi Fortier; Yakama Nation Enviroreview; Corrine Camuso; Jessica Lally; Noah Oliver; Casey Barney; Kozj; matj; barh; SEPA Register; tebu461@ecy.wa.gov; DOE - lowh; 'FormerOrchards@ecy.wa.gov'; 'wendy.neet@ecy.wa.gov'; WDFW - Scott Downes; WDFW - Jennifer Nelson; WDFW - Elizabeth Torrey; WS DAHP; James E Brooks Library - Jorgenja; James E Brooks Library - Nelmsk; Jeremy Larson; Steph Mifflin; WA State Department of Health - Russell; 'brietta.carter@doh.wa.gov'; Tom Hastings; 'rivers@dnr.wa.gov'; 'Early, Shane (DNR)'; 'sepacenter@dnr.wa.gov'; Andrews, Garren (DNR); 'MAUNEY, MARTY (DNR)'; Allison Kimball (brooksideconsulting@gmail.com); (tribune@nkctribune.com); 'terry@nkctribune.com'; Megan Breckenridge; 'legals@kvnews.com'; 'deborah.j.knaub@usace.army.mil'; 'Hendrix, Leah D'; 'mark.a.gradwohl.civ@mail.mil'; 'Kimberly.peacher@navy.mil'; 'robert.d.bright10.civ@army.mil'; Haley Mercer; Christy Garcia; Snoqualmie Tribe - Steve; Snoqualmie Tribe - dahp; 'adam@snoqualmietribe.us'; Guy Moura; Aren Orsen; Sam Rushing; matt.boast@kittitaspud.com; 'brian.ingalls@pse.com'; 'kdkistler@bpa.gov'; 'klarned@fs.fed.us'; 'jacob.prilucik@wsdot.wa.gov'; 'scplanning@wsdot.wa.gov'; plattst@wsdot.wa.gov; 'ken.graham@parks.wa.gov'; kombola@easton.wednet.edu; jensens@easton.wednet.edu; millerj@easton.wednet.edu; Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org); 'mengelhart@cleelum.gov'; 'kswanson@cleelum.gov'; 'mhayes@cleelum.gov'; yamick@cleelum.gov; 'planning@cleelum.gov'
Cc: Jeremy Johnston; Rachael Stevie (CD); Jeremiah Cromie; (bala.ce@gmail.com); llewington18@gmail.com
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application
Attachments: RZ-22-00005 Mardee Lake NOA.pdf

Good morning,

CDS is requesting comments on the following Rezone and Comprehensive Plan Amendment Applications: RZ/CP-22-00005 Mardee Lake. Links to the file materials can be found below. I have attached the Notice of Application to this e-mail. **The comment period will end on Monday September 12, 2022 at 5p (PDT). CDS will assume your agency does not wish to provide comment if not received by this date.**

Please let us know if you have issues accessing the materials.

Internal Link: RZ-22-00005 Mardee Lake

External Link: RZ-22-00005 Mardee Lake

If the links above do not work, please go to the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx and navigate to "Rezones" and then the Project File Number "RZ-22-00005 Mardee Lake".

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
Building Partnerships; Building Communities

SEPA
DETERMINATION OF NONSIGNIFICANCE

File: Mardee Lake Rezone and Comprehensive Plan Amendment
(RZ-22-00005 & CP-22-00005)

Description: Mardee Lake Inc., property owner, is proposing to rezone four tax parcels totaling 150.98 acres currently zoned Forest and Range with a Rural Working Land Use to Rural Recreation Zoning and Land Use. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

Proponent: Mardee Lake Inc.
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elum, WA 98922

Location: Tax parcels 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request, or can be viewed at the Kittitas County Community Development Services website at: http://www.co.kittitas.wa.us/cds/land-use/default.aspx under "Rezones" and project file number "RZ-22-00005 Mardee Lake".

This DNS is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days from the date of issuance. You may submit comments on this proposal to cds@co.kittitas.wa.us or the address below before 5:00 PM (PDT) on **September 22, 2022.** After the 14 days, the county will either retain, modify, or withdraw the decision pursuant to WAC 197-11-340(2). Appeal information will be provided with the final decision. For information on the comment process or other issues related to this proposal, please contact Kelly Bacon, Planner I, at 509-962-7539 or kelly.bacon.cd@co.kittitas.wa.us

Responsible Official: Dan Carlson

Title: Kittitas County Director of Community Development Services

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506

Date: September 8, 2022

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: (RZ-22-00005 / CP-22-00005) Mardee Lake

NOTIFICATION OF: Notice of SEPA Action

NOTIFICATION MAIL DATE: September 8, 2022

I certify that the following documentation:

- Notice of SEPA Action for RZ-22-00005 / CP-22-00005 Mardee Lake Rezone Application and Comprehensive Plan Amendment

has been mailed and/or emailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Kelly Bacon

Signature

Kelly Bacon
Community Development Services Planner I
County of Kittitas
State of Washington

Subscribed and sworn to before me this 8th day of September, 2022

STEPHANIE MIFFLIN NOTARY PUBLIC 169937 COMMISSION EXPIRES 12-23-25 STATE OF WASHINGTON

Stephanie Mifflin
Notary Public for the State of Washington residing in Ellensburg.

My appointment expires: 12.23.25

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
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CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

NOTICE OF SEPA ACTION

To: Applicable Agencies
Applicant

From: Kelly Bacon, Planner I

Date: September 8, 2022

Subject: **RZ-22-00005 & CP-22-00005 Mardee Lake – SEPA DNS**

NOTICE IS HEREBY given that pursuant to RCW 43.21C and WAC-197-340(2), Kittitas County Community Development Services did on September 8, 2022, make a Determination of Non-Significance (DNS) for the Mardee Lake Non-Project Specific Rezone & Comprehensive Plan Amendment. (RZ-22-00005 & CP-22-00005). This rezone and comprehensive plan proposal is to change four tax parcels totaling 150.98-acres currently zoned Forest and Range to Rural Recreation and Comprehensive Plan Map from Rural Working to Rural Recreation to match the surrounding properties to the south. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process. The location is tax parcel #'s 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. A copy of this threshold determination is available to the public upon request at Community Development Services: 411 N Ruby St. Suite 2 Ellensburg, WA 98926, or can be viewed on the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx under "Rezones", then "RZ-22-00005 Mardee Lake."

Written comments from the public regarding the threshold determination may be submitted to the Kittitas County Community Development Services at no later than **September 22, 2022 at 5:00pm (PDT)**, after which the lead agency will then: retain, modify, or withdraw the decision pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-340(2).

Direct questions regarding this proposal to:

Kelly Bacon
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7539
kelly.bacon.cd@co.kittitas.wa.us

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KittCom
long@kittcom.org

Kittitas County Board of County Commissioners
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Kittitas County Code Enforcement
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Forest Service
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SCPlanning@wsdot.wa.gov
PlattsT@wsdot.wa.gov

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Kittitas Valley Healthcare
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PO BOX 40032
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WENATCHEE, WA 98801

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CALGARY, AB T2V 1X5

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SEATTLE, WA 98146

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DECKER, SCOTT D
1521 TWIN LAKES RD
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PO BOX 431
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SKI LIFTS INC
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GOTO, DANIELLE M & DAVID R
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SEATTLE, WA 98199

Kelly Bacon (CD)

From: Jeremiah Cromie
Sent: Friday, September 2, 2022 10:49 AM
To: 'Megan Breckenridge'; 'legals@kvnews.com'; 'Jana Stoner'; 'terry@nkctribune.com'; NKC Tribune Advertising
Cc: Kelly Bacon (CD)
Subject: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)
Attachments: RZ-22-00005 Mardee Lake DNS Legal.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please publish the attached legal as follows in your papers:

Daily Record: September 8 and September 15
NKCT: September 8th

Let me know if there are any questions or issues.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

Kelly Bacon (CD)

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Friday, September 2, 2022 11:51 AM
To: Jeremiah Cromie
Cc: Kelly Bacon (CD)
Subject: Ad: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)
Attachments: JOHNSTON-86-279491-1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Email 7 of 7 (Final):

Hi Jeremiah,

Here is the seventh legal proof scheduled to run on September 8 and 15.

You should have all proofs now. Please let me know if you approve or would like any changes made by our 10:30am deadline on September 7.

Thank you so much again and have a nice weekend!

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, September 2, 2022 10:49 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>; KVNews Legals <legals@kvnews.com>; 'Jana Stoner' <jana@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; NKC Tribune Advertising <ads@nkctribune.com>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

CAUTION, this email originated from outside the organization.

Good morning,

Please publish the attached legal as follows in your papers:

Daily Record: September 8 and September 15
NKCT: September 8th

Let me know if there are any questions or issues.

Jeremiah Cromie
Planner II
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Community Development Services
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jeremiah.cromie@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

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411 N. RUBY ST, SUITE 2
ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
279491	Notice of SEPA Actio	09/08/22	09/15/22	4	$313.49

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount:	**$0.00**
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Credits:	**$0.00**

Gross:**$313.49**
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Amount Due:**$313.49**

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279491

AD# 279491AD#

Notice of SEPA Action
Mardee Lake Non-Project Rezone
& Comprehensive Plan Amendment
(RZ-22-00005 & CP-22-00005)

Notice is hereby given that pursuant to RCW 43.21C and WAC-197-340(2), Kittitas County Community Development Services did on September 8, 2022, make a Determination of Non-Significance (DNS) for the Mardee Lake Non-Project Specific Rezone & Comprehensive Plan Amendment. (RZ-22-00005 & CP-22-00005). This rezone and comprehensive plan proposal is to change four tax parcels totaling 150.98-acres currently zoned Forest and Range to Rural Recreation and Comprehensive Plan Map from Rural Working to Rural Recreation to match the surrounding properties to the south. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process. The location is tax parcel #'s 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. A copy of this threshold determination is available to the public upon request at Community Development Services: 411 N Ruby St. Suite 2 Ellensburg, WA 98926, or can be viewed on the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx under "Rezones", then "RZ-22-00005 Mardee Lake."

Written comments from the public regarding the threshold determination may be submitted to the Kittitas County Community Development Services at no later than **September 22, 2022 at 5:00pm (PDT)**, after which the lead agency will then: retain, modify, or withdraw the decision pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-340(2).

Designated Staff Contact: Kelly Bacon, Planner I: 509-962-7539, email at kelly.bacon.cd@co.kittitas.wa.us

Dated: September 8, 2022

PUBLISH: Northern Kittitas County Tribune: September 8, 2022

PUBLISH: Daily Record: September 8 & 15, 2022 / LEGAL #: 279491

Kelly Bacon (CD)

From: Jeremiah Cromie
Sent: Friday, September 2, 2022 3:17 PM
To: Kelly Bacon (CD)
Subject: FW: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jana Stoner <jana@nkctribune.com>
Sent: Friday, September 2, 2022 1:25 PM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: NKC Tribune Advertising <ads@nkctribune.com>
Subject: Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

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CONFIRMATION OF RECEIPT.

We will get this published.

Jana E. Stoner - Publisher / CEO
jana@nkctribune.com

(509) 674-2511 ext. 206
P.O. Box 308 | 807 W. Davis St., suite 101A
Cle Elum, WA 98922

– Northern Kittitas County Tribune
– U.K.C. Builders' Planning Guide
– EXPLORE! Central Cascades Visitor Guide

www.NKCTribune.com

> On Sep 2, 2022, at 10:49 AM, Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us> wrote:
>
> Good morning,
>
> Please publish the attached legal as follows in your papers:
>
> **Daily Record:** September 8 and September 15
> **NKCT:** September 8th

Let me know if there are any questions or issues.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

<RZ-22-00005 Mardee Lake DNS Legal.docx>

Kelly Bacon (CD)

From: Jeremiah Cromie
Sent: Friday, September 2, 2022 3:49 PM
To: 'Megan Breckenridge'
Cc: Kelly Bacon (CD)
Subject: RE: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

Follow Up Flag: Follow up
Flag Status: Flagged

Megan,

This one also looks fine and I give approval. Thanks for all your work on these.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Friday, September 2, 2022 11:51 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Ad: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

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Email 7 of 7 (Final):

Hi Jeremiah,

Here is the seventh legal proof scheduled to run on September 8 and 15.

You should have all proofs now. Please let me know if you approve or would like any changes made by our 10:30am deadline on September 7.

Thank you so much again and have a nice weekend!

Megan Breckenridge

Advertising Assistant

Ellensburg Daily Record

Office: (509) 925-1414, ext. 570253

Direct Dial: (509) 204-8250

mbreckenridge@kvnews.com / legals@kvnews.com

[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, September 2, 2022 10:49 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>; KVNews Legals <legals@kvnews.com>; 'Jana Stoner' <jana@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; NKC Tribune Advertising <ads@nkctribune.com>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

CAUTION, this email originated from outside the organization.

Good morning,

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Daily Record: September 8 and September 15
NKCT: September 8th

Let me know if there are any questions or issues.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

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Kelly Bacon (CD)

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Friday, September 2, 2022 3:52 PM
To: Jeremiah Cromie
Cc: Kelly Bacon (CD)
Subject: Re: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

Follow Up Flag: Follow up
Flag Status: Flagged

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7/7:

Thanks for all of your 7 approvals, Jeremiah! Have a nice weekend!

Megan Breckenridge
Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, September 2, 2022 3:49 PM
To: Megan Breckenridge <mbreckenridge@kvnews.com>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RE: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

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Megan,

This one also looks fine and I give approval. Thanks for all your work on these.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046

jeremiah.cromie@co.kittitas.wa.us

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Friday, September 2, 2022 11:51 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Ad: 279491 / Re: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

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Thank you so much again and have a nice weekend!

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, September 2, 2022 10:49 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>; KVNews Legals <legals@kvnews.com>; 'Jana Stoner' <jana@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; NKC Tribune Advertising <ads@nkctribune.com>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RZ-22-00005_CP-22-00005 Mardee Lake (Publishing) - Notice of SEPA Action (Original DNS)

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Let me know if there are any questions or issues.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From:	Early, Shane (DNR)
To:	Kelly Bacon (CD)
Cc:	Warthen, Luke (DNR); MAUNEY, MARTY (DNR); YOUNG, BRENDA (DNR); DNR RE SEPACENTER
Subject:	RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application
Date:	Thursday, August 11, 2022 10:26:18 AM
Attachments:	image001.png

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Good morning Kelly,

DNR appreciates the opportunity to provide SEPA comments for the proposed RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application. A cursory review of aerial imagery for the project area appears to show that these parcels are primarily forested, and thus DNR would like to formally note that current or future landowners of properties within the proposed rezoned area may need an approved Forest Practices Application (FPA) prior to conducting timber harvest, whether for commercial sales of the timber or for the removal of trees to create clearings for homes. We also note that there is a network of fish bearing and non-fish bearing streams and associated wetlands within this area, so landowners may need to engage with DNR and/or WDFW in order to create access roads with approved stream crossing structures. These comments are intended to protect typed water and other natural resources, but please note that DNR is not requesting the project proponent apply for a FPA at this time, but rather when they (or future owners of lots yet to be created) plan to conduct timber harvest or convert portions of these properties to non-forestry (i.e. for residential use).

Best regards,

Shane Early
Forest Regulations Coordinator
Southeast Region
Washington State Department of Natural Resources (DNR)
☎ (509) 925-0948
✉ shane.early@dnr.wa.gov
www.dnr.wa.gov
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WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

External Email

Good morning,

CDS is requesting comments on the following Rezone and Comprehensive Plan Amendment Applications: RZ/CP-22-00005 Mardee Lake. Links to the file materials can be found below. I have attached the Notice of Application to this e-mail. **The comment period will end on Monday September 12, 2022 at 5p (PDT). CDS will assume your agency does not wish to provide comment if not received by this date.**

Please let us know if you have issues accessing the materials.

Internal Link: RZ-22-00005 Mardee Lake

External Link: RZ-22-00005 Mardee Lake

If the links above do not work, please go to the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx and navigate to "Rezones" and then the Project File Number "RZ-22-00005 Mardee Lake".

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Adam Osbekoff
To: Kelly Bacon (CD)
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application
Date: Thursday, August 18, 2022 10:26:23 AM

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Hello Kelly

The Snoqualmie Tribe [Tribe] is a federally recognized sovereign Indian Tribe. We were signatory to the Treaty of Point Elliott of 1855; we reserved certain rights and privileges and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliot, the Tribe specifically reserved among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington.

Thank you for the opportunity to review and comment. Based on the information provided and our understanding of the project and its APE we have no substantive comments to offer at this time. However, please be aware that if the scope of the project or the parameters for defining the APE change we reserve the right to modify our current position.

Thank you

Adam Osbekoff

From: Kelly Bacon (CD) [mailto:kelly.bacon.cd@co.kittitas.wa.us]
Sent: Thursday, August 11, 2022 8:50 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation - Enviromental Review <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; SEPA Register <separegister@ecy.wa.gov>; 'tebu461@ecy.wa.gov' <tebu461@ecy.wa.gov>; DOE - lowh <lowh461@ecy.wa.gov>; 'FormerOrchards@ecy.wa.gov' <FormerOrchards@ecy.wa.gov>; 'wendy.neet@ecy.wa.gov' <wendy.neet@ecy.wa.gov>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; WDFW - Jennifer Nelson <jennifer.nelson@dfw.wa.gov>; WDFW -

Elizabeth Torrey <elizabeth.torrey@dfw.wa.gov>; WS DAHP <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; WA State Department of Health - Russell <russell.mau@doh.wa.gov>; 'brietta.carter@doh.wa.gov' <brietta.carter@doh.wa.gov>; 'Tom Hastings' <THastings@snopass.org>; 'rivers@dnr.wa.gov' <rivers@dnr.wa.gov>; 'Early, Shane (DNR)' <Shane.Early@dnr.wa.gov>; 'sepacenter@dnr.wa.gov' <sepacenter@dnr.wa.gov>; Andrews, Garren (DNR) <Garren.Andrews@dnr.wa.gov>; 'MAUNEY, MARTY (DNR)' <MARTIN.MAUNEY@dnr.wa.gov>; 'Allison Kimball (brooksideconsulting@gmail.com)' <brooksideconsulting@gmail.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Steven Moses <steve@snoqualmietribe.us>; DAHP <dahp@snoqualmietribe.us>; Adam Osbekoff <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; 'plattst@wsdot.wa.gov' <plattst@wsdot.wa.gov>; 'ken.graham@parks.wa.gov' <ken.graham@parks.wa.gov>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu' <jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; 'yamick@cleelum.gov' <yamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; 'llewington18@gmail.com' <llewington18@gmail.com>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application

Good morning,

CDS is requesting comments on the following Rezone and Comprehensive Plan Amendment Applications: RZ/CP-22-00005 Mardee Lake. Links to the file materials can be found below. I have attached the Notice of Application to this e-mail. **The comment period will end on Monday September 12, 2022 at 5p (PDT). CDS will assume your agency does not wish to provide comment if not received by this date.**

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Internal Link: RZ-22-00005 Mardee Lake

External Link: RZ-22-00005 Mardee Lake

If the links above do not work, please go to the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx and navigate to “Rezones” and then the Project File Number “RZ-22-00005 Mardee Lake”.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Warthen, Luke (DNR)
To: Kelly Bacon (CD)
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake
Date: Thursday, September 8, 2022 3:41:28 PM

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Kelly

DNR appreciates the opportunity to provide SEPA comments for the proposed RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application. DNR would like to formally note that current or future landowners of properties within the proposed rezoned area may need an approved Forest Practices Application (FPA) prior to conducting timber harvest, whether for commercial sales of the timber or for the removal of trees to create clearings for homes. These comments are intended to protect typed water and other natural resources, but please note that DNR is not requesting the project proponent apply for a FPA at this time, but rather when they (or future owners of lots yet to be created) plan to conduct timber harvest or convert portions of these properties to non-forestry (i.e. for residential use).

Respectfully-

Luke

Luke Warthen
Forest Practices
District Manager (Acting)
Southeast Region
WA DNR
dnr.wa.gov
luke.warthen@dnr.wa.gov
Cell: (360)523.3235
Office: (509)925.8510

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

September 8, 2022

Kelly Bacon
Kittitas County Planner I
411 N. Ruby St. Suite 2
Ellensburg WA 98926

RE: 202204061, RZ-22-00005, CP-22-00005

Dear Kelly Bacon,

Thank you for the opportunity to comment on the Pre-Threshold Consultation for the Mardee Lake Rezone & Comprehensive Plan Amendment. We have reviewed the environmental checklist and have the following comment.

SHORELANDS

Thank you for providing the Department of Ecology (Ecology) an opportunity to review and comment on the Mardee Lake rezone and comprehensive plan amendment. Ecology's Shorelands and Environmental Assistance (SEA) Program would like to provide the following comments for consideration.

Coal Creek, Mardee Lake, Lake Keechelus, and the nearby Gold Creek are Shorelines of the State. Therefore any work proposed within the County's designated Shoreline jurisdiction must meet the purposes and intent of the County's Shoreline Master Program (SMP). It is strongly encouraged to adhere to all buffer requirements established within the County's SMP (including Shoreline buffers and those designated for the stream and wetland critical area buffers).

A large wetland complex surrounds Mardee Lake. Wetlands are considered a water of the State and are regulated by the local government, the Department of Ecology, and the U.S. Army Corps of Engineers (If determined to be a Water of the United States). Therefore any work proposed within a wetland would require review and authorization from the previously mentioned agencies.

Ecology strongly encourages the use of mitigation sequencing and the avoidance of all wetland impacts. Those impacts that can not be avoided must be minimized and the impacted functions and values of the wetland compensated for.

Currently, the area is largely undeveloped. The lack of development has benefits in linking the shoreline, stream, and wetland buffers together, creating a large wildlife corridor. The importance of the buffer and linking them together to form a corridor has numerous benefits in protecting the functions and values of the riverine wetlands and stream: such features provide pathways for animals to move between areas (it is the habitat score of a wetland that drives our widest buffers); screens light, dust, noise pollution; creates roughness to filter stormwater runoff, pesticides, reduce wind erosion; provides structure and mast for animals to forage, loaf, and nest; and generates nutrient inputs to maintain wetland and stream biochemistry. For these reasons we strongly encourage the existing corridor to remain intact.

Please contact the appropriate SEA Program Regional Specialist by contacting Amber Johnson (Amber.johnson@ecy.wa.gov) with any questions you may have.

Sincerely,

Lucila Cornejo

Lucila Cornejo
SEPA Coordinator
Central Regional Office
(509) 208-4590
crosepacoordinator@ecy.wa.gov

From: Holly Erdman
To: Kelly Bacon (CD)
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application
Date: Friday, September 9, 2022 3:32:01 PM

Kelly,

Public health has no comments or concerns on this project as it is a rezone proposal and therefore will not be withdrawing groundwater or discharging wastewater at this time.

Thank you for this opportunity to comment.

Holly Erdman
Environmental Health Specialist II

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, August 11, 2022 8:50 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation - Enviromental Review <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; SEPA Register <separegister@ecy.wa.gov>; 'tebu461@ecy.wa.gov' <tebu461@ecy.wa.gov>; DOE - lowh <lowh461@ecy.wa.gov>; 'FormerOrchards@ecy.wa.gov' <FormerOrchards@ecy.wa.gov>; 'wendy.neet@ecy.wa.gov' <wendy.neet@ecy.wa.gov>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; WDFW - Jennifer Nelson <jennifer.nelson@dfw.wa.gov>; WDFW - Elizabeth Torrey <elizabeth.torrey@dfw.wa.gov>; WS DAHP <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; WA State Department of Health - Russell <russell.mau@doh.wa.gov>; 'brietta.carter@doh.wa.gov' <brietta.carter@doh.wa.gov>; 'Tom Hastings' <THastings@snopass.org>; 'rivers@dnr.wa.gov' <rivers@dnr.wa.gov>; 'Early, Shane (DNR)' <Shane.Early@dnr.wa.gov>; 'sepacenter@dnr.wa.gov' <sepacenter@dnr.wa.gov>; Andrews, Garren (DNR) <Garren.Andrews@dnr.wa.gov>; 'MAUNEY, MARTY (DNR)' <MARTIN.MAUNEY@dnr.wa.gov>; 'Allison Kimball (brooksideconsulting@gmail.com)' <brooksideconsulting@gmail.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>;

Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; 'plattst@wsdot.wa.gov' <plattst@wsdot.wa.gov>; 'ken.graham@parks.wa.gov' <ken.graham@parks.wa.gov>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu' <jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; 'yamick@cleelum.gov' <yamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; 'llewington18@gmail.com' <llewington18@gmail.com>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application

Good morning,

CDS is requesting comments on the following Rezone and Comprehensive Plan Amendment Applications: RZ/CP-22-00005 Mardee Lake. Links to the file materials can be found below. I have attached the Notice of Application to this e-mail. **The comment period will end on Monday September 12, 2022 at 5p (PDT). CDS will assume your agency does not wish to provide comment if not received by this date.**

Please let us know if you have issues accessing the materials.

Internal Link: RZ-22-00005 Mardee Lake

External Link: RZ-22-00005 Mardee Lake

If the links above do not work, please go to the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx and navigate to “Rezones” and then the Project File Number “RZ-22-00005 Mardee Lake”.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2

Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

M E M O R A N D U M

TO: **All Staff**
FROM: **Public Works Plan Review Team**
DATE: **September 12th, 2022**
SUBJECT: **RZ-22-00005 AND CP-22-00005 Mardee Lake NOA**

ACCESS	There are no access comments. (TM)
ENGINEERING	ere are no engineering comments at this point in development. (CC)
SURVEY	

FLOOD	A portion of this property is within the 100-year floodplain of Coal Creek. All activities within the floodplain must be permitted through the floodplain development permit process. All construction, including structures that are exempt from a building permit, must follow the guidelines within KCC 14.08. Future platting must be consistent with KCC 14.08.220 including the following- • Be consistent with the need to minimize flood damage. • Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. • Have adequate drainage provided to reduce exposure to flood damage. • **Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments containing greater than 50 lots or 5 acres (whichever is lesser) and shall be included as part of the application and and shall be noted on the final mylar.** • All subdivisions shall s how on the face of both the preliminary and final plat, for either short or long plats, the boundary of the 100year floodplain and floodway. The Coal Creek floodplain does not have base flood elevation (BFE) data available. Prior to plat application please contact the Floodplain Manager at 509-962-7523 to discuss the submittal requirement for BFE data for plat approval.
WATER MITIGATION/ METERING	No comments

Washington State Department of Transportation

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

September 12, 2022

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

Attn: Dan Carlson, Director
Kelly Bacon, Planner 1

Subject: Proposed Comprehensive Plan Amendment (CP-22-00005), Rezone Application (RZ-22-00005) and Preliminary SEPA Determination of Non-Significance for Mardee Lake Inc.

The Washington Department of Transportation (WSDOT) has reviewed the application materials for the proposed Comprehensive Plan, Rezone and preliminary SEPA Determination for the Mardee Lake development adjacent to Interstate 90 (I-90) near Exit 54 and State Route 906 and are submitting the following comments.

The application proposes to change four parcels totaling 150.98 acres from Rural Working to Rural Recreation plan designation and from Forest and Range to Rural Recreation zoning designation. The Kittitas County's Zoning Code allows two options for minimum lot size and maximum density allowance for the Rural Recreation zone:

1. One unit per five (5) acres, unless within a cluster plat
2. For lots in cluster plats, the minimum lot size is one half (½) acre with the ability to increase the density from one (1) unit per five (5) acres to 0.4 units per acre (equates to 1 unit per 2 acres) or 2 units per 5 acres per KCC 17.30.430.

Based on the above and our interpretation of the density allowances, the following potential number of lots and additional average vehicle trips (AADT) may result:

Density	**Number of Potential Lots**	**Average Daily Trips per single family dwelling** *(9.43 ADT per unit; 1.0 peak PM*)*	**Average Daily Trips per recreational home** *(3.55 ADT per unit; .32 peak PM*)*
I unit per 20 acres	Existing four lots	37; 37	14.2; 12.8
1 unit per 20 acres	3 additional	28; 28	10; 3
1 unit per 5 acres	26 additional	245; 245	92; 29
2 units per 5 acres	56 additional	528; 528	198; 63
0.4 units per acre (equals 1 unit per 2 acres0	296 additional	2,791; 2,791	1,050; 336

**Based on Institute of Traffic Engineers Manual*

Under the proposed new zoning, full buildout of future development is estimated to increase the additional AADT for weekdays to between 245 and 2,791 depending on density allowed and developed. This represents a potential significant increase to weekday AADT.

We believe the density and location of associated future development has the potential to affect the function of publicly funded improvements associated with the Interstate 90 Snoqualmie Pass East project (I-90 project). The I-90 project is an investment of over a billion dollars of public funds that will ultimately improve a 15-mile section of the interstate from Hyak at milepost (MP) 55.1 to Easton at MP 70.3. It meets community, regional, and statewide transportation needs while addressing concerns associated with the barrier effects of the highway within a critically important wildlife movement corridor, identified in the Snoqualmie Pass Adaptive Management Area Plan (SPAMA) (USFS 1997).

WSDOT, the US Forest Service (USFS), and other natural resource agencies have collaborated for over twenty years to identify and define a landscape-scale, watershed-based approach to allow for the expansion of I-90 on National Forest land. We identified the Gold Creek Valley as an important connectivity emphasis area because of the ecological improvement opportunities within the watershed, including that it is an important wildlife corridor to link the Alpine Lakes Wilderness to the north with the Norse Peak Wilderness to the south. This connectivity corridor is shown on the WA Department of Fish and Wildlife Priority Habitat and Species maps. Significantly increased land use densities and development within and adjacent to the valley could adversely affect our investments in wildlife connectivity structures (bridges, culverts and overcrossings) and affect habitat restoration areas.

WSDOT is concerned about new development in and around the Gold Creek Valley. These land use issues warrant close attention from WSDOT, as well as collaboration with Kittitas County and other agency partners to ensure public investments are consistent with adjacent land uses. We believe that by providing adjoining property owners and Kittitas County with the context behind WSDOT's ongoing public investments in the corridor, the public will better understand and support the importance of maintaining the Gold Creek Valley and other identified watersheds and connectivity emphasis areas.

WSDOT designed the I-90 Project and made these investments to be consistent with the SPAMA plan along with the Kittitas County Comprehensive Plan.

Based on the above, we believe the Determination of Non-Significance issued for this proposal is not sufficient to adequately address potential impacts, including ecological connectivity investments. This is based on the following:

> The Snoqualmie Pass Sub Area Comprehensive Plan-Master Plan (2016) (Kittitas County Comprehensive Plan (2021)) identified the current land use designations in the Snoqualmie Pass and Hyak area with nearly all parcels to the north/east of I-90, including this proposal, designated to allow a density of one unit/20-acres. On the west/south side of I-90 near the existing ski resort, housing and commercial development that are designated as LAMIRD, residential or Rural Recreation zones. The proposal is included in the area identified as Subarea D in this plan. The plan states that the residential projections to 2015 indicate that there is sufficient residential land capacity to meet the estimated demand at that time. There is no identified need for additional residential units. This subarea plan should be updated to allow new projections to be developed along with the identification of residential capacity and for this area. It should include a to plan for transportation system improvements (as well as other capital facilities) to support the more intense developments east of I-90 that impact Exit 54 interchange, as well as Exit 53 interchange.
>
> Although the application is a non-project action, disclosure of potential impacts to capital facilities should be identified at this application. The existing Exit 54 interchange ramp terminal (stop sign)

may not be adequate for additional traffic and needs further review. A Traffic Impact Analysis is warranted for this proposal.

Identifying potential impacts to ecological connectivity in the Gold Creek valley is needed to ensure that public investments and commitments are maintained.

The following comments are informational and apply to future development of the subject property:

This segment of I-90 is a fully controlled Rural Interstate with a posted speed limit of 70 miles per hour and a Highway of Statewide Significance (HSS).

Direct access to I-90 is prohibited. Access to the interstate may be available via the Exit 54 interchange. However, we recommend you coordinate future plans with WSDOT and USFS to determine access restrictions and construction requirements. Jacob Prilucik is the contact at WSDOT, and he can be reached at (509) 577-1635.

The Level of Service (LOS) threshold for HSS highways is set by the state, and not the local jurisdictions. LOS "C" is the threshold for rural HSS highways. The proponent will need to mitigate their impacts to the I-90 ramps to keep the LOS at "C" or better.

This section of I-90 is designated as a National Scenic Byway. We encourage the County to take this designation into consideration when deciding on this change in land use.

The WSDOT right-of-way fence typically lies one foot inside our right-of-way line. For the safety and security of I-90, the applicant will need to construct a minimum six-foot tall solid barrier fence (no gates) on their property adjacent to the state right of way. The right-of-way fence must not be altered or moved.

Any signs that may be proposed as part of this project will need to comply with the state Scenic Vistas Act of 1971 (RCW 47.42 and WAC 468-66). Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282.

I-90 is an existing state facility, and the applicant is proposing additional noise sensitive land use. The proponent and future residents should be aware of highway and traffic noise and expect traffic noise to continue to grow into the future. It is the developer's responsibility to dampen or deflect any traffic noise for this development.

Any proposed lighting should be directed down towards the site, and away from I-90. During periods of darkness, traffic related light may be more noticeable within the subject property. We recommend that if highway related lights are a concern, that visual screening be considered and implemented as part of any future development.

Stormwater and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards. Any discharge of storm water into WSDOT rights-of-way will require an approved utility permit.

A traffic impact analysis (TIA) should be required as part of future development applications for the property.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,

Debra Freudenthal

Debi Freudenthal for

Paul Gonseth, P.E.
Planning Engineer

PG: mrr/mn/df
cc: Troy Suing, SCR Asst. Regional Administrator -Program Management
Brian White, SCR Asst. Regional Administrator – Project Development
Mike Krahenbuhl, WSDOT Area 1 Maintenance Superintendent
Bill Sauriol, SCR Environmental Manager

State of Washington
DEPARTMENT OF FISH AND WILDLIFE
South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

September 16, 2022

Kelly Bacon
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

SUBJECT: WDFW COMMENTS ON MARDEE LAKE REZONE AND COMPREHENSIVE PLAN AMENDMENT (RZ-22-00005 & CP-22-00005)

Dear Ms. Bacon,

Thank you for the opportunity to comment on the Mardee Lake Rezone and Comprehensive Plan application. The proposal is requesting that the land be rezoned from Rural Working Land Use to Rural Recreation. Washington Department of Fish and Wildlife (WDFW) has substantial concerns over rezoning these parcels to a zoning that would allow for more intensive recreation. These concerns stem from multiple critical areas on the property (see Figure 1) and the likelihood that more intensive recreation is incompatible with protection of these critical areas.

Critical Areas on the Property with Connection to Fish and Wildlife Habitat

- ***Streams:*** Coal Creek and its tributaries flow through these parcels. Within these parcels, Coal Creek is a Shoreline of the State. Coal Creek is used by a variety of fish species, but notably as foraging and rearing habitat for Bull Trout which is listed under the Endangered Species Act (ESA). The Gold Creek Bull Trout population which uses Coal Creek is in decline and at risk of local extinction if restoration is not accomplished in this watershed. Coal Creek is a tributary of Gold Creek.
- ***Bull Trout rearing habitat:*** Coal Creek is currently occupied juvenile Bull Trout rearing habitat and has already been degraded by upstream development. Coal Creek represents ~13% of all the historically accessible tributary rearing habitat of all the tributaries to Lake Keechelus. Protecting and restoring the riparian area and associated floodplain here is critical to the Bull Trout recovery efforts. Further development in any of the riparian area or the floodplains would have a significant negative effect on any recovery efforts for Bull Trout in the Gold Creek watershed.
- ***Wetlands:*** There is a large wetland complex that covers much of the parcels associated with the application, see Figure 2 showing the large wetland complex. That picture was taken as part of the I-90 East EIS. The extent of the currently mapped wetlands (Figure 1) is likely less than the actual extent (Figure 2). The wetland complex supports a wide diversity of wildlife and is key to the wildlife connectivity piece. Any infrastructure impacts on the wetland are likely to degrade its habitat condition and thus impact on the overall quality of habitat.

- ***Wildlife Connectivity Area:*** These parcels are part of a larger wildlife connectivity/migration area in the Gold Creek Valley. Large wildlife bridges on I-90 at Gold Creek were built to facilitate animal movement in this area. From 2014 (when structures were installed)-2021, 7000+ successful wildlife crossings have occurred by animals at the Gold Creek crossing structures. Use of animals by these structures ensured successful population connections and reduction of animal vehicle collision.
  This connectivity area is mapped as a Biodiversity Area and Corridor under WDFW Priority Habitats and Species (PHS). Wildlife, especially species more sensitive to human presence such as predators, will not utilize this corridor to the current extent with increased human recreation in this area and thus permitting more intensive recreation within this corridor is likely to undermine the function and values of the wildlife connectivity structure that WSDOT and partners have invested millions of dollars of public funds on. Any increase in recreation density within this corridor is likely to reduce the viability of the wildlife crossing structures.

Potential Water Withdrawal on Coal Creek

Coal Creek and the adjacent Gold Creek are already flow limited (areas of dewatering or flows low enough to endanger fish in the dry season by precluding fish passage and reducing production potential of rearing habitat) and the instream flow limitations are having impacts on ESA listed Bull Trout and other aquatic life. Depending on the proposed recreation associated with this rezone, it will likely need to have additional associated water usage. Due to current instream flow limitations to fish and wildlife, any additional water withdrawals/usage proposed from the watershed of either Coal or Gold Creek is a concern. Any additional water would have to be from sources proven to not be in continuity with surface waters on Coal Creek or the Gold Creek watershed.

Public Investment into the Gold Creek Valley

As part of the Yakima Basin Integrated Plan, substantial (millions of dollars) investments have been made into the Gold Creek Valley for aquatic and terrestrial habitat restoration. Increased recreation in and around Coal Creek and next to Gold Creek has the potential to significantly undermine these prior habitat restoration and wildlife connectivity investments. For successful recovery of fish and wildlife in the Gold Creek watershed, restoration of this area is needed, not further impact on the valley, creeks, or wetlands.

A rezone of this property to allow additional more intensive recreation would be incompatible with the issues raised above. Once the property is rezoned, the permitting pathway for additional high density recreation infrastructure is opened. Additional recreation infrastructure in this area is likely to have a substantial impact on the critical areas identified in this letter. In the case of several of the critical areas; including wildlife connectivity, riparian and instream, appropriate mitigation is unlikely to occur on site. Offsite mitigation would not adequately compensate for the loss of critical habitat function for these localized areas.

WDFW Recommendation on SEPA Determination

WDFW does not agree with the SEPA determination of a Determination of Non-significance (DNS) and based on the critical areas discussed in this letter, a rezone here is likely to have substantial impact on the environment.

WDFW requests that before a decision or the public hearing on this rezone application, a critical area report is necessary to identify the extent of critical areas referenced in this letter. The critical area report should also address potential impacts in or near the critical areas of any potential future development associated with this rezone. The critical areas report should also identify how the proposed application proposes to avoid impacts to the critical areas. WDFW requests as a technical expert on these critical habitat areas to review and comment on the report prior to the public hearing.

This report and review should be conducted before any consideration of approval of the rezone and the associated public hearing on the proposal. If the critical areas report demonstrates that there are critical areas on the property that cannot be mitigated as indicated in this letter, the proposal should be changed to a Determination of Significance. The SEPA checklist also needs to be revised to include the information outlined in this letter as it does not describe Bull Trout or Wildlife Migration routes in the SEPA checklist.

Thank you again for the opportunity to comment and look forward to reviewing the habitat assessment. Please contact me at 509-607-3578 or Scott.Downes@dfw.wa.gov with concerns or questions regarding the above comments.

Sincerely,

Scott Downes
Area Habitat Biologist

Cc:
Elizabeth Torrey, WDFW
Dan Carlson, Kittitas County CDS

Figure 1 showing known critical areas around the Mardee Lake parcels (outlined in light blue). Based on the aerial photos and the photo in Figure 2, the wetlands at Mardee Lake are likely larger than are mapped under the National Wetlands Inventory (NWI).

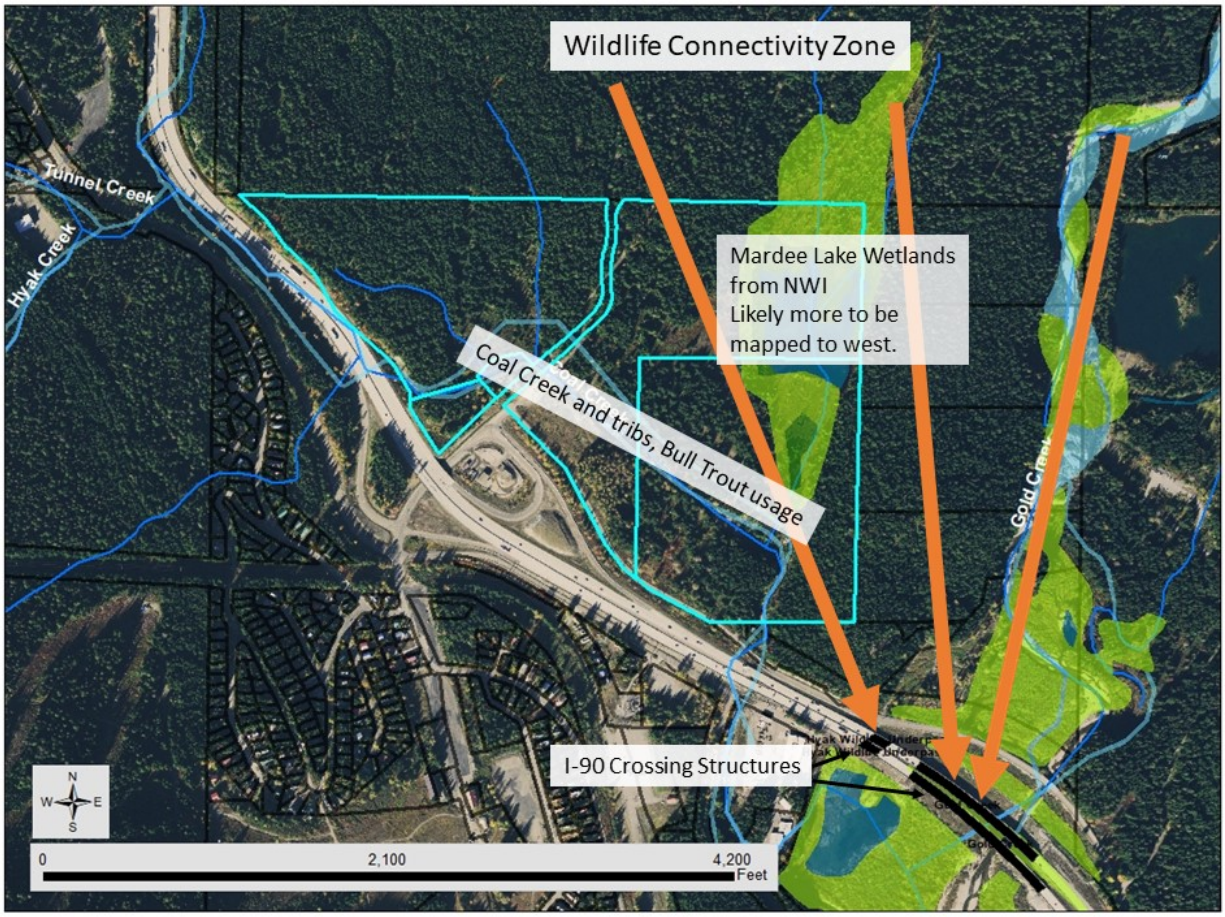


Figure 2. Mardee Lake wetland complex, looking south towards I-90. Picture is from the I-90 East EIS.

Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

August 27, 2022

Sent via Email

Kittitas County Community Development Services
c/o Kelly Bacon, Staff Planner
411 N Ruby ST, Suite 2
Ellensburg WA 98926
Email: kelly.bacon.cd@co.kittitas.wa.us

RE: COMMENTS ON RZ-22-00005 & CP-22-00005 Mardee Lake

I write on behalf of the Yakama Nation Department of Natural Resources ("YN DNR") to provide comments on rezone and comprehensive plan amendment RZ-22-00005 & CP-22-00005 Mardee Lake

YN DNR appreciates the opportunity to comment as the proposed activities are within the ceded territories of the Confederated Tribes and Bands of the Yakama Nation. YN DNR has several important concerns with the issuance of the permit.

Key areas of concern include but are not limited to:

- Water – there are significant concerns about impacts to flow in Coal Creek that currently supports ESA listed Bull Trout.
- Wetlands – the property has extensive wetland complexes that are currently well-functioning and provide important headwater storage/habitat for a number of species.
- Riparian – there is a substantial amount of riparian habitat along Coal Creek, and the existing riparian has been somewhat degraded, and is in need of restoration. Including the floodplain functions. Development along this portion of the stream will likely be at odds with riparian functions and values, or restoration.
- Wildlife Connectivity – the property is adjacent to the largest I-90 Wildlife Bridges on the Snoqualmie Pass East I-90 rebuild project and is located in an area that funnels animals to those structures. Commercial recreational development will put those investments at risk and substantially degrade their function. The Public has made a multi-million dollar investment in constructing these wildlife structures, purchasing the surrounding habitat, and restoring habitat.
- Bull Trout rearing habitat: Coal Creek is currently occupied by juvenile Bull Trout rearing habitat and has already been degraded by upstream development. Coal Creek represents ~13% of all the historically accessible tributary rearing habitat of all the tributaries to Lake Keechelus.

The proposal fails to address impacts to the natural environment. The proposal has a high likelihood of contributing to habitat degradation.

YN DNR is concerned the proposed activities have the potential to degrade aquatic habitat and alter hydrologic function.

YN DNR appreciates the opportunity to comment, and looks forward to working with Kittitas County to ensure that proposed land use plans and regulations promote sustainable development and protect the environment, including the Yakama Nation's Treaty-reserved resources. Please contact YN DNR's Ryan DeKnikker at dekr@yakamafish-nsn.gov with any questions regarding these comments.

Sincerely,

PHIL RIGDON, SUPERINTENDENT
YAKAMA NATION DEPARTMENT OF NATURAL RESOURCES

KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

M E M O R A N D U M

TO: **All Staff**
FROM: **Public Works Plan Review Team**
DATE: **September 19, 2022**
SUBJECT: **RZ-22-00005 and CP-22-00005 Mardee lake**

ACCESS	No comments. (TM)
ENGINEERING	**No comments (KH/CC)**
SURVEY	No survey comments in regards to this application. (JT)
FLOOD WATER MITIGATION/ METERING	No comments (SC)

411 North Ruby Street, Suite 1 TEL (509) 962-7523 Ellensburg, WA 98926 FAX (509) 962-7663

From:	Karl Flaccus
To:	Kelly Bacon (CD)
Subject:	Mardee Lake Rezone (CP-22-00005 / RZ-22-00005); Parcel# 808335 Parcel# 818335 Parcel# 828335 Parcel# 838335
Date:	Wednesday, September 21, 2022 9:22:46 PM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms. Bacon,

I own a cabin near Gold Creek in Kittitas County.

I oppose the rezone and any development of the Mardee Lake property referred to above. That area is close to the critical Gold Creek wildlife corridor and the current restoration plans of Gold Creek.which are designed to benefit fish, wildlife, and the environment. The development could also negatively impact Gold Creek itself, its riparian environment, and bull trout and other fishery recovery efforts.

Thank you,

Karl Flaccus
Cabin owner in Gold Creek Valley

From: Sue Mecklenburg
To: Kelly Bacon (CD)
Subject: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: Thursday, September 22, 2022 3:24:35 PM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539 Kelly.bacon.cd@co.kittitas.wa.us

Gold Creek Valley landowners
Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

We oppose the plans to rezone the 150 acres around Mardee Lake to Rural Recreational. We find such zoning to be:
1. Inconsistent with the multi-million dollar investments that have been made by state and federal agencies, funded by taxpayers, to support the Gold Creek wildlife corridor,
2, Inconsistent with the multi-million dollar restoration plans for Gold Creek Valley proposed by the Yakima Basin Integrated Plan, also funded by taxpayers, and
3. Inconsistent with the preservation of an important wetland complex at Mardee Lake.

We request that this rezoning be denied.

Sue and Bob Mecklenburg

Kirsten and Vincent Turner

Erin Barzen

Claudia Davis

Charlie Buitron

Jody Joldersma and Matthew Jenkins

Mary Shwetz and Don Grubb

Barb and Wes Moorhead

Gordon Gray

Amy and Francisco Perez

KITTITAS CONSERVATION TRUST
120 W Pennsylvania Ave, STE 207
PO Box 428, Roslyn, WA 98941

September 21, 2022

Kelly Bacon
Kittitas County Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, WA 98926

SUBJECT: KITTITAS CONSERVATION TRUST (KCT) COMMENTS ON MARDEE LAKE REZONE AND COMPREHENSIVE PLAN AMENDMENT (RZ-22-000005 & CP-22-00005)

Dear Ms. Bacon,

Thank you for the opportunity to comment on the Mardee Lake Rezone and Comprehensive Plan application. The proposal is requesting that the land be rezoned from Rural Working Land Use to Rural Recreation. There are several substantial concerns regarding this proposal that would allow for more intensive recreation and development activities as it relates to bull trout recovery efforts that are currently underway within this area.

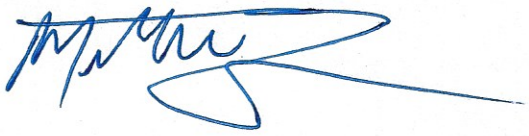
KCT has worked for the last 10 years to understand the causal mechanisms for key limiting factors for bull trout recovery in the Keechelus Watershed. Gold Creek is the only known stream that enters the Keechelus Reservoir that supports spawning and rearing of this genetically distinct population. Coal Creek, of which this proposed rezone is adjacent to, flows through Gold Creek and is known to support rearing and foraging for this population. Further degradation of existing habitats that support this ESA listed species will further hamper current investments that have been made to improve conditions for our Gold Creek Bull Trout. This population is in decline and at high risk of extirpation.

Significant investment has been made by state and federal partners to assess, design, and permit large scale restoration that is needed to improve habitat and flow conditions for bull trout. KCT has led these efforts since 2013. Additional recreation and development activities in and around Coal Creek and next to Gold Creek has the potential to significantly undermine these efforts and prior investments. For successful recovery of fish and wildlife in the Gold Creek watershed, restoration of this area is needed, not further impact on the valley, creeks, and wetlands that support our existing populations. A rezone as proposed is likely to have substantial impact on the environment and current recovery efforts in process.

KCT requests that before a decision or the public hearing on this rezone application, a critical area report is necessary to identify the extent of critical areas that addresses potential impacts on critical areas in and near the proposed rezone. Additionally, potential future development associated with this rezone should also be considered. The report should identify how the proposed application proposes to avoid impacts to critical areas. KCT requests that WDFW and other agency experts on critical habitat areas review and comment on the report prior to the public hearing.

Thank you for the opportunity to comment on this proposal. KCT will provide any of the past data and assessment information collected working on the recovery of the Gold Creek Bull Trout as needed to the county for this application process. Further detail can be found at https://www.kittitasconservationtrust.org/projects/gold-creek-restoration-flow-and-habitat/ . Please contact me at 509-649-2951 (o) or mlong@kittitasconservationtrust.org with questions or further information.

Sincerely,



Mitchell Long
Executive Director
Kittitas Conservation Trust

Cc:
Dan Carlson, Kittitas County

From: Richard Pierson
To: Kelly Bacon (CD)
Subject: Re: RZ-22-00005
Date: Thursday, September 22, 2022 12:56:59 PM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

As a taxpaying landowner in the Gold Creek valley, I oppose the plans to rezone the 15+ acres around Mardee Lake to Rural Recreational. I find such zoning to be:

1. Inconsistent with the multi-million dollar investments that have been made by state and federal agencies, funded by taxpayers, to support the Gold Creek wildlife corridor,
2, Inconsistent with the multi-million dollar restoration plans for Gold Creek Valley proposed by the Yakima Basin Integrated Plan, also funded by taxpayers, and
3. Inconsistent with the preservation of an important wetland complex at Mardee Lake.

I request that this rezoning be denied.

Richard Pierson
3516 South 336th Street
Federal Way, WA 98001

From: Thomas Robey
To: Kelly Bacon (CD)
Subject: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: Thursday, September 22, 2022 2:31:51 PM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear County Planners,

I recently (last year) purchased property in Gold Creek Valley and enjoy with my family the recreational activity available there, including hiking, skiing, and trail running. We also support the diversifying use of the pass year round and patronize the local businesses there. I especially appreciate the opportunity to teach my school aged kids about wildlife, conservation and the balance between using land and protecting it.

I do not support the rezone request at the Gold Creek side of the exit 54 interchange for the following reasons:

Of the several areas at Snoqualmie Pass, the north side of exit 54 has the most immediately accessible areas to enjoy recreation. Extensive work has been done to preserve the area for wildlife and human use. There is plenty of space at the other pass exits for commercial activity. Places of business in Gold Creek will add congestion, waste and light to the area.

The winter access to our property is uniquely fragile. The 'snow park' consists of parking along the road, and though it is among the closest to the Seattle region, has trouble every year with plowing and access. Adding commercially zoned land there will further reduce access to the winter recreation (and make it harder for residents to access their property.)

My kids asked me why someone from Canada would get to decide what gets built in the Gold Creek Valley. We used that question to talk about property rights and zoning and how that affects other unseen things (like taxes and services). We think Kittitas County has the zoning right at this time. The land has a purpose and potential, and we can't expect an area at a highway interchange to have protected status, but the current designation makes uses more consistent with local benefit rather than distant profit.

Sincerely,

Tom Robey, along with Michael (11) and Fritz(8) Robey
76 Silver Fir Rd
-and-
Seattle, WA

From: Sue Mecklenburg
To: Kelly Bacon (CD)
Subject: Fwd: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: Monday, September 26, 2022 8:21:29 AM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms, Bacon,
Please add these names to the email I sent on 9/22/22: Jennifer and Gary Gray

I realize this is past the deadline but hope you will consider this late addition. We would also like to receive the link to the meeting when the rezoning request will be considered by Kittitas County in November.

Thank you.
Sue Mecklenburg

Begin forwarded message:

From: Sue Mecklenburg <suemeck@gmail.com>
Subject: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: September 22, 2022 at 3:24:28 PM PDT
To: Kelly.bacon.cd@co.kittitas.wa.us

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539 Kelly.bacon.cd@co.kittitas.wa.us

Gold Creek Valley landowners
Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

We oppose the plans to rezone the 150 acres around Mardee Lake to Rural Recreational. We find such zoning to be:
1. Inconsistent with the multi-million dollar investments that have been made by state and federal agencies, funded by taxpayers, to support the Gold Creek wildlife corridor,
2, Inconsistent with the multi-million dollar restoration plans for Gold Creek Valley proposed by the Yakima Basin Integrated Plan, also funded by taxpayers,

and
3. Inconsistent with the preservation of an important wetland complex at Mardee Lake.

We request that this rezoning be denied.

Sue and Bob Mecklenburg

Kirsten and Vincent Turner

Erin Barzen

Claudia Davis

Charlie Buitron

Jody Joldersma and Matthew Jenkins

Mary Shwetz and Don Grubb

Barb and Wes Moorhead

Gordon Gray

Amy and Francisco Perez

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 16, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

Staff is also requesting the following additional information:

- A Critical Areas Report as well as an updated SEPA Checklist including all critical areas located on the property. Please provide the additional information as soon as possible, as review of these two documents are determined necessary prior to a final SEPA determination be issued.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; (bala.ce@gmail.com)
Cc:	Dan Carlson
Subject:	RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date:	Friday, September 16, 2022 3:28:11 PM
Attachments:	RZ-22-00005 Mardee Lake - Transmittal of Comments 9-16-22.pdf RZ-22-00005 Mardee Lake - Combined Comments Thru 9-16-22.pdf

---

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

Kelly Bacon
Planner I

Enclosed: *Comments listed above*

From: Kelly Bacon (CD)
To: "llewington18@gmail.com"; "(bala.ce@gmail.com)"
Cc: Dan Carlson
Subject: RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date: Friday, September 16, 2022 3:42:20 PM
Attachments: RZ-22-00005 Mardee Lake Transmittal of Comments (Amended) 9-16-22.pdf
RZ-22-00005 Mardee Lake - Combined Comments (Amended) Thru 9-16-22.pdf

---

Good afternoon again,

It appears there were a couple of comments that did not make it into the transmittal. I have amended the letter as well as the combined comments to include both the original DNR comments from Shane Early as well as the comments from The Snoqualmie Tribes.

Please let me know if there are any questions. All documents have been uploaded to the website as well.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Kelly Bacon (CD)
Sent: Friday, September 16, 2022 3:28 PM
To: 'llewington18@gmail.com' <llewington18@gmail.com>; (bala.ce@gmail.com) <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon
Planner I

Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 16, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- August 18, 2022 Snoqualmie Tribe
- August 11, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

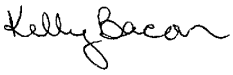
Staff is also requesting the following additional information:

- A Critical Areas Report as well as an updated SEPA Checklist including all critical areas located on the property. Please provide the additional information as soon as possible, as review of these two documents are determined necessary prior to a final SEPA determination be issued.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,



Kelly Bacon
Planner I

Enclosed: *Comments listed above*

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 21, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments- Amended

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- August 18, 2022 Snoqualmie Tribe
- August 11, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

Staff previously requested a critical areas report be provided. After further review, it was determined that due to the application being a non-project specific application, a Critical Areas Report is not required at this point.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon

Planner I

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
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September 21, 2022

Mardee Lake Inc.,
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115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments- Amended

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- August 18, 2022 Snoqualmie Tribe
- August 11, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Natural Resources
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- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

Staff previously requested a critical areas report be provided. After further review, it was determined that due to the application being a non-project specific application, a Critical Areas Report is not required at this point.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon

Planner I

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; "(bala.ce@gmail.com)"
Cc:	Dan Carlson
Subject:	RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date:	Wednesday, September 21, 2022 1:50:13 PM
Attachments:	RE_ RZ-22-00005 Mardee Lake - Transmittal of comments (Amended) 9-21-22.pdf

Good afternoon,

Attached please find the amended Transmittal of Comments letter. Chad – As mentioned in conversation, an amendment has been made noting that a critical areas report will not be required due to the application being non-project specific.

Please let me know if there are any follow up questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Kelly Bacon (CD)
Sent: Friday, September 16, 2022 3:42 PM
To: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon again,

It appears there were a couple of comments that did not make it into the transmittal. I have amended the letter as well as the combined comments to include both the original DNR comments from Shane Early as well as the comments from The Snoqualmie Tribes.

Please let me know if there are any questions. All documents have been uploaded to the website as well.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services

411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Kelly Bacon (CD)
Sent: Friday, September 16, 2022 3:28 PM
To: 'llewington18@gmail.com' <llewington18@gmail.com>; (bala.ce@gmail.com) <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; (bala.ce@gmail.com)
Cc:	Dan Carlson
Subject:	CP-22-00005 and RZ-22-00005 Mardee Lake - Transmittal of additional comments received
Date:	Tuesday, September 27, 2022 8:13:07 AM
Attachments:	RZ-22-00005 Mardee Lake Transmittal of SEPA Comments - 9-27-22.pdf RZ-22-00005 Mardee Lake - Combined Comments 9-17-22 thru 9-26-22.pdf

---

Good morning,

Attached please find correspondence in regards to the Mardee Lake Comprehensive Plan Amendment and Rezone applications. Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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September 27, 2022

Mardee Lake Inc.,
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Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922
Bala.ce@gmail.com

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of SEPA Comments

Dear applicants,

The SEPA comment period for the Mardee Lake Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 22, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- September 21, 2022 Karl Flaccus
- September 22, 2022 Kittitas Conservation Trust
- September 22, 2022 Richard Pierson
- September 22, 2022 Tom Robey
- September 22, 2022 Gold Creek Valley Landowners
- September 26, 2022 Gold Creek Valley Landowners

Please also note, that a scrivener's error was brought to my attention located within both the original and amended transmittal of comments letters dated September 16th and September 21st. The error to the project name was located in the first paragraph, but the permit numbers CP-22-00005 as well as RZ-22-00005 were correct. My apologies for any confusion this may have caused.

As previously mentioned, please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon
Planner I

Cc'd: Dan Carlson, Director of Community Development Services Via Email

Notice of SEPA DNS Retention

NOTICE IS HEREBY given that pursuant to RCW 43.21C and WAC-197-340(2), Kittitas County Community Development Services does retain their SEPA Determination of Non-Significance (DNS) decisions that were issued on September 8, 2022 on the following proposals for the 2022 Annual Comprehensive Plan Docket Process:

1. 2022 Docket Items
2. RZ-22-00001 & CP-22-00001 Fiorito Brothers
3. RZ-22-00002 & CP-22-00002 Thorp Landing
4. RZ-22-00003 & CP-22-00003 Flying A Land
5. RZ-22-00004 & CP-22-00004 Teanaway Ridge
6. RZ-22-00005 & CP-22-00005 Mardee Lake

The lead agency for these proposals has determined that the proposals will not have a probable significant adverse impact on the environment. These final decisions were made after review of a SEPA environmental checklists, comments received within 14 days of issuance of the DNS, and other information on file with the lead agency for all proposals. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of these proposals. A copy of these threshold determinations is available to the public upon request at Community Development Services: 411 N Ruby St. Suite 2 Ellensburg, WA 98926, or can be viewed on the CDS website at https://www.co.kittitas.wa.us/cds/comp-plan/default.aspx

Appeals to these DNS decisions must be appealed by submitting specific factual objections in writing with a fee of $1550 to Kittitas County Community Development Services, 411 N Ruby St., Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than **5:00 PM, October 27, 2022**.

Direct questions regarding these decisions to:

Kittitas County CDS
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7506
cds@co.kittitas.wa.us

Dated: October 13, 2022

Publish Daily Record: October 13, 2022
Publish NKC Tribune: October 13, 2022

From:	Jeremiah Cromie
To:	"randy@fioritobrothers.com"; "josh@browerlawps.com"; "aaron@centralpavingllc.com"; "jslothower@lwhsd.com"; "andy@wardrugh.com"; "bala.ce@gmail.com"; "llewington18@gmail.com"; Kelee Hodges; Candie Leader; Rich Elliott; "delvoj@kvfr.org"; "prevention@kvfr.org"; "Kcfd1@fairpoint.net"; PublicHealth Inspectors; Holly Erdman; "cid@fairpoint.net"; "steve@snoqualmietribe.us"; "dahp@snoqualmietribe.us"; "adam@snoqualmietribe.us"; "westsideirrigationco@gmail.com"; "1riegelfarm@gmail.com"; Toni Berkshire; "pdempsey@hnw.law"; "aaznar@hnw.law"; "fudaczj@gmail.com"; "boitanoeri@hotmail.com"; "kflaccus@yahoo.com"; "suemeck@gmail.com"; "econoforester@msn.com"; "scienceandmedicine@gmail.com"; "rivers@dnr.wa.gov"; "brenda.young@dnr.wa.gov"; "luke.warthen@dnr.wa.gov"; "SEPACENTER@dnr.wa.gov"; "Garren.Andrews@dnr.wa.gov"; "MARTIN.MAUNEY@dnr.wa.gov"; "Jacob.Prilucik@wsdot.wa.gov"; "SCPlanning@wsdot.wa.gov"; "Scott.Downes@dfw.wa.gov"; "Jennifer.Nelson@dfw.wa.gov"; "Elizabeth.Torrey@dfw.wa.gov"; "tebu461@ecy.wa.gov"; "lowh461@ECY.WA.GOV"; "FormerOrchards@ecy.wa.gov"; "wendy.neet@ecy.wa.gov"; "crosepa@ecy.wa.gov"; "crosepacoordinator@ecy.wa.gov"; "enviroreview@yakama.com"; "corrine_camuso@yakama.com"; "jessica_lally@yakama.com"; "noah_oliver@yakama.com"; "casey_barney@yakama.com"; "kozj@yakamafish-nsn.gov"; "matj@yakamafish-nsn.gov"; "barh@yakamafish-nsn.gov"; mlong@kittitasconservationtrust.org
Cc:	Dan Carlson; Kelly Bacon (CD); Chace Pedersen
Subject:	2022 Docket Items/Rezones & Comprehensive Plan Amendments - Notice of SEPA DNS Retention
Date:	Thursday, October 13, 2022 7:59:50 AM
Attachments:	2022 Rezones and Docket Items Notice of SEPA Action DNS Retention.pdf

Good morning,

Kittitas County CDS has retained their Determination of Non-Significance (DNS) for the following items in their 2022 Annual Docket (Comprehensive Plan Update):

1. **2022 Docket Items**
2. **RZ-22-00001/CP-22-00001 Fiorito Brothers**
3. **RZ-22-00002/CP-22-00002 Thorp Landing**
4. **RZ-22-00003/CP-22-00003 Flying A Land**
5. **RZ-22-00004/CP-22-00004 Teanaway Ridge**
6. **RZ-22-00005/CP-22-00005 Mardee Lake**

The original DNS documents and files can be seen on the County Website here:

https://www.co.kittitas.wa.us/cds/comp-plan/default.aspx

Appeals to these DNS decisions must be appealed by submitting specific factual objections in writing with a fee of $1550 to Kittitas County Community Development Services, 411 N Ruby St., Suite 2, Ellensburg, WA 98926. **Timely appeals must be received no later than 5:00 PM, October 27, 2022.**

Direct questions regarding these decisions and appeal process to:

Kittitas County CDS
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7506
cds@co.kittitas.wa.us

Jeremiah Cromie
Planner II

Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; (bala.ce@gmail.com)
Cc:	Dan Carlson
Subject:	CP-22-00005 and RZ-22-00005 Mardee Lake - Transmittal of additional comments received
Date:	Tuesday, September 27, 2022 8:13:07 AM
Attachments:	RZ-22-00005 Mardee Lake Transmittal of SEPA Comments - 9-27-22.pdf RZ-22-00005 Mardee Lake - Combined Comments 9-17-22 thru 9-26-22.pdf

---

Good morning,

Attached please find correspondence in regards to the Mardee Lake Comprehensive Plan Amendment and Rezone applications. Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; (bala.ce@gmail.com)
Cc:	Dan Carlson
Subject:	CP-22-00005 and RZ-22-00005 Mardee Lake - Transmittal of additional comments received
Date:	Tuesday, September 27, 2022 8:13:07 AM
Attachments:	RZ-22-00005 Mardee Lake Transmittal of SEPA Comments - 9-27-22.pdf RZ-22-00005 Mardee Lake - Combined Comments 9-17-22 thru 9-26-22.pdf

---

Good morning,

Attached please find correspondence in regards to the Mardee Lake Comprehensive Plan Amendment and Rezone applications. Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Kelly Bacon (CD)
To: (bala.ce@gmail.com)
Subject: FW: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application
Date: Wednesday, August 24, 2022 8:06:45 AM
Attachments: RZ-22-00005 Mardee Lake NOA.pdf

Good morning Chad,

Below is the original notice of application stating that the comment end date is September 12,2022.

Hopefully this helps.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Kelly Bacon (CD)
Sent: Thursday, August 11, 2022 8:50 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation Enviroreview <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; SEPA Register <separegister@ecy.wa.gov>; tebu461@ecy.wa.gov; DOE - lowh <lowh461@ecy.wa.gov>; 'FormerOrchards@ecy.wa.gov' <FormerOrchards@ecy.wa.gov>; 'wendy.neet@ecy.wa.gov' <wendy.neet@ecy.wa.gov>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; WDFW - Jennifer Nelson <jennifer.nelson@dfw.wa.gov>; WDFW - Elizabeth Torrey <elizabeth.torrey@dfw.wa.gov>; WS DAHP <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; WA State Department of Health - Russell <russell.mau@doh.wa.gov>; 'brietta.carter@doh.wa.gov' <brietta.carter@doh.wa.gov>; Tom Hastings <THastings@snopass.org>; 'rivers@dnr.wa.gov' <rivers@dnr.wa.gov>; 'Early, Shane (DNR)' <Shane.Early@dnr.wa.gov>; 'sepacenter@dnr.wa.gov' <sepacenter@dnr.wa.gov>; Andrews, Garren

(DNR) <Garren.Andrews@dnr.wa.gov>; 'MAUNEY, MARTY (DNR)' <MARTIN.MAUNEY@dnr.wa.gov>; Allison Kimball (brooksideconsulting@gmail.com) <brooksideconsulting@gmail.com>; (tribune@nkctribune.com) <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; Megan Breckenridge <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; plattst@wsdot.wa.gov; 'ken.graham@parks.wa.gov' <ken.graham@parks.wa.gov>; kombola@easton.wednet.edu; jensens@easton.wednet.edu; millerj@easton.wednet.edu; Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org) <JWiseman@SnoqualmiePassFireRescue.org>; 'mengelhart@cleelum.gov' <mengelhart@cleelum.gov>; 'kswanson@cleelum.gov' <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; yamick@cleelum.gov; 'planning@cleelum.gov' <planning@cleelum.gov>
Cc: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; (bala.ce@gmail.com) <bala.ce@gmail.com>; llewington18@gmail.com
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of Application

Good morning,

CDS is requesting comments on the following Rezone and Comprehensive Plan Amendment Applications: RZ/CP-22-00005 Mardee Lake. Links to the file materials can be found below. I have attached the Notice of Application to this e-mail. **The comment period will end on Monday September 12, 2022 at 5p (PDT). CDS will assume your agency does not wish to provide comment if not received by this date.**

Please let us know if you have issues accessing the materials.

Internal Link: RZ-22-00005 Mardee Lake

External Link: RZ-22-00005 Mardee Lake

If the links above do not work, please go to the CDS website at https://www.co.kittitas.wa.us/cds/land-use/default.aspx and navigate to “Rezones” and then the Project File Number “RZ-22-00005 Mardee Lake”.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From:	Downes, Scott G (DFW)
To:	Kelly Bacon (CD)
Cc:	Torrey, Elizabeth M (DFW); Harvester, Perry J (DFW); Dan Carlson
Subject:	RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action
Date:	Friday, September 16, 2022 10:48:05 AM
Attachments:	WDFW comments on Mardee Lake RZ-22-00005 CP-22-00005.pdf

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Kelly,
Please find WDFW comments attached and please note our request for a critical areas report (and WDFW review) before this proposal proceeds further in permitting. We look forward to discussing this proposal further with CDS to address our concerns.

Scott

Scott Downes
Fish & Wildlife Habitat Biologist
Washington Department of Fish and Wildlife
Region 3 Habitat Program
1701 South 24th Ave
Yakima, WA 98902-5720
Scott.Downes@dfw.wa.gov
Cell-509-607-3578

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, September 8, 2022 8:08 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; PublicHealth Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation - Enviromental Review <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; Petropoulos, Terra (ECY) <tebu461@ECY.WA.GOV>; White, Lori (ECY) <lowh461@ECY.WA.GOV>; ECY RE Former Orchards <formerorchards@ECY.WA.GOV>; Neet, Wendy (ECY) <wnee461@ECY.WA.GOV>; ECY RE CRO SEPA Coordinator <crosepa@ecy.wa.gov>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; Torrey,

Elizabeth M (DFW) <Elizabeth.Torrey@dfw.wa.gov>; DAHP SEPA (DAHP) <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; Carter, Brietta J (DOH) <brietta.carter@doh.wa.gov>; Tom Hastings <thastings@snopass.org>; DNR RE AQ LEASING RIVERS <DNRREAQLEASINGRIVERS@dnr.wa.gov>; YOUNG, BRENDA (DNR) <brenda.young@dnr.wa.gov>; DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>; Andrews, Garren (DNR) <Garren.Andrews@dnr.wa.gov>; MAUNEY, MARTY (DNR) <MARTIN.MAUNEY@dnr.wa.gov>; 'Allison Kimball (brooksideconsulting@gmail.com)' <brooksideconsulting@gmail.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; Platts, Max <PlattsT@WSDOT.WA.GOV>; Graham, Ken (PARKS) <Ken.Graham@PARKS.WA.GOV>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu' <jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; VirgilAmick <vamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

External Email

Good morning,

Attached to this email you will find:

- Notice of SEPA Action
- SEPA Determination of Nonsignificance (DNS), and
- SEPA Checklist

Written comments from the public regarding the threshold determination may be submitted to the Kittitas County Community Development Services at no later than September 22, 2022 at 5:00pm (PDT), after which the lead agency will then: retain, modify, or withdraw the decision pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-340(2).

Please contact me directly if you have any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 21, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments- Amended

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- August 18, 2022 Snoqualmie Tribe
- August 11, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

Staff previously requested a critical areas report be provided. After further review, it was determined that due to the application being a non-project specific application, a Critical Areas Report is not required at this point.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon

Planner I

From: Kelly Bacon (CD)
To: "llewington18@gmail.com"; "(bala.ce@gmail.com)"
Cc: Dan Carlson
Subject: RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date: Friday, September 16, 2022 3:42:20 PM
Attachments: RZ-22-00005 Mardee Lake Transmittal of Comments (Amended) 9-16-22.pdf
RZ-22-00005 Mardee Lake - Combined Comments (Amended) Thru 9-16-22.pdf

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Good afternoon again,

It appears there were a couple of comments that did not make it into the transmittal. I have amended the letter as well as the combined comments to include both the original DNR comments from Shane Early as well as the comments from The Snoqualmie Tribes.

Please let me know if there are any questions. All documents have been uploaded to the website as well.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Kelly Bacon (CD)
Sent: Friday, September 16, 2022 3:28 PM
To: 'llewington18@gmail.com' <llewington18@gmail.com>; (bala.ce@gmail.com) <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon
Planner I

Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Downes, Scott G (DFW)
To: Kelly Bacon (CD)
Subject: Re: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action
Date: Thursday, September 8, 2022 11:49:18 AM

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Ok. We'll have quite a few comments (as probably expected), is the deadline the 12th or 22nd?

Get Outlook for iOS

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, September 8, 2022 9:19:02 AM
To: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

External Email

Good morning Scott,

In our original notice we did not notice the SEPA portion of the application. The Comp Plan/ Rezone application comments are due by September 12, 2022 at 5pm. The SEPA Action DNS comment period for the same project is but only on SEPA is due by September 22, 2022 at 5pm. We had some misguidance on the process and so all of our Docket Cycle Rezones (5 in total) are following this same model for this year.

Sorry for any confusion this may cause.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and

fill out a request for public records through the GovQA portal.

From: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Sent: Thursday, September 8, 2022 8:15 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Re: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

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Kelly,
There was a previous comment period on this which comments were due Sept 12. Can you clarify how these two are related and when comments need to be submitted (Sept 12 or 22)?

Thanks,

Scott Downes

Get Outlook for iOS

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, September 8, 2022 8:08:04 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; PublicHealth Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation - Enviromental Review <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; Petropoulos, Terra (ECY) <tebu461@ECY.WA.GOV>; White, Lori (ECY) <lowh461@ECY.WA.GOV>; ECY RE Former Orchards <formerorchards@ECY.WA.GOV>; Neet, Wendy (ECY) <wnee461@ECY.WA.GOV>; ECY RE CRO SEPA Coordinator <crosepa@ecy.wa.gov>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; Torrey, Elizabeth M (DFW) <Elizabeth.Torrey@dfw.wa.gov>; DAHP SEPA (DAHP) <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; Carter,

Brietta J (DOH) <brietta.carter@doh.wa.gov>; Tom Hastings <thastings@snopass.org>; DNR RE AQ LEASING RIVERS <DNRREAQLEASINGRIVERS@dnr.wa.gov>; YOUNG, BRENDA (DNR) <brenda.young@dnr.wa.gov>; DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>; Andrews, Garren (DNR) <Garren.Andrews@dnr.wa.gov>; MAUNEY, MARTY (DNR) <MARTIN.MAUNEY@dnr.wa.gov>; 'Allison Kimball (brooksideconsulting@gmail.com)' <brooksideconsulting@gmail.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com <matt.boast@kittitaspud.com>; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; Platts, Max <PlattsT@WSDOT.WA.GOV>; Graham, Ken (PARKS) <Ken.Graham@PARKS.WA.GOV>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu' <jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; VirgilAmick <vamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

External Email

Good morning,

Attached to this email you will find:

- Notice of SEPA Action
- SEPA Determination of Nonsignificance (DNS), and
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43.21C RCW (State Environmental Policy Act) and WAC 197-11-340(2).

Please contact me directly if you have any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Downes, Scott G (DFW)
To: Kelly Bacon (CD)
Subject: Re: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action
Date: Thursday, September 8, 2022 8:14:37 AM

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<terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com <matt.boast@kittitaspud.com>; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; Platts, Max <PlattsT@WSDOT.WA.GOV>; Graham, Ken (PARKS) <Ken.Graham@PARKS.WA.GOV>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu' <jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; VirgilAmick <vamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

External Email

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Please contact me directly if you have any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Kelly Bacon (CD)
To: Downes, Scott G (DFW)
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action
Date: Thursday, September 8, 2022 1:07:59 PM

Scott,

September 22, 2022 works great for all WDFW comments.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Sent: Thursday, September 8, 2022 11:49 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Re: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

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Ok. We'll have quite a few comments (as probably expected), is the deadline the 12th or 22nd?

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From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, September 8, 2022 9:19:02 AM
To: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

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In our original notice we did not notice the SEPA portion of the application. The Comp Plan/ Rezone application comments are due by September 12, 2022 at 5pm. The SEPA Action DNS comment period for the same project is but only on SEPA is due by September 22, 2022 at 5pm. We had some misguidance on the process and so all of our Docket Cycle Rezones (5 in total) are following this same model for this year.

Sorry for any confusion this may cause.

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Kelly Bacon

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From: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Sent: Thursday, September 8, 2022 8:15 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Re: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

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Sent: Thursday, September 8, 2022 8:08:04 AM
To: Kim Dawson <kim.dawson@co.kittitas.wa.us>; George Long <long@kittcom.org>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; PublicHealth Inspectors <PublicHealthInspectors@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Stacey <patti.stacey@co.kittitas.wa.us>; Kelee Hodges <kelee.hodges.pw@co.kittitas.wa.us>; Codi Fortier <codi.fortier@co.kittitas.wa.us>; Yakama Nation - Enviromental Review <enviroreview@yakama.com>; Corrine Camuso <corrine_camuso@yakama.com>; Jessica Lally <jessica_lally@yakama.com>; Noah Oliver <noah_oliver@yakama.com>; Casey Barney <casey_barney@yakama.com>; Kozj <Kozj@yakamafish-nsn.gov>; matj <matj@yakamafish-nsn.gov>; barh <barh@yakamafish-nsn.gov>; Petropoulos, Terra (ECY) <tebu461@ECY.WA.GOV>; White, Lori (ECY) <lowh461@ECY.WA.GOV>; ECY RE Former Orchards <formerorchards@ECY.WA.GOV>; Neet, Wendy (ECY) <wnee461@ECY.WA.GOV>; ECY RE CRO SEPA Coordinator <crosepa@ecy.wa.gov>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; Torrey, Elizabeth M (DFW) <Elizabeth.Torrey@dfw.wa.gov>; DAHP SEPA (DAHP) <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; Carter, Brietta J (DOH) <brietta.carter@doh.wa.gov>; Tom Hastings <thastings@snopass.org>; DNR RE AQ LEASING RIVERS <DNRREAQLEASINGRIVERS@dnr.wa.gov>; YOUNG, BRENDA (DNR) <brenda.young@dnr.wa.gov>; DNR RE SEPACENTER <SEPACENTER@dnr.wa.gov>; Andrews, Garren (DNR) <Garren.Andrews@dnr.wa.gov>; MAUNEY, MARTY (DNR) <MARTIN.MAUNEY@dnr.wa.gov>; 'Allison Kimball (brooksideconsulting@gmail.com)' <brooksideconsulting@gmail.com>; '(tribune@nkctribune.com)' <tribune@nkctribune.com>; 'terry@nkctribune.com' <terry@nkctribune.com>; 'Megan Breckenridge' <mbreckenridge@kvnews.com>; 'legals@kvnews.com' <legals@kvnews.com>; 'deborah.j.knaub@usace.army.mil' <deborah.j.knaub@usace.army.mil>; 'Hendrix, Leah D' <lhendrix@usbr.gov>; 'mark.a.gradwohl.civ@mail.mil' <mark.a.gradwohl.civ@mail.mil>; 'Kimberly.peacher@navy.mil' <Kimberly.peacher@navy.mil>; 'robert.d.bright10.civ@army.mil' <robert.d.bright10.civ@army.mil>; Haley Mercer <haley.mercer@co.kittitas.wa.us>; Christy Garcia <christine.garcia@co.kittitas.wa.us>; Snoqualmie Tribe - Steve <steve@snoqualmietribe.us>; Snoqualmie Tribe - dahp <dahp@snoqualmietribe.us>; 'adam@snoqualmietribe.us' <adam@snoqualmietribe.us>; Guy Moura <guy.moura@colvilletribes.com>; Aren Orsen <aren.orsen.hsy@colvilletribes.com>; Sam Rushing <sam.rushing@colvilletribes.com>; matt.boast@kittitaspud.com <matt.boast@kittitaspud.com>; 'brian.ingalls@pse.com' <brian.ingalls@pse.com>; 'kdkistler@bpa.gov' <kdkistler@bpa.gov>; 'klarned@fs.fed.us' <klarned@fs.fed.us>; 'jacob.prilucik@wsdot.wa.gov' <jacob.prilucik@wsdot.wa.gov>; 'scplanning@wsdot.wa.gov' <scplanning@wsdot.wa.gov>; Platts, Max <PlattsT@WSDOT.WA.GOV>; Graham, Ken (PARKS) <Ken.Graham@PARKS.WA.GOV>; 'kombola@easton.wednet.edu' <kombola@easton.wednet.edu>; 'jensens@easton.wednet.edu'

<jensens@easton.wednet.edu>; 'millerj@easton.wednet.edu' <millerj@easton.wednet.edu>; 'Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org)' <JWiseman@SnoqualmiePassFireRescue.org>; Mike Engelhart (GOV) <mengelhart@cleelum.gov>; KathiSwanson <kswanson@cleelum.gov>; 'mhayes@cleelum.gov' <mhayes@cleelum.gov>; VirgilAmick <vamick@cleelum.gov>; CleElumPlanning <planning@cleelum.gov>
Cc: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action

External Email

Good morning,

Attached to this email you will find:

- Notice of SEPA Action
- SEPA Determination of Nonsignificance (DNS), and
- SEPA Checklist

Written comments from the public regarding the threshold determination may be submitted to the Kittitas County Community Development Services at no later than September 22, 2022 at 5:00pm (PDT), after which the lead agency will then: retain, modify, or withdraw the decision pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-340(2).

Please contact me directly if you have any questions.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Freudenthal, Debra
To: Kelly Bacon (CD); Dan Carlson
Subject: RE: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application
Date: Tuesday, October 18, 2022 9:57:31 AM

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Thanks for the quick reply

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Tuesday, October 18, 2022 9:46 AM
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Subject: RE: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application

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Subject: RE: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application

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Thank you.
Debi

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WA Dept. of Transportation
South Central Region Planning Office
Temp #509-480-0465

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message id: 38eb45916c6dcbdac24bb8719d004a14

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message id: 38eb45916c6dcbdac24bb8719d004a14

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Downes, Scott G (DFW)
To: Freudenthal, Debra; Kelly Bacon (CD); Dan Carlson
Subject: RE: WSDOT Comments on Mardee Lake application
Date: Wednesday, October 12, 2022 7:54:30 AM

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Kelly,
When you get a chance, can you please update us on the status of our comments for this project. Particularly the SEPA determination and the critical areas report request.

Thanks,

Scott

Scott Downes
Fish & Wildlife Habitat Biologist
Washington Department of Fish and Wildlife
Region 3 Habitat Program
1701 South 24th Ave
Yakima, WA 98902-5720
Scott.Downes@dfw.wa.gov
Cell-509-607-3578

From: Freudenthal, Debra <FreudeD@wsdot.wa.gov>
Sent: Saturday, September 24, 2022 10:59 AM
To: kelly.bacon.cd@co.kittitas.wa.us; dan.carlson@co.kittitas.wa.us
Cc: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Subject: RE: WSDOT Comments on Mardee Lake application

External Email

Good morning,
I have checked the webpage and reviewed other comments that you received on this application. Can you provide an update if the SEPA determination is going to be withdrawn for this application, as requested by both WSDOT and WDFW?

Thank you.

Debi

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To: kelly.bacon.cd@co.kittitas.wa.us; dan.carlson@co.kittitas.wa.us
Subject: WSDOT Comments on Mardee Lake application

Good afternoon,
WSDOT is submitting the attached comments on the proposed Mardee Lake Comp. Plan amendment and rezone. Thank you for the opportunity.

Debi Freudenthal, AICP, CWRE
Senior Transportation Planner
WA Dept. of Transportation
South Central Region Planning Office
Temp #509-480-0465

From: Downes, Scott G (DFW)
To: Kelly Bacon (CD); Freudenthal, Debra; Dan Carlson
Subject: RE: WSDOT Comments on Mardee Lake application
Date: Friday, October 14, 2022 9:43:03 AM

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To: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Freudenthal, Debra <FreudeD@wsdot.wa.gov>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Sue Mecklenburg
To: Kelly Bacon (CD)
Subject: Re: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: Monday, September 26, 2022 5:28:09 PM
Attachments: RZ-22-00005 Mardee Lake NOA.pdf

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Hello Kelly –
Thank you for sending this information.
Sue Mecklenburg

> On Sep 26, 2022, at 4:55 PM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:
>
> Good afternoon Sue,
>
> Attached please find the original Notice of Application attached. The document has the information for attending the BOCC meeting scheduled for November 29, 2022 at 6pm. Please let me know if additional information is needed.
>
> Thank you,
>
> Kelly Bacon
> Planner I
> Kittitas County Community Development Services
> 411 N. Ruby Street, Ste 2
> Ellensburg, WA 98926
> Office: (509) 962-7539
> Kelly.bacon.cd@co.kittitas.wa.us
>
> If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.
>
> ---
>
> **From:** Sue Mecklenburg <suemeck@gmail.com>
> **Sent:** Monday, September 26, 2022 8:21 AM
> **To:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
> **Subject:** Fwd: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms, Bacon,
Please add these names to the email I sent on 9/22/22: Jennifer and Gary Gray

I realize this is past the deadline but hope you will consider this late addition. We would also like to receive the link to the meeting when the rezoning request will be considered by Kittitas County in November.

Thank you.
Sue Mecklenburg

Begin forwarded message:

From: Sue Mecklenburg <suemeck@gmail.com>
Subject: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: September 22, 2022 at 3:24:28 PM PDT
To: Kelly.bacon.cd@co.kittitas.wa.us

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539 Kelly.bacon.cd@co.kittitas.wa.us

Gold Creek Valley landowners
Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

We oppose the plans to rezone the 150 acres around Mardee Lake to Rural Recreational. We find such zoning to be:
1. Inconsistent with the multi-million dollar investments that have been made by state and federal agencies, funded by taxpayers, to support the Gold Creek wildlife corridor,
2, Inconsistent with the multi-million dollar restoration plans for Gold

Creek Valley proposed by the Yakima Basin Integrated Plan, also funded by taxpayers, and
3. Inconsistent with the preservation of an important wetland complex at Mardee Lake.

We request that this rezoning be denied.

Sue and Bob Mecklenburg

Kirsten and Vincent Turner

Erin Barzen

Claudia Davis

Charlie Buitron

Jody Joldersma and Matthew Jenkins

Mary Shwetz and Don Grubb

Barb and Wes Moorhead

Gordon Gray

Amy and Francisco Perez

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Kelly Bacon (CD)
To: Freudenthal, Debra; Dan Carlson
Subject: RE: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application
Date: Tuesday, October 18, 2022 9:45:33 AM

Good morning Debra,

Kittitas County does not have an appeal form. An official letter with all necessary appeal items addressed is required to file an appeal, along with the $1550.00 fee.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

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From: Freudenthal, Debra <FreudeD@wsdot.wa.gov>
Sent: Tuesday, October 18, 2022 7:25 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application

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Kelly,
I see the SEPA appeal fee is $1550 but couldn't find a form that should be filled out. Can you please email it?

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Friday, October 14, 2022 10:08 AM
To: Downes, Scott G (DFW) <Scott.Downes1@dfw.wa.gov>; Freudenthal, Debra <FreudeD@wsdot.wa.gov>; Dan Carlson <dan.carlson@co.kittitas.wa.us>

Subject: [EXTERNAL] RE: WSDOT Comments on Mardee Lake application

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Scott,

CDS staff determined that due to the application not being project specific, a critical areas report will not be required. Any future land use applications would trigger additional requirements. I believe the response to comments you are looking for will be in the Staff Report. We anticipate having the final staff report available for review on November 1, 2022, prior to the Planning Commission Meeting on November 8, 2022.

Thank you,

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Kittitas County Community Development Services
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Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Sent: Friday, October 14, 2022 9:43 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Freudenthal, Debra <FreudeD@wsdot.wa.gov>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
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Subject: RE: WSDOT Comments on Mardee Lake application
Date: Friday, October 14, 2022 10:07:54 AM

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Scott.Downes@dfw.wa.gov
Cell-509-607-3578

From: Freudenthal, Debra <FreudeD@wsdot.wa.gov>
Sent: Saturday, September 24, 2022 10:59 AM
To: kelly.bacon.cd@co.kittitas.wa.us; dan.carlson@co.kittitas.wa.us
Cc: Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>
Subject: RE: WSDOT Comments on Mardee Lake application

External Email

Good morning,
I have checked the webpage and reviewed other comments that you received on this application. Can you provide an update if the SEPA determination is going to be withdrawn for this application, as requested by both WSDOT and WDFW?

Thank you.
Debi

From: Freudenthal, Debra
Sent: Monday, September 12, 2022 4:31 PM
To: kelly.bacon.cd@co.kittitas.wa.us; dan.carlson@co.kittitas.wa.us
Subject: WSDOT Comments on Mardee Lake application

Good afternoon,
WSDOT is submitting the attached comments on the proposed Mardee Lake Comp. Plan amendment and rezone. Thank you for the opportunity.

Debi Freudenthal, AICP, CWRE
Senior Transportation Planner
WA Dept. of Transportation
South Central Region Planning Office
Temp #509-480-0465

From: Kelly Bacon (CD)
To: Sue Mecklenburg
Subject: RE: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: Monday, September 26, 2022 4:55:07 PM
Attachments: RZ-22-00005 Mardee Lake NOA.pdf

Good afternoon Sue,

Attached please find the original Notice of Application attached. The document has the information for attending the BOCC meeting scheduled for November 29, 2022 at 6pm. Please let me know if additional information is needed.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Sue Mecklenburg <suemeck@gmail.com>
Sent: Monday, September 26, 2022 8:21 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Fwd: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Dear Ms, Bacon,
Please add these names to the email I sent on 9/22/22: Jennifer and Gary Gray

I realize this is past the deadline but hope you will consider this late addition. We would also like to receive the link to the meeting when the rezoning request will be considered by Kittitas County in November.

Thank you.

Sue Mecklenburg

Begin forwarded message:

From: Sue Mecklenburg <suemeck@gmail.com>
Subject: Comments on RZ-22-00005 and CP-22-00005 Mardee Lake
Date: September 22, 2022 at 3:24:28 PM PDT
To: Kelly.bacon.cd@co.kittitas.wa.us

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539 Kelly.bacon.cd@co.kittitas.wa.us

Gold Creek Valley landowners
Comments on RZ-22-00005 and CP-22-00005 Mardee Lake

We oppose the plans to rezone the 150 acres around Mardee Lake to Rural Recreational. We find such zoning to be:
1. Inconsistent with the multi-million dollar investments that have been made by state and federal agencies, funded by taxpayers, to support the Gold Creek wildlife corridor,
2, Inconsistent with the multi-million dollar restoration plans for Gold Creek Valley proposed by the Yakima Basin Integrated Plan, also funded by taxpayers, and
3. Inconsistent with the preservation of an important wetland complex at Mardee Lake.

We request that this rezoning be denied.

Sue and Bob Mecklenburg

Kirsten and Vincent Turner

Erin Barzen

Claudia Davis

Charlie Buitron

Jody Joldersma and Matthew Jenkins

Mary Shwetz and Don Grubb

Barb and Wes Moorhead

Gordon Gray

Amy and Francisco Perez

From: Freudenthal, Debra
To: Kelly Bacon (CD); Dan Carlson
Cc: Downes, Scott G (DFW)
Subject: RE: WSDOT Comments on Mardee Lake application
Date: Saturday, September 24, 2022 10:58:41 AM

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Senior Transportation Planner
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South Central Region Planning Office
Temp #509-480-0465

From: Kelly Bacon (CD)
To: Rob Potashnick
Cc: Dan Carlson
Subject: RE: RZ-22-00005 Mardee Lake
Date: Wednesday, September 7, 2022 4:50:52 PM

Good afternoon Rob,

Please find my response to your questions below in blue:

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Sent: Wednesday, September 7, 2022 10:33 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake

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Thank you very much and have a great day!

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Robert Potashnick

Principal Managing Broker | Owner

Mercer Island Office
P: 206.396.2412 | F: 206.441.8597 | rob@ewingandclark.com

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www.EwingandClark.com

www.LuxuryRealEstate.com

www.Regents.com

From: Kelly Bacon (CD)
To: Rob Potashnick
Cc: Dan Carlson
Subject: RE: RZ-22-00005 Mardee Lake
Date: Thursday, September 8, 2022 8:05:58 AM
Attachments: RZ-22-00005 Mardee Lake NOA.pdf

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Ellensburg, WA 98926

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Sent: Wednesday, September 7, 2022 5:02 PM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: Re: RZ-22-00005 Mardee Lake

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206-396-2412
RE License # 1925
MLS LAG 13141

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Sent: Wednesday, September 7, 2022 4:50:52 PM
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Planner I
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Robert Potashnick

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Rob Potashnick
To: Kelly Bacon (CD)
Cc: Dan Carlson
Subject: Re: RZ-22-00005 Mardee Lake
Date: Thursday, September 8, 2022 8:14:48 AM

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Thank you so much! Have a wonderful day!

Robert Potashnick
Principal Broker | Owner
Mercer Island Office
Ewing & Clark Inc.
Real Estate since 1900
www.EwingandClark.com
206-396-2412
RE License # 1925
MLS LAG 13141

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Thursday, September 8, 2022 8:05:58 AM
To: Rob Potashnick <rob@ewingandclark.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: RZ-22-00005 Mardee Lake

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Sent: Wednesday, September 7, 2022 4:50:52 PM
To: Rob Potashnick <rob@ewingandclark.com>

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Rob Potashnick
To: Kelly Bacon (CD)
Cc: Dan Carlson
Subject: Re: RZ-22-00005 Mardee Lake
Date: Wednesday, September 7, 2022 5:01:55 PM

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From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Sent: Wednesday, September 7, 2022 4:50:52 PM
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Notice of application is sent out to Tribes, State and local agencies, any property owners within 500 ft of the project boundaries, as well as posted in the County Newspaper of Record. Fire Districts can provide comments for consideration during the decision process.

Also, do any of the local Conservancy Groups or Native American Tribes have a say in how water is used from wells, or anything that affects the water course or river/creek?

As noted above, there is a comment period associated with the application. At this time the proposal does not include a subdivision, which would require proof of water, critical areas reports etc.

Who are the board or council members who will be making this final decision?

All docket items are taken before the Planning Commission for recommendation. These recommendations are then taken before the Board of County Commissioner's for final decision. An open record hearing is scheduled to be held before the Board of County Commissioners on November 29, 2022 at 6pm in The Commissioner's Auditorium. There is an online WebEx video conference option available and I would be happy to share the link with you if you would like?

In the application, concerning water and sewer power etc. I fail to see if this property has any actual water rights? I heard that 5 acre lots can have wells. So, will each of these lots dig a well? How are wells secured in that area? Or would the county / SPUD connect water hook-ups to each of the 5 plats. Seems expensive for so few lots.

As the proposal does not create any new lots, proof of water is not required within the Rezone & Comprehensive Plan Amendment applications.

Hope this information is of assistance. Please let me know if there are any additional questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to https://www.co.kittitas.wa.us/request/default.aspx and fill out a request for public records through the GovQA portal.

From: Rob Potashnick <rob@ewingandclark.com>
Sent: Wednesday, September 7, 2022 10:33 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake

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Good morning,

Hope you are doing well.

I was reviewing the applications for Mardee Lake and was curious if a survey was conducted/included or if a Plat Map was included in the application?

Could you please point me in the direction of anything that shows how the land would be sub divided? Looks like a lot of water exists on that property.

Will this development/zone change include commercially zoned land off that exit?

There was a slide that prevents cars or bikes from going across a small bridge that connects to

what I think is a fire road off the exit. Who and how does that get fixed?

Can you explain the fire department's role in this type of development? Specifically, what role of authority does the fire department have? Do they have a vote of yes or no?

Also, do any of the local Conservancy Groups or Native American Tribes have a say in how water is used from wells, or anything that affects the water course or river/creek?

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Thank you very much and have a great day!

I can be reached via email or via cell anytime. Looking forward to securing this information.

Robert Potashnick

Principal Managing Broker | Owner

Mercer Island Office
P: 206.396.2412 | F: 206.441.8597 | rob@ewingandclark.com

The Law of Real Estate Agency

EWING & CLARK, INC.
REAL ESTATE SERVICE SINCE 1900
6314 SE 27th St | Mercer Island | WA

www.EwingandClark.com

www.LuxuryRealEstate.com

www.Regents.com

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Rob Potashnick
To: Kelly Bacon (CD)
Subject: RZ-22-00005 Mardee Lake
Date: Wednesday, September 7, 2022 10:33:16 AM

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From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; "(bala.ce@gmail.com)"
Cc:	Dan Carlson
Subject:	RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date:	Wednesday, September 21, 2022 1:50:13 PM
Attachments:	RE_ RZ-22-00005 Mardee Lake - Transmittal of comments (Amended) 9-21-22.pdf

Good afternoon,

Attached please find the amended Transmittal of Comments letter. Chad – As mentioned in conversation, an amendment has been made noting that a critical areas report will not be required due to the application being non-project specific.

Please let me know if there are any follow up questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Kelly Bacon (CD)
Sent: Friday, September 16, 2022 3:42 PM
To: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon again,

It appears there were a couple of comments that did not make it into the transmittal. I have amended the letter as well as the combined comments to include both the original DNR comments from Shane Early as well as the comments from The Snoqualmie Tribes.

Please let me know if there are any questions. All documents have been uploaded to the website as well.

Thank you,

Kelly Bacon

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Kittitas County Community Development Services

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To: 'llewington18@gmail.com' <llewington18@gmail.com>; (bala.ce@gmail.com) <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon
Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Mitch Long
To: Kelly Bacon (CD)
Cc: Dan Carlson
Subject: RE: RZ-22-00005 & CP-22-00005 Mardee Lake - Notice of SEPA Action
Date: Thursday, September 22, 2022 8:24:02 AM
Attachments: KCT Comments on Mardee Lake RZ-22-00005 CP-22-00005.pdf

---

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Kelly,
Please find KCT comments attached and note that KCT supports the request for critical areas report and WDFW review before further review of this SEPA action. Thank you for the opportunity to comment and please feel free to reach out for more details. For details regarding KCT work in the area you can find more information on KCT's Gold Creek Project webpage here.

--
Mitchell Long
Executive Director
Kittitas Conservation Trust
mlong@kittitasconservationtrust.org
509-649-2951 (o)
509-674-8220 (c)

"UNLESS someone like you cares a whole awful lot, nothing is going to get better. It's not."
The Lorax, Dr. Suess

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 16, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

Staff is also requesting the following additional information:

- A Critical Areas Report as well as an updated SEPA Checklist including all critical areas located on the property. Please provide the additional information as soon as possible, as review of these two documents are determined necessary prior to a final SEPA determination be issued.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon

Kelly Bacon
Planner I

Enclosed: *Comments listed above*

From:	Kelly Bacon (CD)
To:	"llewington18@gmail.com"; (bala.ce@gmail.com)
Cc:	Dan Carlson
Subject:	RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date:	Friday, September 16, 2022 3:28:11 PM
Attachments:	RZ-22-00005 Mardee Lake - Transmittal of Comments 9-16-22.pdf RZ-22-00005 Mardee Lake - Combined Comments Thru 9-16-22.pdf

---

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I
Kittitas County Community Development Services
411 N. Ruby Street, Ste 2
Ellensburg, WA 98926
Office: (509) 962-7539
Kelly.bacon.cd@co.kittitas.wa.us

From: Chad Bala
To: Kelly Bacon (CD)
Cc: llewington18@gmail.com; Dan Carlson
Subject: Re: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22
Date: Thursday, September 22, 2022 7:36:18 AM

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Kelly
Thank you for the recent letter dated September 21st, 2022. Please note that this letter is in regards to the Mardee Lake application but it references Thorp Landing Rezone and Comp plan amendment within the actual letter.
This should be clarified.

Regards,

Chad

> On Sep 21, 2022, at 1:50 PM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:
>
> Good afternoon,
>
> Attached please find the amended Transmittal of Comments letter. Chad – As mentioned in conversation, an amendment has been made noting that a critical areas report will not be required due to the application being non-project specific.
>
> Please let me know if there are any follow up questions.
>
> Thank you,
>
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> Kelly.bacon.cd@co.kittitas.wa.us
>
> **From:** Kelly Bacon (CD)
> **Sent:** Friday, September 16, 2022 3:42 PM

To: 'llewington18@gmail.com' <llewington18@gmail.com>; '(bala.ce@gmail.com)' <bala.ce@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

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Please let me know if there are any questions. All documents have been uploaded to the website as well.

Thank you,

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Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RZ-22-00005 Mardee Lake - Transmittal of comments and RFI 9-16-22

Good afternoon,

Attached please find correspondence in regards to the Mardee Lake Rezone Docket Item. Please contact me directly with any questions.

Thank you,

Kelly Bacon
Planner I

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message id: 38eb45916c6dcbdac24bb8719d004a14

<RE_ RZ-22-00005 Mardee Lake - Transmittal of comments (Amended) 9-21-22.pdf>

From: Chad Bala
To: Kelly Bacon (CD); Jeremiah Cromie
Cc: Dan Carlson
Subject: Re: Missed Call
Date: Tuesday, September 20, 2022 8:29:31 AM

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I would like to schedule a meeting to discuss CP-22-00005 & RZ-22-00005.
Secondly, I used to be able to access this file online but for some reason I can no longer find it. When will it be loaded back up?

Chad

> On Sep 20, 2022, at 8:19 AM, Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> wrote:
>
> Good morning,
>
> I received notice that I missed your phone call yesterday morning. I am currently in a conference out of town. I'm happy to try and give you a call this afternoon at break, but service may be questionable.
>
> Thank you,
>
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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Jeremiah Cromie
To: "Chad Bala"; Kelly Bacon (CD)
Cc: Dan Carlson
Subject: RE: Missed Call
Date: Tuesday, September 20, 2022 9:02:40 AM

Chad,

I will let Kelly work on scheduling the meeting but I think I can help you with the files online, which I just checked were still there. See link below:

https://www.co.kittitas.wa.us/cds/land-use/project-details.aspx?title=Rezones&project=RZ-22-00005+Mardee+Lake

---

From: Chad Bala <bala.ce@gmail.com>
Sent: Tuesday, September 20, 2022 8:29 AM
To: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: Re: Missed Call

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From: Chad Bala
To: Jeremiah Cromie
Cc: Kelly Bacon (CD); Dan Carlson
Subject: Re: Missed Call
Date: Tuesday, September 20, 2022 9:36:32 AM

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Thanks Jeremiah,
I am on the county website right now and still don't see the CP-22-00005, but I do see CP-22-00001 thru 4. I'm looking under land use, Current planning, under the Comp plan Amendment Applications.

But I do see where you found it.

Thank Again

Chad

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>
> ---
>
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> **Sent:** Tuesday, September 20, 2022 8:29 AM
> **To:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
> **Cc:** Dan Carlson <dan.carlson@co.kittitas.wa.us>
> **Subject:** Re: Missed Call

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Jeremiah Cromie
To: "Chad Bala"
Cc: Kelly Bacon (CD); Dan Carlson
Subject: RE: Missed Call
Date: Tuesday, September 20, 2022 9:44:57 AM

Chad,

I can fix that but all the files are being put under our rezones for these.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Chad Bala <bala.ce@gmail.com>
Sent: Tuesday, September 20, 2022 9:36 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: Re: Missed Call

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But I do see where you found it.

Thank Again

Chad

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Ellensburg, WA 98926

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Kelly.bacon.cd@co.kittitas.wa.us

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Chad Bala
To: Jeremiah Cromie
Cc: Kelly Bacon (CD); Dan Carlson
Subject: Re: Missed Call
Date: Tuesday, September 20, 2022 9:50:21 AM

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Thanks and that's fine. I now know where to look.
What's interesting is if the land use designation doesn't get approve then the non project rezone is null and void. Just a thought.

Chad

> On Sep 20, 2022, at 9:44 AM, Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us> wrote:
>
> Chad,
>
> I can fix that but all the files are being put under our rezones for these.
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> Jeremiah Cromie
> Planner II
> Kittitas County
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> 411 N. Ruby Street; Suite 2
> Ellensburg, WA 98926
> Office: 509-962-7046
> jeremiah.cromie@co.kittitas.wa.us
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> **From:** Chad Bala <bala.ce@gmail.com>
> **Sent:** Tuesday, September 20, 2022 9:36 AM
> **To:** Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
> **Cc:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
> **Subject:** Re: Missed Call
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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Kelly Bacon (CD)
To: Jeremiah Cromie; "Chad Bala"
Cc: Dan Carlson
Subject: RE: Missed Call
Date: Tuesday, September 20, 2022 10:02:53 AM

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Chad Bala
To: Kelly Bacon (CD)
Cc: Jeremiah Cromie; Dan Carlson
Subject: Re: Missed Call
Date: Tuesday, September 20, 2022 10:04:48 AM

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message id: 38eb45916c6dcbdac24bb8719d004a14

From: Kelly Bacon (CD)
To: Chad Bala
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Subject: RE: Missed Call
Date: Tuesday, September 20, 2022 3:32:51 PM

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From: Chad Bala
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Cc: Jeremiah Cromie; Dan Carlson
Subject: Re: Missed Call
Date: Tuesday, September 20, 2022 3:45:58 PM

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10 am works for me. Please confirm that Dan can make this meeting.

Thank you

Chad

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From: Kelly Bacon (CD)
To: (bala.ce@gmail.com)
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Date: Tuesday, September 20, 2022 8:19:26 AM

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KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 16, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of Comments

Dear applicants,

The preliminary comment period for the Thorp Landing Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 12, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- August 18, 2022 Snoqualmie Tribe
- August 11, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Natural Resources
- September 8, 2022 Washington State Department of Ecology
- September 9, 2022 Kittitas County Public Health
- September 12, 2022 Kittitas County Public Works
- September 12, 2022 Washington State Department of Transportation
- September 16, 2022 Washington Department of Fish and Wildlife
- September 16, 2022 The Yakama Nations

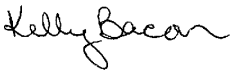
Staff is also requesting the following additional information:

- A Critical Areas Report as well as an updated SEPA Checklist including all critical areas located on the property. Please provide the additional information as soon as possible, as review of these two documents are determined necessary prior to a final SEPA determination be issued.

Please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,



Kelly Bacon
Planner I

Enclosed: *Comments listed above*

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

September 27, 2022

Mardee Lake Inc.,
% Linda Lewington
115 Malibu Road SW
Calgary, AB, T2V 1X5
Llewington18@gmail.com

Terra Design Group Inc.
% Chad Bala
PO Box 686
Cle Elu, WA 98922
Bala.ce@gmail.com

RE: Mardee Lake Rezone & Comprehensive Plan Amendment, CP-22-00005 & RZ-22-00005 Transmittal of SEPA Comments

Dear applicants,

The SEPA comment period for the Mardee Lake Rezone & Comprehensive Plan Amendment, RZ-22-00005 & CP-22-00005 ended on Monday, September 22, 2022 at 5:00 pm. Community Development Services has received the following comments so far:

- September 21, 2022 Karl Flaccus
- September 22, 2022 Kittitas Conservation Trust
- September 22, 2022 Richard Pierson
- September 22, 2022 Tom Robey
- September 22, 2022 Gold Creek Valley Landowners
- September 26, 2022 Gold Creek Valley Landowners

Please also note, that a scrivener's error was brought to my attention located within both the original and amended transmittal of comments letters dated September 16th and September 21st. The error to the project name was located in the first paragraph, but the permit numbers CP-22-00005 as well as RZ-22-00005 were correct. My apologies for any confusion this may have caused.

As previously mentioned, please provide any responses to the received comments by 5:00 pm on November 1, 2022 so that staff can incorporate and consider any of your responses into the staff report for the public hearing.

If you have any questions regarding this matter, please contact me at (509) 962-7539, or by e-mail at kelly.bacon.cd@co.kittitas.wa.us.

Best regards,

Kelly Bacon
Planner I

Cc'd: Dan Carlson, Director of Community Development Services Via Email

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: 2022 Annual Docket Amendments

NOTIFICATION OF: Notice of Planning Commission Public Hearing

NOTIFICATION MAIL DATE: October 27, 2022

I certify that the following documentation:

- Notice of Planning Commission Public Hearing for 2022 Annual Docket Amendments

has been mailed and/or emailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Signature

Jeremiah Cromie
Community Development Services Planner II
County of Kittitas
State of Washington

Subscribed and sworn to before me this 27th day of October, 2022

STEPHANIE MIFFLIN NOTARY PUBLIC 169937 COMMISSION EXPIRES 12-23-25 STATE OF WASHINGTON

Stephanie Mifflin
Notary Public for the State of Washington residing in Ellensburg.

My appointment expires: 12-23-25

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
"Building Partnerships – Building Communities"

2022 Kittitas County Annual Docket Amendments – Planning Commission Public Hearing

Notice is hereby given that the Kittitas County Planning Commission will conduct an open record public hearing to consider annual amendments to the Kittitas County Comprehensive Plan and changes to Kittitas County Code (Including 5 rezone petitions). The public hearing will be held:

Tuesday, November 8, 2022
6:00 p.m. at the Kittitas County Courthouse – Room 201
205 W. 5th Avenue Ellensburg, WA 98926

The public hearing may also be accessed online via Webex video conferencing at
https://kittitascounty.webex.com/kittitascounty/j.php?MTID=e75c80575c6466fac26926fcfc664b226,
or by phone 1-408-418-9388
Access Code: 2497 628 0782
Password: Planning

The public is invited to testify at the hearing on any of the proposals. Written comments on any of the proposals may be submitted to Community Development Services prior to the hearing or may be provided at the hearing. Please visit Kittitas County Community Development Services webpage for a complete list of the proposed amendments:
https://www.co.kittitas.wa.us/cds/comp-plan/default.aspx

Mail your comments on this project to the Kittitas County Community Development Services, 411 North Ruby Avenue, Suite 2, Ellensburg, WA 98926 or e-mail to cds@co.kittitas.wa.us. Please reference the docket number (found on the webpage) with your correspondence. Please contact Community Development Services at (509) 962-7506 or cds@co.kittitas.wa.us if you have any questions.

Copies of the staff report(s) can be obtained by visiting the website listed above or hard copies may be obtained upon request.

Applicants
randy@fioritobrothers.com
josh@browerlawps.com
aaron@centralpavingllc.com
jslothower@lwhsd.com
andy@wardrugh.com
bala.ce@gmail.com
llewington18@gmail.com
bala.ce@gmail.com

Kittitas County Public Works
kelee.hodges.pw@co.kittitas.wa.us
candie.leader@co.kittitas.wa.us

elliottr@kvfr.org
delvoj@kvfr.org
prevention@kvfr.org
Kittitas Valley Fire & Rescue (District 2)
2020 Vantage Highway
Ellensburg, WA 98926

Kittitas County Fire District #1
Kcfd1@fairpoint.net

Kittitas County Environmental Health
PublicHealthInspectors@co.kittitas.wa.us
Holly.erdman@co.kittitas.wa.us

Cascade Irrigation District cid@fairpoint.net

Snoqualmie Tribe
steve@snoqualmietribe.us
dahp@snoqualmietribe.us
adam@snoqualmietribe.us

West Side Irrigating Company
westsideirrigationco@gmail.com
1riegelfarm@gmail.com

Kittitas County Code Enforcement
toni.berkshire@co.kittitas.wa.us

Non-Agency Commenters
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Jarred Fudacz fudaczj@gmail.com
Erinn Boitano boitanoeri@hotmail.com
Karl Flaccus kflaccus@yahoo.com
Sue Mecklenburg suemeck@gmail.com
Richard Pierson econoforester@msn.com
Thomas Robey
scienceandmedicine@gmail.com

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brenda.young@dnr.wa.gov
luke.warthen@dnr.wa.gov
SEPACENTER@dnr.wa.gov
Garren.Andrews@dnr.wa.gov
MARTIN.MAUNEY@dnr.wa.gov

Kittitas County Environmental Health
PublicHealthInspectors@co.kittitas.wa.us

Paula Thompson
551 Goodwin Rd.
Thorp, WA 98946
(mailed)

Washington State DOT
Jacob.Prilucik@wsdot.wa.gov
SCPlanning@wsdot.wa.gov

WA Dept. Fish and Wildlife
Scott.Downes@dfw.wa.gov
Jennifer.Nelson@dfw.wa.gov
Elizabeth.Torrey@dfw.wa.gov

Department of Ecology
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lowh461@ECY.WA.GOV
FormerOrchards@ecy.wa.gov
wendy.neet@ecy.wa.gov
crosepa@ecy.wa.gov
crosepacoordinator@ecy.wa.gov

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corrine_camuso@yakama.com
jessica_lally@yakama.com
noah_oliver@yakama.com
casey_barney@yakama.com
kozj@yakamafish-nsn.gov
matj@yakamafish-nsn.gov
barh@yakamafish-nsn.gov

Kittitas Conservation Trust
mlong@kittitasconservationtrust.org

From:	Jeremiah Cromie
To:	"randy@fioritobrothers.com"; "josh@browerlawps.com"; "aaron@centralpavingllc.com"; "jslothower@lwhsd.com"; "andy@wardrugh.com"; "bala.ce@gmail.com"; "jlewington18@gmail.com"; "bala.ce@gmail.com"; Kelee Hodges; Candie Leader; Rich Elliott; "delvoj@kvfr.org"; "prevention@kvfr.org"; "Kcfd1@fairpoint.net"; PublicHealth Inspectors; Holly Erdman; "cid@fairpoint.net"; "steve@snoqualmietribe.us"; "dahp@snoqualmietribe.us"; "adam@snoqualmietribe.us"; "westsideirrigationco@gmail.com"; "1riegelfarm@gmail.com"; Toni Berkshire; "pdempsey@hnw.law"; "aaznar@hnw.law"; "fudaczj@gmail.com"; "boitanoeri@hotmail.com"; "kflaccus@yahoo.com"; "suemeck@gmail.com"; "econoforester@msn.com"; "scienceandmedicine@gmail.com"; "rivers@dnr.wa.gov"; "brenda.young@dnr.wa.gov"; "luke.warthen@dnr.wa.gov"; "SEPACENTER@dnr.wa.gov"; "Garren.Andrews@dnr.wa.gov"; "MARTIN.MAUNEY@dnr.wa.gov"; "Jacob.Prilucik@wsdot.wa.gov"; "SCPlanning@wsdot.wa.gov"; "Scott.Downes@dfw.wa.gov"; "Jennifer.Nelson@dfw.wa.gov"; "Elizabeth.Torrey@dfw.wa.gov"; "tebu461@ecy.wa.gov"; "lowh461@ECY.WA.GOV"; "FormerOrchards@ecy.wa.gov"; "wendy.neet@ecy.wa.gov"; "crosepa@ecy.wa.gov"; "crosepacoordinator@ecy.wa.gov"; "enviroreview@yakama.com"; "corrine_camuso@yakama.com"; "jessica_lally@yakama.com"; "noah_oliver@yakama.com"; "casey_barney@yakama.com"; "kozi@yakamafish-nsn.gov"; "mati@yakamafish-nsn.gov"; "barh@yakamafish-nsn.gov"; mlong@kittitasconservationtrust.org
Cc:	Dan Carlson; Kelly Bacon (CD); Chace Pedersen
Subject:	2022 Annual Amendments to Comprehensive Plan and Changes to Kittitas County Code (Including 5 Rezone Petitions) - Notice of Planning Commission Public Hearing
Date:	Thursday, October 27, 2022 3:44:48 PM
Attachments:	2022 Docket PC Hearing Notice.pdf

Good afternoon,

Please see the attached Planning Commission Public Hearing notice for the 2022 Annual Amendment to the Kittitas County Comprehensive Plan and changes to Kittitas County Codes. This includes public hearings on the following comprehensive plan amendments and rezones:

1. **RZ-22-00001 & CP-22-00001 Fiorito Brothers**
2. **RZ-22-00002 & CP-22-00002 Thorp Landing**
3. **RZ-22-00003 & CP-22-00003 Flying A Land**
4. **RZ-22-00004 & CP-22-00004 Teanaway Ridge**
5. **RZ-22-00005 & CP-22-00005 Mardee Lake**

We are currently working with our IT department to get the staff reports uploaded to the website and anticipate that being fixed within the next few days.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Megan Breckenridge
To: Jeremiah Cromie
Subject: Re: Ad: 295966 / 2022 Annual Docket Amendments
Date: Monday, October 24, 2022 9:46:22 AM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Thanks so much for your final approval, Jeremiah!

Enjoy the day,

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Monday, October 24, 2022 9:35 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>; Dawn Megles <dmegles@kvnews.com>
Subject: RE: Ad: 295966 / 2022 Annual Docket Amendments

CAUTION, this email originated from outside the organization.

Megan,

This looks fine and I give approval.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Monday, October 24, 2022 9:19 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; Dawn Megles <dmegles@kvnews.com>
Subject: Re: Ad: 295966 / 2022 Annual Docket Amendments

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Good morning Jeremiah,

I am back in the office and have attached your most recent proof for review. This legal is scheduled to run on October 27 and November 3.

Please let me know if you approve or would like any changes made by our 10:30am deadline on October 26.

Thank you and have a great day!

Megan Breckenridge
Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Monday, October 24, 2022 9:11 AM
To: Dawn Megles <dmegles@kvnews.com>; KVNews Legals <legals@kvnews.com>; Megan Breckenridge <mbreckenridge@kvnews.com>
Subject: RE: Ad: 295966, 2022 Annual Docket Amendments

CAUTION, this email originated from outside the organization.

Hello,

We have had a room change for the meeting and need to updated the notice Please see updated notice to publish in lieu of the last one I sent.

Let me know if there are questions.

AD# 295966AD#

Kittitas County Planning Commission –
2022 Kittitas County Annual Docket Amendments

Notice is hereby given that the Kittitas County Planning Commission will conduct an open record public hearing to consider annual amendments to the Kittitas County Comprehensive Plan and changes to Kittitas County Code (Including 5 rezone petitions). The public hearing will be held:

Tuesday, November 8, 2022
6:00 p.m. at the Kittitas County Courthouse
205 W. 5th Avenue, Room 201, Ellensburg

The public hearing may also be accessed online via Webex video conferencing at https://kittitascounty.webex.com/kittitascounty/j.php?MTID=e75c80575c6466fac26926fcfc664b226, or by phone 1-408-418-9388
Access Code: 2497 628 0782
Password: Planning

The public is invited to testify at the hearing on any of the proposals. Written comments on any of the proposals may be submitted to Community Development Services prior to the hearing or may be provided at the hearing. Please visit Kittitas County Community Development Services webpage for a complete list of the proposed amendments: https://www.co.kittitas.wa.us/cds/comp-plan/default.aspx

Mail your comments on this project to the Kittitas County Community Development Services, 411 North Ruby Avenue, Suite 2, Ellensburg, WA 98926 or e-mail to cds@co.kittitas.wa.us. Please reference the docket number (found on the webpage) with your correspondence. Please contact Community Development Services at (509) 962-7506 or cds@co.kittitas.wa.us if you have any questions.

Copies of the staff report(s) can be obtained by visiting the website listed above or hard copies may be obtained upon request.

PUBLISH: NKC Tribune: October 27, 2022 and November 3, 2022

PUBLISH: Daily Record October 27, November 3, 2022
LEGAL #295966

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Dawn Megles <dmegles@kvnews.com>
Sent: Friday, October 21, 2022 6:56 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: Re: Ad: 295966, 2022 Annual Docket Amendments

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Hi Jeremiah,

I noticed that yesterday right after I sent the notice. It has been corrected!

Have a fabulous day/weekend!

Dawn

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Thursday, October 20, 2022 3:07 PM
To: Dawn Megles <dmegles@kvnews.com>
Subject: RE: Ad: 295966, 2022 Annual Docket Amendments

CAUTION, this email originated from outside the organization.

Can you bold the "T" in Tuesday, otherwise, no changes needed.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926

Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Dawn Megles <dmegles@kvnews.com>
Sent: Thursday, October 20, 2022 2:26 PM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: Fw: Ad: 295966, 2022 Annual Docket Amendments

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Hi Jeremiah,

Attached is a proof of the notice. I have it scheduled to run 10/27 and 11/3 for a total of $249.52.

Please let me know if any changes are needed!

Thank you,

Dawn Megles
Daily Record
541-885-4446

From: dawnmegles@hjnews.com <dawnmegles@hjnews.com>
Sent: Thursday, October 20, 2022 2:24 PM
To: Dawn Megles <dmegles@kvnews.com>
Subject: Ad: 295966, 2022 Annual Docket Amendments

CAUTION, this email originated from outside the organization.

Dawn Megles
Daily Record
dmegles@kvnews.com

The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, or reproduction is strictly prohibited. If you received this in error, please contact the sender immediately and delete the material from all devices.
message id: 38eb45916c6dcbdac24bb8719d004a14

From: Jana Stoner (NKC Tribune)
To: Jeremiah Cromie
Cc: NKC Tribune Advertising Department
Subject: Re: 2022 Annual Docket Items (Publishing) - Notice of Public Hearing Planning Commission
Date: Monday, October 24, 2022 5:37:03 PM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

CONFIRMATION OF RECEIPT.

We will update that legal notice before publishing.

Jana E. Stoner - Publisher / CEO
jana@nkctribune.com

(509) 674-2511 ext. 7206
P.O. Box 308 | 807 W. Davis St., suite 101A
Cle Elum, WA 98922

– Northern Kittitas County Tribune
– U.K.C. Builders' Planning Guide
– EXPLORE! Central Cascades Visitor Guide

www.NKCTribune.com

> On Oct 24, 2022, at 9:11 AM, Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us> wrote:

Conservation Northwest
Keeping the Northwest Wild

Officers
Board President — Joseph Joy
Board Vice President — Andy Held
Board Secretary — Patricia Laughman
Board Treasurer — Bruce Jacobsen
Executive Director — Mitch Friedman

NOTICE OF APPEAL

October 27, 2022

RECEIVED
OCT 27 2022
Kittitas County CDS
@ 4:11 pm

Co-Appellant:
Conservation Northwest
1829 10th Ave W, Suite B
Seattle, WA 98119

Co-Appellant:
Karl Flaccus
32 Gold Creek Lane
Snoqualmie Pass, WA
and
6845 47th Ave. NE
Seattle, WA 98115

To: Dan Carlson
Kittitas County Director of Community Development Services
411 N Ruby St., Suite 2,
Ellensburg, WA 98926

Re: Notice of Appeal - RZ-22-00005/CP-22-00005 Mardee Lake Determination of Non-Significance

Dear Director Carlson,

Conservation Northwest and Karl Flaccus (co-appellants) submit this appeal of Kittitas County Community Development Services' Determination of Non-Significance (DNS) for the proposed rezoning of Mardee Lake from Forest and Range with a Rural Working Land Use to Rural Recreation Zoning and Land Use (RZ-22-00005). This appeal challenges the rezoning decision and SEPA DNS which we believe to be clearly erroneous and inconsistent with the County's own Comprehensive Plan, the County Code, SEPA, the Federal Endangered Species Act, and other applicable law. Please consider this appeal both as a SEPA appeal and to inform the Board of County Commissioner's decision on the proposal.

Appellants Interested in Decision

Conservation Northwest (Co-Appellant)
c/o Jen Syrowitz
Conservation Program Manager
1829 10th Ave W, Suite B
Seattle, WA 98119

Web and email
conservationnw.org
facebook.com/ConservationNW
info@conservationnw.org

Seattle headquarters
1829 10th Ave W, Suite B
Seattle, WA 98119
206.675.9747
206.675.1007 (fax)

For over 25 years, Conservation Northwest has partnered with natural resource agencies, stakeholders, and Tribes to identify, plan, fund, and implement landscape-scale watershed restoration investments to address the barrier effects of I-90 and connect and enhance habitat to provide migratory corridors for fish and wildlife in the Snoqualmie Pass area – an area identified as a Connectivity Emphasis Area in the Snoqualmie Pass Adaptive Management Area Plan and critically important for wildlife movement (USFS 1997). Conservation Northwest spearheaded the Cascades Conservation Partnership and the I-90 Wildlife Bridges Coalition to reconnect Washington's north and south Cascades by protecting and restoring habitat and establishing wildlife crossings under and over I-90. Conservation Northwest continues to work with the USFS, WSDOT, WDFW and others to protect and restore critical wildlife areas that invite safe wildlife travel through Washington's Cascade Mountain Range. As detailed below, the proposed rezoning and associated development will undermine the benefits of the I-90 Wildlife Bridge Coalition, and thus harm Conservation Northwest's deep interest in protecting and restoring wildlife populations in the area. Conservation Northwest has affected members that reside in Kittitas County and has long worked collaboratively on conservation projects in Kittitas County.

Karl Flaccus (Co-Appellant)
32 Gold Creek Lane
Snoqualmie Pass, WA
and
6845 47th Ave. NE
Seattle, WA 98115

Karl Flaccus has been a cabin owner in the Gold Creek Valley for 22 years. He cares deeply about Gold Creek Valley and its ecology and environment. He frequently visits the area proposed for rezoning and plans to do so in the future.

Appellants' interest in the decision stems from decades of work on conservation projects in the area, and expectation that Kittitas County will adhere to the law, Kittitas County's own Comprehensive Plan, and science.

We note that our concerns are shared by many commenters including the Confederated Bands of the Yakama Nation, the Washington Department of Ecology, the Washington Department of Fish and Wildlife, and the Washington Department of Transportation. This resounding and widespread opposition by a Tribal government and State agencies to a project and SEPA determination demonstrates the inadequacy of the SEPA analysis. We incorporate the referenced comments into this appeal by reference.

Appellants' Reasons to Appeal the Decision

The SEPA Determination of Non-Significance describes the project as the rezoning and amendment of the Comprehensive Plan and rezoning of 150.98 acres from Forest and Range with a Rural Working Land Use to Rural Recreation Zoning and Land Use.

SEPA review of rezoning must include consideration of the probable environmental impacts of development that is authorized by the rezoning. For example, in *King County v. King County Boundary Review Board*, 122 Wn.2d 648, 860 P.2d 1024 (1993), the Washington Supreme Court

required that an environmental impact statement be prepared for a boundary line adjustment, because development was likely to follow.

The land is currently designated as Forest and Range, "wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged." KCC 17.56.010. The minimum lot size is 20 acres. KCC 17.56.040.

The rezone to Rural Recreation Zoning and Land Use changes the purpose of use to "provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County." KCC 17.30.010. The minimum lot size is 5 acres, with cluster development more easily allowed. KCC 17.30.040.

In essence, the rezone switches the property from one where development is discouraged to one where development is the primary goal and intent.

The SEPA checklist and threshold determination must take into account all the direct, indirect, and cumulative impacts of the rezone, including the probable development that will occur. This determination must take into account context and intensity. According to WAC 197-11-330(3)(e):

A proposal may to a significant degree:

(i) Adversely affect environmentally sensitive or special areas, such as loss or destruction of historic, scientific, and cultural resources, parks, prime farmlands, wetlands, wild and scenic rivers, or wilderness;
(ii) Adversely affect endangered or threatened species or their habitat;
(iii) Conflict with local, state, or federal laws or requirements for the protection of the environment; and
(iv) Establish a precedent for future actions with significant effects, involves unique and unknown risks to the environment, or may affect public health or safety.

As explained herein, the Mardee Lake proposal raises each of the listed issues. The SEPA Checklist and DNS are deficient because they fail to evaluate all of the probable environmental impacts of the project. Increased development and land use is a probable impact of the rezone. Indeed, the applicant notes that part of the reason for the request is new access to water rights from the Snoqualmie Public Utility, nearby development creating recreational and other pressures and likely use, and references the example of the Suncadia resort. The applicant further states that "the proposed rezone for the property provides for the reasonable development of the land for rural recreational uses."[1]

All direct, indirect, and cumulative impacts of the proposal must be considered in the SEPA threshold determination. The SEPA checklist and threshold determination are inadequate and violate SEPA for the reasons detailed in this letter, including the following:

---

[1] https://www.co.kittitas.wa.us/uploads/cds/land-use/Rezones/RZ-22-00005%20Mardee%20Lake/RZ-22-00005%20Mardee%20Lake%20Changed%20Circumstance%20Document.pdf

- The SEPA checklist contains almost no information of any kind and fails to consider the impacts of potential development associated with the rezone. It incorrectly presumes that a change in designation lacks environmental impact because there are not pending development permits. This is incorrect and violates SEPA and the KCC's SEPA provisions. The SEPA Checklist and threshold determination must account for reasonably likely future development. SEPA requires consideration of impacts at the earliest possible time and prohibits segmentation of projects. It violates SEPA to simply defer consideration of environmental impacts into the future.
- The SEPA checklist does not list the threatened/endangered species known to be in and/or adjacent to the area (i.e. Bull Trout *(Salvelinus confluentis),* Northern Spotted Owl (*Strix occidentalis caurina)*, Marbled Murrelet (*Brachyramphus marmoratus*), Fisher *(Pekania pennanti)),* and the DNS does not consider impacts to these species.
- The SEPA DNS fails to account for potential conflict with the Federal Endangered Species Act. Authorization of proposals that harm species listed as threatened or endangered is unlawful and presents potential liability for not only the project proponent, but also the County.
- The SEPA checklist and DNS do not consider the impacts to the wildlife corridor, Mardee Lake, and associated streams and wetlands, which are environmentally sensitive and special areas.
- The SEPA checklist and DNS do not adequately specify that the parcels and adjacent lands are in a Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS)[2] Critical Area that includes streams, Bull Trout rearing habitat, extensive wetlands, and a very important wildlife connectivity corridor. By not acknowledging that the parcels exist in a critical area, the SEPA checklist and DNS do not consider the impacts to the wildlife corridor, Mardee Lake, and associated streams and wetlands, which are environmentally sensitive and special areas. A wildlife connectivity corridor is a critical area and a rezone that would allow increased recreation is not consistent with critical areas protection.
- The SEPA DNS conflicts with the Kittitas County Comprehensive Plan and associated County Code, and Kittitas County Critical Areas Regulations that recognize the need to protect critical habitat areas and connectivity corridors.

Kittitas County Comprehensive Plan & Snoqualmie Pass Sub-Area Comprehensive Plan (adopted into the Kittitas County Comprehensive Plan)

To support our appeal, we highlight specific language from the Kittitas County Comprehensive Plan/Snoqualmie Pass Sub-Area Comprehensive Plan that protects critical areas and promotes habitat connectivity.

> RR-P17: Limit development in rural areas through density requirements that protect and maintain existing rural character, natural open space, critical areas, and recreation areas.
>
> NATURAL ENVIRONMENT GOALS AND POLICIES:
> NE-G1: Designate and protect the functions and values of critical areas consistent with Best Available Science.
> NE-G4: Promote efforts to connect habitat and open space on private lands and open space on public lands.

[2] https://geodataservices.wdfw.wa.gov/hp/phs/

NE-P7: Evaluate opportunities to: 1. Use innovative land use management techniques to conserve and protect designated critical areas.
NE-P18: Evaluate opportunities to protect fish and wildlife habitat on a regional and site-specific scale, considering the following: 1. Habitat connectivity; 2. Habitat diversity; 3. Areas of high species diversity

D. SUBAREA "D"

Location and General Description

Subarea D is the most eastern portion of the planning area. Gold Creek Valley begins at the head of Keechelus Lake and stretches to the northeast, over seven miles, to Chikamin Ridge. The upper reaches of the valley (outside of this subarea) are within the Alpine Lakes Wilderness. The eastern boundary of the subarea coincides with the Wilderness boundary.

Natural Features

The valley offers some of the most spectacular scenery in the Pass area including Rampart Ridge, Chikamin Peak and Kendall Peak. Gold Creek flows year around into Keechelus Lake. In the flatter portions of the valley floor, the creek bed becomes broad and, in dry summer months, part of the creek flows underground. The lower reaches of the creek are a designated flood plain in the Kittitas County Comprehensive Plan. There are extensive wetlands near the valley entrance. Some are associated with Gold Creek and others with Mardee Lake and Coal Creek.

Development Constraints

The steep slopes on the east side of the valley are unbuildable and development will be limited to the valley floor. Gold Creek should be protected as a sensitive environmental area and respected as a potential source of flooding. Extensive wetland areas around Mardee Lake present constraints to development, as do steep slopes and rock outcropping on a ridge area east of Mardee Lake. Coal Creek and Hyak Creek are other environmentally sensitive areas, which will require protection and special attention.

D. OVERALL GOALS

7. Preserve and protect environmentally sensitive areas and scenic vistas.

SUBAREA D LAND USE PLAN

In no case shall construction result in increased slope instability or erosion in the area, or disturb ecologically sensitive areas, such as Mardee Lake and its associated wetlands... residential development should be planned with the highest degree of sensitivity to the aesthetic values of the area and the preservation and enhancement of wildlife habitat.

IV. OPEN SPACE AND CRITICAL AREAS

IV.2 Goal: Identify uses complementary with Open Space/Critical Areas goals and objectives.
IV.3 Goal: Develop an implementation strategy for preserving and incorporating open space and critical areas into the community plan.

4. Plans should be developed which will preserve or enhance native flora, fauna and sensitive areas.

IV.8 Goal: Natural wetlands of irreplaceable high quality as habitat and open space should be preserved and protected.

IV.11 Goal: Protect fish and wildlife habitat areas, including habitat corridors, migration routes, ponds, streams, and breeding and nesting areas.

2. Enhance and improve wildlife habitat and habitat corridors, which may be disturbed or disrupted by development.

OPEN SPACE AND CRITICAL AREAS
Recommended Actions
2. The Committee should enlist the assistance of appropriate agencies and knowledgeable individuals to further identify highly sensitive environmental areas including high quality wetlands and riparian corridors, old growth forests, sensitive wildlife habitats and wildlife corridors. The Committee should review the Counties' critical areas maps and regulations to ensure that these sensitive areas are adequately identified and protected, considering the special requirements of the mountain environment.

Kittitas County Critical Areas Regulations

To support our appeal, we highlight specific language from the Kittitas County Critical Areas Regulations that define and promote the sustainability of Fish and Wildlife Habitat Conservation Areas, including movement corridors and state priority habitats identified by WDFW.

> 17A.02.330 "Fish and Wildlife Habitat Conservation Areas." Fish and wildlife habitat conservation areas" are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; areas with high relative population density or species richness; and also, locally important habitats and species designated by the County, and state priority habitats and species as identified by the WA Department of Fish and Wildlife.

The parcels owned by Mardee Lake Inc. exist in the heart of the Snoqualmie Pass Corridor, also known as the Snoqualmie Pass Adaptive Management Area in the Northwest Forest Plan which states that planning here "should recognize the area as a critical connective link in north-south movement of organisms in the Cascade Range" (NWFP D-16).[3] The 1997 USFS Snoqualmie Pass Adaptive Management Area Plan Final EIS and Record of Decision focus on maintaining critical connectivity corridors in the area with restrictive standards and guidelines regarding recreational uses and facilities.

The Mardee Lake Inc. parcels contain multiple critical areas that support or have the potential to support a variety of species including Bull Trout, Westslope Cutthroat Trout, Gray Wolf, Marbled Murrelet, Northern Spotted Owl, and aquatic and terrestrial priority habitats including Freshwater Emergent Wetland, Freshwater Forestland/Shrub Wetland, and Biodiversity Areas and Corridor (see Figure 1. and the WDFW Priority Habitats and Species Report accompanying this appeal).

Kittitas County adopted WDFW PHS when they updated their Critical Areas Ordinance (CAO) in February 2022. The CAO regulates the following critical areas: Critical Aquifer Recharge

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[3] Northwest Forest Plan Standards and Guidelines.
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3843203.pdf

Areas, Fish and Wildlife Conservation Areas, Frequently Flooded Areas, Geologically Hazardous Areas, Wetlands. The Mardee Lake parcels fall under both 'Fish and Wildlife Conservation Areas' and 'Wetlands' critical areas.

We do not believe that the DNS adequately considered WDFW PHS Critical Areas, and the wildlife connectivity corridor critical area in particular, and is therefore inconsistent with the Kittitas County Comprehensive Plan and the county's Critical Areas Ordinance.

Conservation Northwest has recently released a report on the best available science pertaining to recreation and wildlife co-existence.[4] Research has shown repeatedly that higher densities of human presence either on foot or motorized travel, and in higher densities fragmented by development, influence wildlife behavior and decrease the use of available habitat.[5,6] Even low levels of human activity can change wildlife behavior and habitat use.[7] "Passive" activities such as hiking, snowshoeing, or cross-country skiing in critical areas can have adverse effects on wildlife if concentrated in large numbers. Wildlife use and function in this critical wildlife migration corridor will be impaired by a rezoning (to Rural Recreation) that increases residential development, recreational pressures, and the number of people in this area. The Gold Creek Area, including Mardee Lake, already has high levels of recreation that often spill over the bounds of available parking. Simply put, recreational developments at Snoqualmie Pass need to be focused outside of these critical habitat areas and wildlife migration corridors.

Completed wildlife crossing structures in the Gold Creek Valley have largely been funded by tax-payer dollars as part of the I-90 Snoqualmie Pass East Project. These investments have provided great benefits to all species that depend on the critical wildlife corridor that connects habitat the north and the south of I-90. From 2014 (when structures were installed) to 2021, 7000+ successful wildlife crossings have been made by animals at the Gold Creek crossing structures. Use of these structures has ensured successful population connections and a reduction in animal-vehicle collisions. Moreover, WSDOT designed these projects and structures to be consistent with the Snoqualmie Pass Adaptative Management Area Plan and the Kittitas County Comprehensive Plan/Snoqualmie Pass Sub-Area Comprehensive Plan which support connectivity corridors. As a result of this rezoning, significantly increased land use densities and development within and adjacent to Gold Creek Valley will negatively affect public investments in these wildlife connectivity structures (bridges, culverts and overcrossings), affect habitat restoration areas, and displace wildlife that are moving through this corridor. It is essential that recently restored ecosystem functions, ongoing connectivity and restoration efforts, and animal movement is not impaired by increased human presence from recreation that would result from this rezoning.

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[4] Machowicz, A., Vanbianchi, C., and Windell, R. 2022. Recreation and Wildlife in Washington: Considerations for Conservation. Home Range Wildlife Research. https://conservationnw.org/wp-content/uploads/2022/09/Recreation-and-wildlife-in-Washington-Considerations-for-conservation_FINALreduced.pdf

[5] Larson CL, Reed SE, Merenlender AM, Crooks KR (2016) Effects of Recreation on Animals Revealed as Widespread through a Global Systematic Review. PLOS ONE 11(12): e0167259. https://doi.org/10.1371/journal.pone.0167259

[6] Miller, A.B.; King, D.; Rowland, M.; Chapman, J.; Tomosy, M.; Liang, C.; Abelson, E.S.; Truex, R. 2020. Sustaining wildlife with recreation on public lands: a synthesis of research findings, management practices, and research needs. Gen. Tech. Rep. PNW-GTR-993. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 226 p.

[7] Sytsma, M., Lewis, T., Gardner, B., and Prugh, L. 2022. Low levels of outdoor recreation alter wildlife behavior. People and Nature/Early View. https://doi.org/10.1002/pan3.10402

Any of the listed uses for Rural Recreation could be allowed if this type of rezoning is allowed, including but not limited to: increased residential development, Lodges, B&B, Restaurant, Retail, Campground, Golf Course, ORV Park, Rec Vehicle Storage. The SEPA checklist and DNS must account for all such reasonably likely potential uses and associated effects. We believe that a rezone to allow intensive recreational development is not consistent with critical areas protection. In other words, Rural Recreation Zoning and Land Use and its listed uses are incompatible within and adjacent to a critical area – in this case, a wildlife connectivity zone.

Once the property is rezoned, the permitting pathway for additional high density recreation infrastructure will be opened. A DNS is inappropriate considering that the potential significant environmental impacts resulting from this rezone would be difficult to mitigate during intensive recreational development, and offsite mitigation would not adequately compensate for the loss of critical habitat function for these localized areas.

Although the application is a non-project action, disclosure of potential impacts to the environment (i.e. critical areas and species) must be identified during the rezone application and considered during the SEPA decision. Identifying potential impacts to ecological connectivity in the Gold Creek Valley is needed to ensure that public investments and commitments are maintained.

Based on the above, we believe the DNS issued for this application is not sufficient to adequately address potential adverse impacts to critical areas, including a wildlife connectivity zone.

The current Forest and Range with a Rural Working Land Use with protections for critical areas/habitat is better aligned with the Kittitas County Comprehensive Plan/Snoqualmie Pass Sub-Area Comprehensive Plan, Kittitas County Critical Areas Ordinance, and the USFS Snoqualmie Pass Adaptive Management Area Plan, then would be Rural Recreation Zoning and Land Use.

Conclusion

The DNS failed to consider that the Mardee Lake parcels are in a critical area and failed to adequately take into account Kittitas County's own Comprehensive Plan and Critical Areas Ordinance resulting in procedural defects that led to a wrong decision. The factors outlined above, had they been properly considered, would have led to further examination of the impacts of the rezoning application on the environment. If left to stand, this decision threatens the integrity of the critical areas of Mardee Lake.

Changes to the Decision and Desired Outcomes

Co-Appellants Conservation Northwest and Karl Flaccus seek invalidation of the DNS and direction to the Director to prepare a Critical Areas Report, Determination of Significance (DS) and associated Environmental Impact Statement (EIS).

A Critical Areas report would more accurately identify the extent of critical areas (streams, wetlands, species habitat, and connectivity corridor), address potential impacts in or adjacent to the critical areas from future development, and how the proposed application proposes to avoid

impacts to the critical areas and species it supports. We believe the results of this report would support a Determination of Significance (DS) and subsequent Environmental Impact Statement (EIS).

Please contact Conservation Northwest and Karl Flaccus at the addresses below regarding anticipated proceedings.

Jen Syrowitz, M.Env.
Conservation Program Manager
Conservation Northwest
1829 10th Ave W, Suite B
Seattle, WA 98119
(206) 970-1434
jsyrowitz@conservationnw.org
Co-Appellant

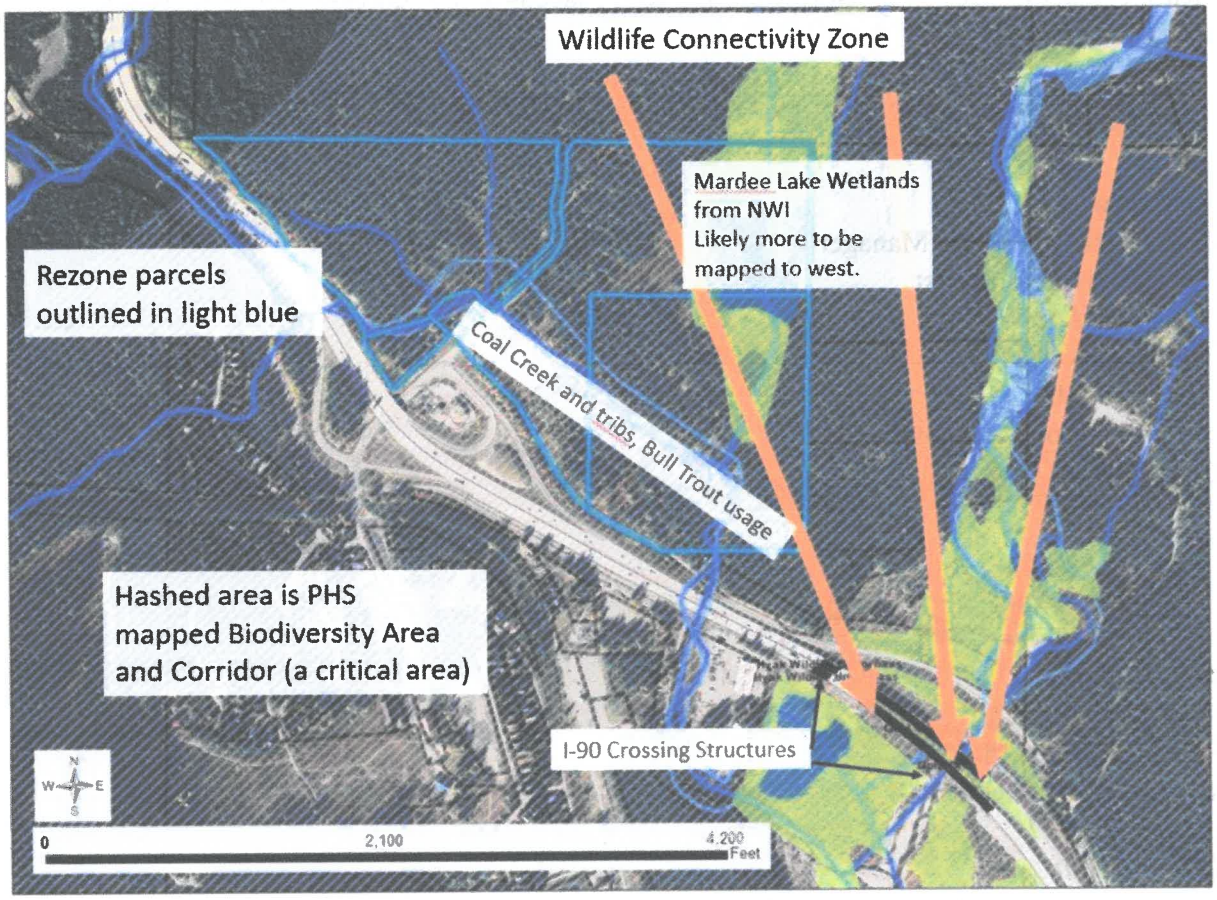
Karl Flaccus
6845 47th Ave. NE
Seattle, WA 98115
kflaccus@yahoo.com
(206) 371-7037
Co-Appellant

Supplemental information submitted with this appeal:

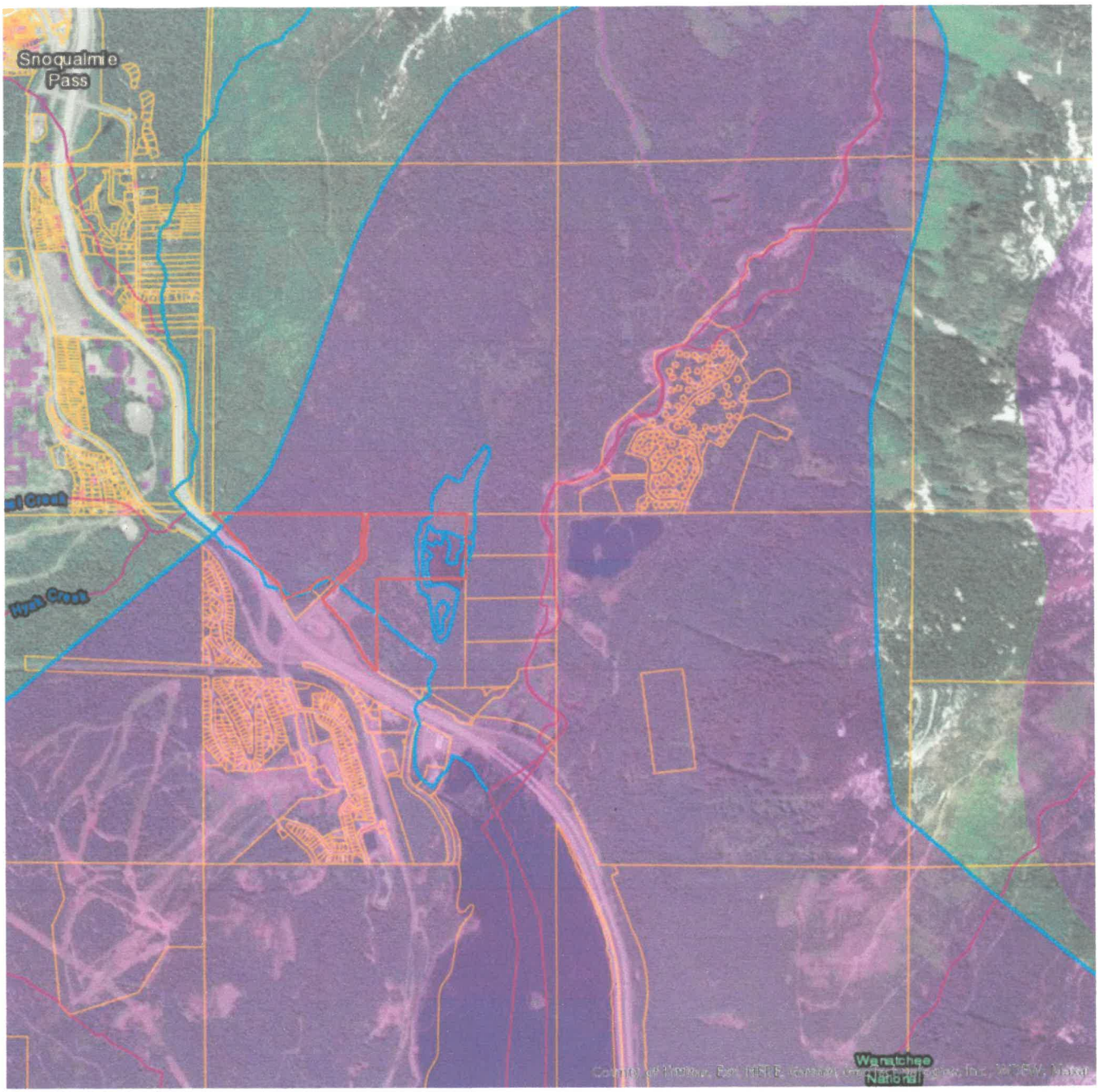
1. WDFW Priority Habitats and Species Report for Mardee Lake parcels

Copies of this appeal and supplemental information were provided to the applicant, the applicant's registered agent, and the County via email, with a physical copy sent via U.S. mail to the applicant's registered agent's listed address.

Figure 1. Mardee Lake Critical Area – Identified by Washington Department of Fish and Wildlife – Hashed Area is Priority Habitat and Species (PHS) mapped Biodiversity Area (Critical Area). Kittitas County adopted WDFW PHS when they updated their Critical Area Ordinance in February 2022.



Priority Habitats and Species on the Web



Report Date: 10/26/2022, Parcel ID: 22-11-15020-0001

User Comments/Notes:

PHS Species/Habitats Overview:

Occurence Name	Federal Status	State Status	Sensitive Location
Westslope Cutthroat	N/A	N/A	No
Biodiversity Areas And Corridor	N/A	N/A	No
Freshwater Emergent Wetland	N/A	N/A	No
Freshwater Forested/Shrub Wetland	N/A	N/A	No
Gray wolf	Endangered	Endangered	Yes
Northern Spotted Owl	Threatened	Endangered	Yes

PHS Species/Habitats Details:

Westslope Cutthroat	
Scientific Name	*Oncorhynchus clarki lewisi*
Priority Area	Occurrence/Migration
Site Name	Coal Creek
Accuracy	NA
Notes	LLID: 1213844473890, Fish Name: Westslope Cutthroat Trout, Run Time: Unknown or not Applicable, Life History: Fluvial
Source Record	9475
Source Dataset	SWIFD
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
More Info	http://wdfw.wa.gov/wlm/diversty/soc/soc.htm
Geometry Type	Lines

Biodiversity Areas And Corridor	
Priority Area	Terrestrial Habitat
Site Name	SNOQUALMIE PASS CORRIDOR
Notes	Movement corridor for a multitude of wildlife; large ungulates to smallmammals and herptiles. Corridor is the focus of the I-90 east project,one of the largest wildlife highway connectivity projects in the Western US.
Source Record	920515
Source Dataset	PHSREGION
Source Name	SCOTT DOWNES
Source Entity	WA Dept. of Fish and Wildlife
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00023
Geometry Type	Polygons

Freshwater Emergent Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: Freshwater Emergent Wetland - NWI Code: PEM1F
Source Dataset	NWIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: Freshwater Forested/Shrub Wetland - NWI Code: PSSC
Source Dataset	NWIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

Gray wolf	
Scientific Name	*Canis lupus*
Notes	This polygon mask represents one or more records of the above species or habitat occurrence. Contact PHS Data Release (360-902-2543) for obtaining information about masked sensitive species and habitats.
Federal Status	Endangered
State Status	Endangered
PHS Listing Status	PHS Listed Occurrence
Sensitive	Y
SGCN	Y
Display Resolution	TOWNSHIP

Northern Spotted Owl	
Scientific Name	*Strix occidentalis*
Notes	This polygon mask represents one or more records of the above species or habitat occurrence. Contact PHS Data Release (360-902-2543) for obtaining information about masked sensitive species and habitats.
Federal Status	Threatened
State Status	Endangered
PHS Listing Status	PHS Listed Occurrence
Sensitive	Y
SGCN	Y
Display Resolution	TOWNSHIP
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00026

DISCLAIMER. This report includes information that the Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and it is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which comprehensive

surveys have not been conducted. Site specific surveys are frequently necesssary to rule out the presence of priority resources. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using reports more than six months old.

KITTITAS COUNTY
COMMUNITY DEVELOPMENT SERVICES

Receipt Number: CD22-03679

411 N. Ruby St., Suite 2
Ellensburg, WA 98926
509-962-7506 / https://www.co.kittitas.wa.us/cds/ /

Payer/Payee: CONSERVATION NORTHWEST
1829 10TH AVE W SUITE B
SEATTLE WA 98119

Cashier: GAIL WEYAND CDS
Payment Type: CHECK (28981)

Date: 10/27/2022

CP-22-00005 Comprehensive Plan Amendment UNKNOWN

Fee Description	Fee Amount	Amount Paid	Fee Balance
Appeal	$1,550.00	$1,550.00	$0.00
CP-22-00005 TOTALS:	**$1,550.00**	**$1,550.00**	**$0.00**
TOTAL PAID:		**$1,550.00**	

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES
411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682
"Building Partnerships – Building Communities"

STAFF REPORT
Mardee Lake Non-Project Rezone (CP-22-00005 & RZ-22-00005) – Docket Item 22.25

I. GENERAL INFORMATION

Requested Action:
Terra Design Group Inc. (Chad Bala), agent for Mardee Lake Inc., is proposing a rezone and map amendment to four parcels (808335, 818335, 828335 and 838335) currently zoned Forest and Range with a Rural Working Land Use, rezoned to Rural Recreation zoning and land use designation. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

Location: Tax parcels 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

II. SITE INFORMATION

Total Proposal Size:	approximately 150.98 acres
Number of Lots:	4
Domestic Water:	None requested/proposed at this time.
Sewage Disposal:	None requested/proposed at this time.
Fire Protection:	Snoqualmie Pass Fire District #51
Irrigation District:	None

Site Characteristics: The site is undeveloped Forest and Range with Rural Conservancy Shoreline Jurisdiction and primarily located within the Channel Migration Zone for Coal Creek.

Surrounding Property:
- North: Wenatchee National Forest
- South: I-90 Corridor/Hyak Estates
- East: Privately owned forested land
- West: Wenatchee National Forest

Access: The proposal has access from I-90 and Forest Service Road 4832.

Zoning and Development Standards: The subject property is currently zoned Forest and Range with a Rural Working Land Use. The application is to amend both the zoning and land use to Rural Recreation. The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. The proposed rezone has the potential to allow for future recreational/residential/resource activity consistent with surrounding properties. Attachment A of this Staff Report is a land use table comparison between Forest and Range and Rural Recreation showing the allowed uses within each zone, as well as the processes required for each allowed use.

III. ADMINISTRATIVE REVIEW

Complete Annual Comprehensive Plan Docket Application: Application for a comprehensive plan map amendment, rezone from Rural Working Land Use and Forest and Range Zoning to Rural Recreation zoning and land use, and SEPA environmental checklist was received on June 30, 2022. This submittal packet was received prior to the June 30th docketing deadline. The application was deemed complete on July 29, 2022. A Notice of Application was issued on August 11, 2022. These notices were published in the official county paper of record and were mailed to jurisdictional government agencies, adjacent property owners within 500 feet and other interested parties.

Posting of Site: The signed Affidavit of Posting was returned to CDS on August 1, 2022 indicating that the site had been accurately posted with the "Land Use Action" signs as provided by CDS and required per KCC 15A.03.110.

IV. COMPREHENSIVE PLAN

The current land use designation is Rural Working. The proposed land use designation is Rural Recreation. Under the 2021 Comprehensive Plan, Kittitas County has established the following goals and policies to guide future development through a 20-year planning window. These goals and policies were developed in an effort to ensure consistency and coordination with County Wide Planning Policies:

> RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.
>
> RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.
>
> RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.
>
> RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

V. REZONE CRITERIA

The following criteria must be met per KCC 17.98.020.6 (a-h).

a) The proposed amendment is compatible with the comprehensive plan; and
b) The proposed amendment bears a substantial relation to the public health, safety or welfare; and
c) The proposed amendment has merit and value for Kittitas County or a sub-area of the county; and
d) The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property; and
e) The subject property is suitable for development in general conformance with zoning standards for the proposed zone; and
f) The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property; and
g) The proposed change in use of the subject property shall not adversely impact irrigation water deliveries to other properties; and
h) The proposed amendment is in full compliance with KCC 17.13 Transfer of Development Rights.

The applicant's and staff response to the above criteria can be found below:

a) The proposed amendment is compatible with the comprehensive plan.

Applicants Response: *"This Project's relationship and compatibility with the Kittitas County Comprehensive Plan is consistent with the goals and policies outlined within Exhibit 4 of this proposal along with the additional goals and policies listed below.*
H-G 1: Support strategies that increase and maintain the availability of affordable housing for all incomes levels throughout the county.
This zone change will allow for additional housing to be built in the future with domestic water provided by Group A water system. Housing units needed for future populations, per the comprehensive plan, is projected to be 8,611 units by the year 2037. This is one of the very few areas in the upper county that is be served by a Group A water system via the Snoqualmie Pass Utility District.
H-G3: Provide equitable housing options to allow residents with supported living needs to live as independently as possible throughout the County.
The proposal will create the possibility for new homes to be built in the future which will provide future home ownership.
H-G7: Provide a sufficient number of housing units for future populations in rural areas of Kittitas County while maintaining environmental corridors and quality habitats.
This proposal will could provide for additional housing units while maintaining the environmental corridors and quality habitats that this land contains.
H-G8: Provide for future populations while protecting individual property rights.
This proposal allows for the continued protection of private property rights.
H-P3: Identify lands within areas which are served by centralized water and sewer systems, paved streets and other public services provide to them which are suitable for high density residential use including multi-family and single family planned unit developments and cluster housing.
This proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. The subject parcels have immediate access from 1-90 and are within a 1.5 to 2 miles of other public services."

Staff Response: This project proposes to change the Land Use and Zoning designations conforming with adjacent properties zoning and recreational uses within the vicinity. The requested zone change is compatible with the County's Comprehensive Plan.

b) The proposed amendment bears a substantial relation to the public health, safety or welfare.

Applicants Response: "*The proposed amendment must bear a substantial relation to only one of the following: public health, safety or welfare and this proposal benefits county residents in all three categories.*
Kittitas County Population Growth: The Kittitas County Conference of Governments (COG) made a recommendation to the Board of County Commissioners to adopt the Office of Financial Management's (OFM) numbers and distribution of populations projections through 2037. These projections are intended to guide in the development of Kittitas County. This recommendation included a population projection of 65,967 residents within Kittitas County by the year 2037. Using this projection, the 20-year population allocation for Kittitas County is anticipated to increase by 23,297 people. This proposal provides for the possibility of housing that will add to the greater mix of residential housing types that will assist in meeting the carrying capacity that the county is required to provide for in the Kittitas County Comprehensive Plan. By changing this zone to Agricultural-5 with property located in the future boundaries of a Group A Water System that has the water rights to serve this area bears a substantial relation to the public health, safety and/or welfare; and

Public Health: In 2016 Kittitas County had the availability of new domestic water supplies greatly reduced as the Department of Ecology has determined that the water in the upper Yakima River basin has been over allocated. In addition, the Department of Ecology has found that there is a connection between surface and ground water in the Upper Yakima River Basin and has determined that there will be no new water rights (surface or ground) issued for any use unless mitigated by an existing senior water right. Since this decision Kittitas County came into compliance with the adoption of their comprehensive plan along with the continued development on how to provide water for domestic purposes. One example is that Kittitas County has purchased water rights and developed an over the county water program to meet the domestic needs of Kittitas County. Furthermore, private water banks were developed, with approval from WA ST. Dept. of Ecology to also allow for the ability to provide domestic water for new and future residential uses. Furthermore, this proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. By providing domestic water and sewer by being within the service area of the Snoqualmie Pass Utility District this amendment bears a substantial relation to the public health; and Welfare: The Merriam-Webster dictionary defines "welfare" as "the state of doing well especially in respect to good fortune, happiness, well-being, or prosperity ". Home ownership intermixed with recreation activities are specifically designed to provide happiness and well-being. The property is located adjacent to other properties in the same area that provide for wide variety of recreational opportunities for both summer and winter
(Snoqualmie Pass Skiing, snow shoeing, mtn. biking, fishing, hunting, hili.ng, access to Wenatchee National Forest to name a few). By providing these new opportunities the proposal bears a substantial relation to welfare; and Safety The Merriam-Webster dictionary defines "safety" as "the condition of being safe from undergoing or causing hurt, injury, or loss". The change in the zone from Forest & Range - 20 to Rural Recreational will provide a similar environment for the continued and growing rural population and recreation uses. The proposal is already being encircled by surrounding smaller densities along with other existing recreational uses. By zoning these parcels to Rural Recreational will bring this property into consistency with the surrounding area, allow for innovated techniques to occur for residential development while protecting the rural character and natural environment with a safe water and sewer supply in a safe environment, therefore this amendment bears a substantial relation to safety."

Staff Response: This amendment will not be detrimental to the health, safety, or welfare of the public as the proposal is currently a non-project specific application. CDS staff does have concerns in regards to the potential additional density proposed on property that has numerous critical areas, however those concerns would be addressed at the time of development review of specific projects.. The primary goal and intent of the proposed zoning, Rural Recreation, is to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. The property is located in the vicinity of a wide array of outdoor recreational opportunities.

c) The proposed amendment has merit and value for Kittitas County or a sub-area of the county.

Applicants Response: *"The Merriam-Webster dictionary defines "merit" as "a good quality or feature that deserves to be praised' and/or "the quality of being good, important, or useful ".*
Protection of existing natural areas: With the concept of preserving natural areas, by designating this land as rural recreation land provides for consistency within the immediate area and those similar recreational uses. All the surrounding land has been continually developed making it even more difficult to continue with any future recreational types of scenarios. By changing the land use designation and zoning designation allows for the continued rural recreational lifestyle to occur. By doing this the amendment and rezone has merit and value for the county.
Protection of Coal Creek: Coal Creek is located on a portion of this proposal. By including this rural recreational growth on these lands allows for the continue recreational use (merit and value for the County) of Coal Creek and other associated natural areas.
Water Availability: This amendment and rezone will also allow any future recreational use/development

to use the Snoqualmie Pass Utility (water & sewer) District for domestic uses. By doing this the amendment has merit and value for the county allowing further protections to the natural recreational area.
Access: With access from 1-90 and the existing county road allows for the immediate access to the subject property and provides the ability for future connectivity for future recreational development proves that this amendment has merit and value for the county."

Staff Response: CDS staff has concerns regarding the potential increased density proposed in an area identified by state and federal programs of needing enhancement for the wildlife corridor. Staff also recognizes the value and merit of creating additional recreational properties in an area with winter and summer recreational opportunities including skiing and hiking which would provide additional tax revenue for the county.

d) The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.

Applicants Response: *"The proposed amendment needs to be found appropriate because one of the following (i) because of changed circumstances (ii) because of a need for additional property in the proposed zone (iii) because the proposed zone is appropriate for reasonable development of the subject property. As stated above the amendment for the proposal needs to meet only one of these criteria.*
Because of Changed Circumstances:
First and foremost, this proposal is forested ground but is not considered a working forest property. There have been major changes in the timber industry over the last 15 plus years, last two remaining local timber processing mills have shut down or are on limited operations and are no longer buying timber to process into lumber. This has eliminated the ability of the land to sustain any reasonable commercial timber harvest cycle and has changed the use of this land forever. With the current forest & range zoning designation covering this property and the change in the timber industry alone creates inconsistencies with the purpose and intent of the Forest & Range zoning district, which states the following "this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where development of lands for uses and activities incompatible with resource land management are discouraged.". These conditions over the last 15along with this land not designated as forest resource lands of long-term commercial significance warrant a change and not meeting the intent of the existing zone warrant a change in the land use and zone designation.
Secondly, there has been major changes with regards to water rights. Snoqualmie Pass Utility District has recently completed their update to their comprehensive water plan. During this update water rights have increased to allow for future growth. See Exhibit#. With these new changes in water the applicant can be provided with domestic water from an existing community water system therefore eliminating the need to for individual wells to be used. Thirdly, there has been the continued development of the surrounding areas and adjacent lands. 20 acre lots have been developed to the east of this proposal. Directly across 1-90 Kittitas County recently (within the last 4-5 years) approved a planned unit development that contains residential, commercial, open space, and recreational uses. This newly planned unit development is less than a ½ mile away and along with this change will create additional need of recreational lands.
Finally, the implementation of the newly designation of Rural Recreational lands constitutes a major change. As you can see when Kittitas County designated lands in the Snoqualmie Pass Area as Rural Recreational, they just designated the existing ski pass areas and their associated uses. This property was not taken into consideration regarding whether other private lands provided a recreational use or for that matter be designated as recreational lands. This land is Rural Recreational lands designated to the west and to the south and it is only fitting, through meeting that criterial, be designated as rural recreational lands along with a zoning designation of rural recreational. Because of a need for additional property in the proposed zone his amendment is due to the need for lands to be included into the Rural Recreational

Land Use. There are limited areas within Kittitas County that were designated appropriately, and one might say inappropriately designated. For example, one of these areas is the Master Plan Resort, now called Suncadia just west of the City of Cle Elum. This master planned resort with golf courses is just that a Master Plan Resort and is continuously being built out mainly as residential development with golf courses/trails etc. There are other areas along the SR903 corridor that are mainly residential development that contain higher residential uses than recreational uses. You also have land that includes the Snoqualmie ski area, which is appropriately designated as recreational land use. It is also important to note that recreational second homes area are allowed under this land use designation. As you look at the land use map of county and the total acreage of rural recreational lands you will see there is a need for additional lands to be designated with a recreational land use designation along with a rural recreational zone. This proposal fits this needed as it is adjacent to Rural Recreational zoning to the south and to the north, but more importantly this land does not fit the Rural Working Land use designation. This land is not a working farm or forest land. 1bis amendment is 1-2.5 miles away from Snoqualmie Pass (ski areas) and fits in with the recreational nature of hiking, snow shoeing, skiing, mountain biking etc. that occurs in the surrounding area. Also, this proposal contains a recreational element of having streams flowing through it that provides for recreational fishing activities, along with Mardee Lake, hiking, snow shoeing, skiing, mountain biking all that are similar if not the same uses allowed on the surrounding/adjacent lands. Because the proposed zone is appropriate for reasonable development of the subject property because. The surrounding land is no longer used as resource-based land. The land that is now used for rural recreational lands. The proposed rezone for the property provides for the reasonable development of the land for rural recreational uses.
As stated above this proposed amendment is appropriate because of changed circumstances and because of a need for and because the proposed zone is appropriate for reasonable development of the subject property."

Staff Response: CDS staff finds that the proposal is adjacent to the west and south of other rural recreation land use and zoning and the proposed rezone would allow for reasonable development of the land for rural recreational uses.

e) The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

Applicants Response: *"Chapter 17.30 R-R-RURAL RECREATION ZONE*
17.30.010 Purpose and intent.
The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County.
As pointed out throughout this proposal the uses that are surrounding the subject parcels are consistent with this proposed land use and zone change by being recreational is nature compared to the existing zoning of Forest & Range. In comparison the intent of the forest & range zone is where natural resource management is the highest priority and the development of lands for uses and activities incompatible with resource management are discouraged. With respect to the uses allowed (permitted & conditional uses) within the existing zone and compared to the proposed zone of Rural Recreational there are some extremely intense uses that do not appropriately fit this recreational area (See Exhibit 9).
Within the Forest & Range-20 zone (KCC 17.56), the current zoning of this proposal, there are certain uses such as, Agricultural enhance uses, Agricultural direct marketing activities, Agricultural seasonal harvest festivities use, Agricultural expanded seasonal harvest festivities, Taverns, Asphalt/Concrete Plants, mini-warehouse, refuse & recycle centers, boarding house, Mining & excavation, & Rock Crushing uses, that are allowed within this zone. This land does not lend itself to the agricultural uses within with the Forest & Range zone. This land is mainly timber land along with natural amenities. Most importantly, The Forest & Range zone allows for one of the most intensive uses in Kittitas County, with

the use being mining and rock crushing. These two types of uses do not fit within this land or for that matter the surrounding recreational lands. These types of uses should not be allowed within a recreational area of Snoqualmie pass and if allowed could be a detriment to the recreational vitality of the area.
The surrounding land, the surrounding uses of the property, the changing uses of the land to more of a rural recreational area, the available of water & sewer through the Snoqualmie Pass Utility (water & sewer) District water only shows that the property is suitable for development in general conformance with zoning standards of the Rural Recreational zone."

Staff Response: The existing zoning designation is Forest and Range and the proposed zoning designation is Rural Recreation. This proposal is adjacent to property on the west and east sides currently zoned rural recreation, directly outside of the Snoqualmie Pass LAMIRD. While the proposed zoning would allow for higher density (5-acre lot sizes), it conforms with the Goals of the Rural Recreation Zoning by allowing for additional residential development on a low density basis or in residential clusters, promoting rural recreation residential development associated with the natural amenities found within Kittitas County.

f) The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

Applicants Response: *"The proposed rezone of the property will enhance the properties in the immediate vicinity of the subject property. Under the land use and zoning of F&R-20 that allows for certain uses that are agricultural driven that does not fit this land, and more importantly this current zone allows for a very high intense use of Mining and Rock Crushing. This type of use is not conducive to the recreational vitality in the area, or for that matter conducive to the natural environment in the immediate vicinity. By rezoning this property, will not be materially detrimental to the use of the properties in the immediate vicinity of the subject property and would be more protective to the properties in the immediate vicinity help further grow the recreational aspect of the area."*

Staff Response: CDS staff finds that the proposed rezone and Comprehensive Plan Amendment will not likely be detrimental to the use of property owners within the immediate vicinity of the subject property. Staff does share concerns regarding the change allowing for higher density (5-acre parcels) on property that has many critical areas associated with it and has multiple plans identified by state and federal agencies to improve the wildlife corridor within the vicinity and the possible impact future development may have on the improvements.

g) The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

Applicants Response: *"There are no irrigation water on the subject property nor any irrigation conveyance ditches that run through the property."*

Staff Response: The proposal is not located within an irrigation district, therefore it does not have any irrigation ditches for deliver. The project will not have any impacts on irrigation.

i) The proposed amendment is in full compliance with KCC 17.13 Transfer of Development Rights.

Applicants Response: "*The proposed amendment is in full compliance with Chapter KCC 17.13 Transfer of Development Rights.*
According to KCC 17.*13 Transfer of Development Rights, specifically 17.14.080.2 the transfer of development rights is not a precondition for any amendment to the Comprehensive Plan, Zoning Map, or*

proposed development to be approved."

Staff Response: Upon review of KCC 17.13 Transfer of Development Rights, staff has determined that the rezone request is outside of the scope of consideration and the legislative intent of KCC 17.13 when it was adopted in 2009 and further amended in 2010 and 2011. Therefore, TDRs are not required for this rezone proposal.

V. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this comment period and other information on file with Community Development Services, Kittitas County issued a Determination of Non-Significance (DNS) on September 8, 2022. The appeal period ends on October 27, 2022 at 5:00 p.m. As of the date of writing this Staff Report no appeals have been filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. The following parties provided substantive comments during the comment period:

Washington State Department of Natural Resources- Shane Early:
WSDNR provided comment stating that as project area appears to be primarily forested, DNR wanted to formally note that current or future landowners within the proposed rezoned area may need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest. DNR also wished to note that the site has a network of fish bearing and non-fish bearing streams and associated wetlands within the project site and the need for the property owner to engage with DNR and/or WDFW prior to any development in order to create access roads with approved stream crossing structures.

Staff Response: Staff has transmitted these comments to the applicant, and they are aware that any timber harvest on any of the parcels may require the need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Snoqualmie Tribe:
Snoqualmie Tribe stated they had no substantive comments at this time but reserve the right to modify their position if the scope of the project or the parameters for defining the APE change.

Staff Response: CDS Staff transmitted the comments to the applicants and note that if any changes are made to the application Snoqualmie Tribe will be notified.

Washington State Department of Natural Resources- Luke Warthen:
WSDNR provided comment stating that as project area appears to be primarily forested, DNR wanted to formally note that current or future landowners within the proposed rezoned area may need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Staff Response: Staff has transmitted these comments to the applicant, and they are aware that any timber harvest on any of the parcels may require the need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Washington State Department of Ecology:
WSDOE provided comment regarding Coal Creek, Mardee Lake, Lake Keechelus, and the nearby Gold Creek all being Shorelines of the State and any work proposed within the County's designated Shoreline

Jurisdiction must meet the purposes and intent of the County's Shoreline Master Program (SMP), the need to adhere to all buffer requirements established within the County's SMP, a large wetland complex surrounding Mardee Lake and if work proposed within a wetland would require review and authorization from the DOE and U.S. Army Corps of Engineers. DOE strongly encouraged the use of mitigation sequencing and the avoidance of all wetland impacts and noted the importance of the largely undeveloped area to the wildlife, wetlands, shoreline and streams. This creates a large wildlife corridor and for these reasons they strongly encourage the existing corridor to remain intact.

Staff response: Staff shares concerns regarding the impact development of any kind will have on this sensitive area. Any proposed land use activity on the property would require additional environmental review.

Kittitas County Public Health:
KCPH state they had no comments or concerns with the project as this is a rezone and does not propose the withdrawing of groundwater or discharging wastewater at this time.

Staff Response: Community Development Services (CDS) staff agrees that the current Zoning and Comprehensive Plan Amendment is a non-project specific proposal and does not include withdrawing of groundwater or discharging wastewater currently.

Kittitas County Public Works:
KCPW provided comments solely regarding flood. KCPW stated a portion of the proposal is within the 100-year floodplain of Coal Creek and any activities within the floodplain must be permitted through the floodplain development permit process. This requirement pertains to all construction, including buildings exempt from building permit.

Washington State Department of Transportation:
WSDOT provided comment stating their concern surrounding potential buildout being up to an additional 296 additional lots according to their calculations and the density and location of the associated future development having the potential to affect the function of publicly funded improvements associated with the Interstate 90 Snoqualmie Pass East project, the 20 plus years of collaboration of WSDOT, US Forest Service and other natural resource agencies to identity and define a landscape-scale, watershed-based approach to allow for the expansion of I-90, the identification of the Gold Creek Valley as an important connectivity emphasis area due to ecological improvement opportunities within the watershed, the impacts the increased land use densities and development within the adjacent to the valley could have and that WSDOT does not believe that the Non-Significance determination for this proposal sufficiently addresses potential impacts, including ecological connectivity investments.

Staff Response: The calculations used to identify number of potential lots is incorrect. The project encompasses a total of 150.98 acres. Under the proposed Rural Recreation zoning (lot size minimum of 5 acres), the applicants could divide the property into a total of 30 parcels. If the applicants proposed a Cluster Plat subdivision under KCC 16.09 they would only be allowed up to 30 parcels in the cluster and 60% of the land outside of the cluster must remain in contiguous open space in perpetuity.

Washington State Department of Fish and Wildlife:
WDFW commented in regards to the concern of rezoning the property to allow for more intensive recreation on the property that holds multiple critical areas and the intensive recreation's incompatibility with protection of these critical areas, these areas include streams, bull trout rearing habitat, wetlands, wildlife connectivity area. WDFW brought up concerns with potential water withdrawals on Coal Creek, the public investment into the Gold Creek Valley and WDFW's recommendation on the SEPA Determination. WDFW did not agree with the SEPA determination of DNS and the rezone proposed in

this area would likely have substantial impact on the environment. WDFW requested that prior to any decision or the public hearing of this rezone, that a critical areas report be completed.

Staff Response: Staff shares some of the same concerns as the WDFW in regard to increasing the allowed density on property that includes numerous critical areas as well as an area that has been highly invested in at the state and federal level to improve the ecological functions. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Confederated Tribes and Bands of the Yakama Nation:
The Yakama Nation commented on concerns for the critical areas on the property including water, wetlands, riparian, wildlife connectivity, and bull trout rearing habitat. Yakama Nation stated that the project fails to address impacts to the natural environment and has a high likelihood of contributing to habitat degradation.

Staff Response: Staff shares some of the same concerns as the Yakama Nation in regards increasing the allowed density on property that includes numerous critical areas. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Kittitas Conservation Trust:
KCT provided comment concerning the proposal which would allow more intensive recreation and development on the property in an area where bull trout recovery efforts are currently underway, and the degradation of existing habitats within this area would further hamper current investments to improve conditions for the Gold Creek Bull Trout, the significant investments made by the state and federal partners in assessing, designing, and permit large scale restoration needed to improve habitat and flow and requested that a critical areas report be conducted prior to any decision or public hearing on the proposed rezone application.

Staff Response: Staff shares some of the same concerns as the KCT regarding increasing the allowed density on property that includes numerous critical areas. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Public Comments:
Public Comments were received from Karl Flacos, The Gold Creek Valley Landowners (Sue and Bob Mecklenburg, Kirsten and Vincent Turner, Erin Barzen, Claudia Davis, Charlie Buitron, Jody Jldersma and Matthew Jenkins, Mary Shwetz and Don Grubb, Barb and Wes Moorhead, Gordon Gray, Amy and Francisco Perez, Jennifer and Gary Gray), Richard Pierson, Tom Robey (along with Michael and Fritz Robey).

Public Comments included concerns for the inconsistency with the multi-million dollar investments made by the state and federal agencies and funded by taxpayers to support Gold Creek wildlife corridor, inconsistencies with the multi-million dollar restoration plans for Gold Greek Valley proposed by Yakima Basin Integrated Plan, inconsistencies with the preservation of an important wetland complex at Mardee Lake, concerns for recreational access, congestion, waste and light in the area, winter access to property being uniquely fragile and the current issues with plowing and access, the addition of commercially owned land in the vicinity will further reduce access to the winter recreation and harder for residents, the current zoning being more consistent with the local benefit rather than distant profit.

Staff Response: Staff shares some of the same concerns as the comments submitted by the public regarding increasing the allowed density on property that includes numerous critical areas as well as an

area that has been highly invested in at the state and federal level to improve the ecological functions. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Applicants Response: Please See attachment B.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:
The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: RR-G26, RR-G27, RR-G28, and RR-G29. This proposal is consistent with the intent of the Rural and Resource Lands of Kittitas County.

Consistency with the provisions of KCC Title 12 Roads and Bridges:
This proposal is for a non-project rezone, therefore there will be no impact on existing infrastructure. The proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC 13 Water and Sewers Code:
This proposal is for a non-project rezone. This proposal is consistent with the Kittitas County Code for Water and Sewers.

Consistency with the provisions of KCC Title 14 Buildings and Construction:
As this is a non-project rezone and comprehensive plan request, no building or construction is being requested by this action. This proposal is consistent with Kittitas County Code Title 14 for Building and Construction.

Consistency with the provisions of KCC 17.30, Rural Recreation zoning:
This proposal is consistent with the Kittitas County Zoning Code 17.30. The proposal is compatible with KCC 17.30.020 referring to the uses table in KCC 17.15.

Consistency with the provisions of KCC 17A Critical Areas Code:
As this is a non-project specific rezone no critical areas will be affected. Future activities and/or development will be required to comply with all regulations at the time of the new proposal and the critical areas will be assessed at that time.

Consistency with the provisions of KCC 20 Fire and Life Safety Code:
As this is a non-project rezone this proposal is consistent with the Kittitas County Code for Fire Life Safety.

VIII. RECOMMENDATION

Staff recommends approval of the Mardee Lake Non-project Rezone (CP-22-00005 & RZ-22-00005) subject to the following findings of facts and conditions:

Findings of Fact

1. Terra Design Group Inc. (Chad Bala), agent for Mardee Lake Inc., is proposing a rezone and map amendment to four parcels (808335, 818335, 828335 and 838335) currently zoned Forest and Range with

a Rural Working Land Use, rezoned to Rural Recreation zoning and land use designation. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

2. This proposal is located on tax parcels 808335, 818335, 828335, 838335, on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

3. | | |
   |---|---|
   | Total Proposal Size: | approximately 150.98 acres |
   | Number of Lots: | 4 |
   | Domestic Water: | None requested/proposed at this time. |
   | Sewage Disposal: | None requested/proposed at this time. |
   | Fire Protection: | Snoqualmie Pass Fire District #51 |
   | Irrigation District: | None |

4. Site Characteristics: The site is undeveloped Forest and Range with Rural Conservancy Shoreline Jurisdiction and primarily located within the Channel Migration Zone for Coal Creek.

5. Surrounding Property:
   - North: Wenatchee National Forest
   - South: I-90 Corridor/Hyak Estates
   - East: Privately owned forested land
   - West: Wenatchee National Forest

Access: The proposal has access from I-90 and Forest Service Road 4832.

6. The Comprehensive Plan designation is Rural Working.

7. The subject property is currently located within the Forest and Range zoning district and is within the Rural Working Land Use. Rural Recreation Zoning and Land Use are being requested, which is consistent with lands to the west and south of the property as well as the uses located in the vicinity, including hiking trails and The Snoqualmie ski resort. The purpose and intent of this zone is to provide areas where residential development may occur on a low density basis or in residential clusters. The proposed zone has the potential to allow for future commercial/residential/resource activity consistent with surrounding properties.

8. Application for a comprehensive plan map amendment, rezone from Urban Residential to Forest and Range, and SEPA environmental checklist was received on June 30, 2022. This submittal packet was received prior to the June 30th docketing deadline. The application was deemed complete on July 29, 2022. A Notice of Application was issued on August 11, 2022. These notices were published in the official county paper of record and were mailed to jurisdictional government agencies, adjacent property owners within 500 feet and other interested parties.

9. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this comment period and other information on file with Community Development Services, Kittitas County issued a Determination of Non-Significance (DNS) on September 8, 2022. The appeal period for the DNS ends on October 27, 2022 at 5:00 p.m. No appeals have been filed as of time of writing.

10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: RR-G26, RR-G27, RR-G28, and RR-G29. This proposal is consistent with the intent of the Rural and Resource Lands of Kittitas County.

11. This proposal is consistent with the provisions of Kittitas County Roads and Bridges Title 12.

12. This proposal is consistent with the provisions of KCC 13 Water and Sewers Code.

13. This proposal is consistent with Kittitas County Code Title 14 for Building and Construction.

14. This proposal is consistent with the Kittitas County Zoning Code Title 17, more specifically KCC 17.30 R-R.

15. This proposal is consistent with Kittitas County Code Title 17A Critical Areas.

16. This proposal is consistent with Kittitas County Code Title 20 Fire Life Safety.

17. This proposal is consistent with Kittitas County Code (KCC 17.13) Transfer of Development Rights.

18. The following agencies commented on this proposal: Washington State Department of Natural Resources – Shane Early and Luke Warthen, Snoqualmie Tribe, Washington State Department of Ecology, Kittitas County Public Health, Kittitas County Public Works, Washington State Department of Transportation, Washington State Department of Fish and Wildlife, The Yakama Nation, and Kittitas Conservation Trust.

19. The following members of the public commented on this proposal: Karl Flacos, The Gold Creek Valley Landowners (Sue and Bob Mecklenburg, Kirsten and Vincent Turner, Erin Barzen, Claudia Davis, Charlie Buitron, Jody Jldersma and Matthew Jenkins, Mary Shwetz and Don Grubb, Barb and Wes Moorhead, Gordon Gray, Amy and Francisco Perez, Jennifer and Gary Gray), Richard Pierson, Tom Robey (along with Michael and Fritz Robey).

Suggested Conclusions:

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.

2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.

3. Public use and interest will be served by approval of this proposal.

4. As conditioned, the proposal is consistent with Kittitas County Code Title 12 Roads and Bridges, Title 13 Water and Sewer, Title 14 Building and Construction, Title 15 Environmental Policy, Title 17 Zoning, Title 17A Critical Areas, and Title 20 Fire Life Safety.

Suggested Conditions of Approval:

1. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.

ATTACHMENT
A

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use ** See KCC Chapter 17.08 Definitions*	Forest & Range	Rural Recreation
A. Agriculture		
Agricultural Enhanced Uses*	P55	
Agricultural direct marketing activities*	P62	
Agricultural seasonal harvest festivities*	P63	
Agricultural expanded seasonal harvest festivities*	C	
Animal boarding*	P	CU
Agriculture processing*	CU **	
Agriculture production*	P24	P24
Farm Stand,*	P22 / AC51	P22 / AC51
Agriculture Sales,*		
Dairy	CU	CU
Feedlot*	CU **	
Grazing*	P	P
Marijuana processing*		
Marijuana production*		
Marijuana, retail sales*		

Nurseries	CU **	CU61
Riding academies	CU	CU
Small-scale event facility*	AC 45 /CU	
U-Pick/U-Cut Operations*	P / AC51	CU
Farm Visit	AC51	CU
Commercial Activities associated with agriculture*		
	Forest & Range	Rural Recreation
B. Civic Uses/Community Services		
Cemetery	CU **	P 21
Clubhouses, fraternities and lodges*	AC 35	AC
Cultural and education facilities		P
Libraries		
Meeting facilities		
Museums and galleries		
Religious institutions	CU	CU
Schools, public or private*	CU	CU
Interpretive Center*	AC	AC
	Forest & Range	Rural Recreation
C. Commercial		

Auction sales of non-agriculture products		
Bank		
Bed and breakfast*	AC **	AC
Clinic*		
Day care facilities*		
Funeral home/mortuary		
Hospital*		
Hospital, animal or veterinary*		
Hotel/motel		
Office*		
Restaurant	CU 36	CU
Retail sales,* general	CU 36	CU 18
Retail sales,* lumber and building materials		
Retail sales,* vehicles		
Services		
Shooting range*	CU ** 31	CU 31
Tavern	CU 36	
Temporary sales office		
Vehicle/equipment service and repair*	CU 36	
	Forest & Range51	Rural Recreation
D. Industrial		

Airport*	CU	CU
Asphalt/Concrete plants	CU 37	
Explosives, storage or manufacture		
Forest product processing* (portable)	CU 35	
Forest product processing* (permanent)	CU **	
Freighting and trucking yard or terminal*		
Hazardous waste storage*		
Hazardous waste treatment*		
Impound/towing yard*		
Junkyard*		
Manufacturing*		
Mini-Warehouse	CU 59	
Refuse disposal/recycle*	CU 58	
Research laboratories		
Wastewater treatment		
Warehousing and distribution	PA 47	
Wholesale business		
	Forest & Range 51	Rural Recreation
E. Recreation		
Campground*	CU 12 P 54 **	CU 12

Golf course*	CU **	CU
Guest ranch or guest farm*	CU **	CU
Parks and playgrounds*	P	P
Recreation, indoor*		CU
Recreation , outdoor*	CU	AC
Recreational vehicle park*		CU
Recreational vehicle/equipment service and repair*	CU 60	
Recreational vehicle storage	CU 26	CU 26
Stadiums		
Trails	PA	PA
	Forest & Range51	Rural Recreation
F. Residential		
Accessory dwelling unit*	PA 27 **	PA 27
Accessory living quarters*	P 28 **	P 28
Adult family home*	P 41	P 41
Boarding house	CU 29 **	
Convalescent home	CU **	
Dwelling, single-family*	P 34	P
Dwelling, two-family*	P 34	CU
Dwelling, multiple-family*		

Farm labor shelter*	CU 4 **	
Group home*		CU
Group Care Facility*	CU	CU
Home occupation*	P/CU 5 **	P/CU 5
Manufactured home*	P **	P
Manufactured home park		
Mobile home	P 34	
Special care dwelling*	P30	CU30
Temporary trailer	P 7 **	P 7
	Forest & Range51	Rural Recreation
G. Resource		
Forestry*	P 34	
Forest product sales*	P	
Mining and excavation*	P 34	
Rock crushing*	P 34	
	Forest & Range51	Rural Recreation
H. Utilities and Public Facilities		
Electric vehicle infrastructure*	P 32	P 32
Public facilities*	PA53	PA53
Solar Power Production Facilities	57	57
Utilities	P 9/ACU 9/CU 9	P 9/ACU 9/CU 9

Watershed management activities*	PA	PA

ATTACHMENT
B

TERRA DESIGN GROUP

November 1, 2022

Via Email: Kelly.bacon.cd@co.kittitas.wa.us

Kelly Bacon, Planner I
Kittitas County Community
Development Services
411 N. Ruby Street, Ste. 2
Ellensburg WA 98926

Re: Mardee Lake Inc. Comprehensive Plan Amendment & Rezone, CP-22-00005 & RZ-22-00005

Dear Kelly:

The purpose of this letter is to respond to the comments Community Development received for the above-referenced land use applications. Your letter of September 16, 2022 provides that if we have responses, we should deliver them to you by 5:00 p.m. on November 1, 2022. Please see the below responses.

Snoqualmie Tribe, Dated August 18, 2022.

The comment by the Snoqualmie Tribe had no substantive comments and reserve the right to modify their position if the parameters change of this application changes.

Response: The Applicant has submitted this Comprehensive Plan Land Use Designation and Rezone change request; therefore, the parameters will not be changing within this request.

Washington State Department of Natural Resources (WA DNR), Dated August 11, 2022 & September 8th, 2022.

The two email comments by WA DNR directly speaks to potential/future timber harvest and to critical areas that are on site.

Response: The Applicant understands that if timber harvest activity is to occur and meets the threshold triggering a forest practice permit, the Applicant will submit a Forest Practice Application for review and approval. Also, the applicant understands that there are critical areas (creek & wetlands) on site and that if any future development occurs that these areas would be reviewed appropriately. It

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is important to note that this application is not a development proposal, in fact this is a non-project action requesting a land use designation change to Rural Recreation and if approved a rezone to Rural Recreation to be consistent with county's comprehensive plan designation.

Kittitas County Department of Public Health, Dated September 9, 2022

Kittitas County Department of Public Health had no comments at this time as this is a rezone project and will not be withdrawing ground water or discharging wastewater at this time.

Kittitas County Public Works, Dated September 12, 2022.

Kittitas County Public Works (KCDPW) had no comments pertaining to access, engineering, survey, water mitigation/metering.

KCDPW did comment that a portion of this property contains 100-year floodplain and that all activities within the floodplain must be permitted through the flood development permit processes and consistent with Kittitas County Code Title 14.

Response: It is correct that this proposal contains 100-year floodplain, but please note and as stated in KDPW comments that all activities that occurring within the floodplain must abide by the regulations set forth in KCC 14.08. It must be noted that Kittitas County does not prohibit development within the floodplain, in fact Kittitas County code Title 14 allows for development to occur within floodplains established in Kittitas County, if certain requirements are met. It is important to note that this proposal is a non-project action and that all KCDPW's comments pertain project action scenarios, such as future subdivision, building etc.

Washington State Department of Transportation (WSDOT), Dated September 12, 2022.

WSDOT makes assessments regarding the rezone and the possible increase of density which correlates to an increase of traffic.

Response: Since this is a non-project proposal (non-development application) the Applicant understands that if a project is proposed under the proposed zone, it is at that time those impacts will be assessed for transportation impacts and reviewed by WSDOT.

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WSDOT makes a statement regarding the proposed zoning, full buildout of future development has the potential to affect the function of publicly funded improvements associated with the Interstate 90 Snoqualmie Pass East project.

Response: The Applicant is aware of the publicly funded improvements that have taken place along I-90 in recent years. It's also quick to point out that no improvements along I-90 have taken place or affected the private property, which is owned by Mardee Lake Inc. In fact, as part of the mitigation process outlined in the SPAMA document, WSDOT identified permanent impacts as part of the I-90 project, where it states WSDOT purchased property specifically in the Gold Creek Valley for wetland and forest preservation. The Mardee Lake Inc. properties were not part of the aforementioned purchase by WSDOT or other parties. More importantly there were no assessment within the document on how the Mardee Lake Properties would impact adjacent lands or how the Mardee Lake Properties would be impacted.

WSDOT reference the Snoqualmie Pass Sub Area Comprehensive Plan document regarding no need of additional residential units and that a traffic analysis is warranted for this proposal.

Response: The Applicant is consistent with the goals and policies in place for the Snoqualmie Pass Sub Area, specifically 1. Created a shared vision of the future of the Pass through a community based updated Comprehensive Plan. 2. Create a vibrant year-round community in the Pass are capable of supporting, and suitable for, both residents and recreational visitor in the area alike. 3. Establish a unifying theme or motif for development in the Pass area, whether through consistent signage or common elements, encourage design features, or similar approaches. 4. Increase economic and housing availability of the Pass area by giving the economic impact of any activity a decision high priority. 5. Protect the ability to expand recreational opportunities, both winter and summer, to accommodate visitor growth. 6. Protect adequate infrastructure improvements, both transportation and utilities, to accommodate present and future needs. 7. Preserve and protect environmentally sensitive areas and scenic vistas. This proposal is meeting the intent and creating additional consistency with the Snoqualmie Pass Sub Area Plan. Furthermore, under Section 2.4 Sub Area D of the Snoq. Pass Sub Area Plan, which the Mardee Lake Property falls under, describes this area in general relating to natural areas, landownership, access, and utilities, & development constraints. These items referenced under Section 2.4 Sub Area D have the ability to serve the property and are consistent with the Mardee Lake property becoming a rural recreational land use and zone. As for a need to conduct a traffic analysis at this stage is an incorrect assumption. The Applicant hasn't proposed any specific type of project that describes a type of traffic scenario that would require an analysis. If a proposal is presented to

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Kittitas County, it would be at that time when a traffic analysis could be warranted.

WSDOT references comments that are informational only and apply to future development of the land (I-90 speed limit, Direct access to I-90, Scenic Byway, WDOT right of way fence, Signage, Highway noise, I-90 and lighting, Stormwater generated by this project etc.

Response: The Applicant has reviewed these specific comments and agree that they apply to a future stage of development. As this is a non-project action this request is not feasible due to not knowing the type of development etc. that could be proposed under the potential new zone.

Confederated Tribes and Bands of the Yakama Nation (Yakama Nation), Dated August 27, 2022.

The Yakama Nation commented regarding Water impacts to Coal Creek, Wetlands, Riparian Areas, Wildlife Connectivity, Bull Trout and Coal Creek.

Response: The Applicant has reviewed these comments and point out that this a non-project action requesting a change in the land use designation to Rural Recreational along with a Rural Recreational zone. If anything by making this change to Rural Recreational Lands only increases the value of those environmentally sensitive areas, at the same allow for the recreational aspect this land can provide whether is access the natural creek on site or other sensitive areas not unlike what the adjacent lands provide to others privately or publicly. It must be noted that Kittitas County has recently completed their update to the numerous codes, such as critical areas, shorelines, etc. that would be applicable under future developmental review of the property addressing water impacts, wetlands, riparian areas etc.

Washington State Department of Fish & Wildlife, Dated September 16th, 2022.

The comment by Washington State Department of Fish & Wildlife (DFW) speaks directly to the concerns of rezoning the property that would allow for a more intensive recreation. DFW cites numerous critical area concerns with connection to fish and wildlife habitat, specifically regarding streams, bull trout, wetlands, wildlife connection area, potential water withdrawal on Coal Creek, public investment into gold creek valley, and a request for a critical areas report.

Response: The Applicant is aware of the critical areas that are located on site. Kittitas County has recently completed their update to numerous codes,

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such as critical areas, shorelines, etc. that would be consider under future developmental review of the property addressing water impacts, wetlands, riparian areas etc. If a development is proposed on this property, it is at that stage where DFW's concerns should be addressed, but at this moment nothing project specific is being proposed therefore making it extremely difficult to assess true impacts that may occur. It is at the project level where one could tailor a development to meet the needs of the existing environment and in this case still be consistent not only with Kittitas County's comprehensive plan but also the Snoqualmie Pass Subarea Plan:

Washington State Department of Ecology, Dated September 8th, 2022.

Washington State Department of Ecology (DOE) notes that Coal Creek, Mardee Lake, Lake Keechelus, and the nearby Gold Creek are Shorelines of the State.

Response: The applicant recognizes that there are designated Shorelines of the State and regulations associated with that designation.

Washington State Department of Ecology (DOE) notes that there is a large wetland complex surrounds Mardee Lake and that any work proposed within a wetland requires authorization.

Response: The Applicant agrees with the comment that any work that occurs within a wetland requires authorization. Please note this application is not project specific therefore isn't proposing any work within wetlands.

Washington State Department of Ecology (DOE) encourages the use of mitigation sequencing, and the avoidance of all wetlands impacts and that impacts that cannot be avoided must be minimized and compensated for.

Response: The Applicant agrees with this comment. Please note this application is not project specific therefore isn't proposing any work within wetlands that would require mitigation or compensation.

Karl Flaccus, Dated September 21, 2022

Mr. Flaccus comment opposes the rezone and development of the Mardee Lake Property and site reasons of being adjacent to Gold Creek Wildlife corridor and restoration plans of Gold Creek benefiting fish, wildlife, and the environment in general.

Response: The Applicant recognizes the Mr. Flaccus's comment. It must be noted that this land use proposal is not project specific, there is no development proposed. This proposal, if approved, would bring the property under the Rural

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Recreational land use designation, and as required by the Washington State Growth Management Act development regulations must be consistent with the comprehensive plan therefore a Rural Recreational zone would be consistent.

Kittitas Conservation Trust, Dated September 22, 2022

Kittitas Conservation Trust (KCT) states that Gold Creek is the only known stream that enters the Keechelus Reservoir that supports bull trout then references that Coal Creek flows through Gold Creek. KCT states that significant investment has been made regarding large scale restoration for bull trout and that additional recreational development activities in and around Coal Creek and next to Gold Creek has the potential to significantly undermine these efforts. KCT also request that a critical areas report be conducted regarding this proposal.

Response: The Applicant is aware of the critical areas that are located on site. Kittitas County has recently completed their update to the numerous codes, such as critical areas, shorelines, etc. that would be consider under future developmental review of the property addressing water impacts, wetlands, riparian areas etc. If a development is proposed on this property, it is at that stage where KCT's, and concerns of others would be addressed, but at this moment nothing project specific is being proposed therefore making it extremely difficult to assess true impacts that may occur. It is at the project level where one could tailor a development to meet the needs of the existing environment and in this case still be consistent not only with Kittitas County's comprehensive plan and codes, critical areas, and also with the Snoqualmie Pass Subarea Plan:

Richard Pierson, Dated September 22, 2022

Mr. Pierson's comments oppose the rezone of 15+ acres around Mardee Lake to Rural Recreational due to being inconsistent with the investment supporting the Gold Creek Wildlife Corridor, with the multimillion-dollar restoration plans for the Gold Creek Valley, and the preservation of an important wetland complex at Mardee Lake.

Response: The Applicant recognizes the Mr. Pierson's comment. It must be noted that this land use proposal is not project specific, there is no development proposed. This proposal would bring the property, if approved, under the Rural Recreational land use designation and zoned as Rural Recreation in order to be consistent with that land use designation as required by the Washington State Growth Management Act. Furthermore, the Applicant is aware of the Gold Creek investments, but that investment does not include Mardee Lakes Inc. Land holdings. As for the critical areas that are on site Kittitas County has updated and

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Tom Robey, Dated September 22, 2022

Mr. Robey' comments oppose the rezone and references how his family enjoys the recreational activities such as hiking, skiing, and trailing running and supporting the local businesses. Mr. Robey states that there are other pass exits for commercial activity and that businesses in Gold Creek will add congestion. Mr. Robey also sites issues with snow parking and troubling winter access and that commercially zoned land will further reduce the access to winter recreation and residential access.

Response: The applicant understands Mr. Robey's, comments. To be clear, the Applicant isn't requesting a land use designation change or for that matter a rezone change to "Commercial." Mr. Robey sites that they enjoy the recreational nature of the area, such as hiking, skiing, trail running etc. This proposal requesting the land to be redesignated and rezoned to rural recreation rather than staying as Rural Working further supports Mr. Robey's recreational supportive point.

Gold Creek Valley Landowners, Dated September 22, 2022
Gold Creek Valley Landowners, Dated September 26, 2022

Response: The Applicant recognized the comments submitted by the Gold Creek Valley Landowners and that these comments are the same as presented within Mr. Richard Pierson's comments, Dated September 22, 2022

In Summary, the comments submitted speak directly to project specific scenarios that do not apply to this request. The Kittitas County Comprehensive Plan (land use designations, zoning and associated uses and densities) along with other codes such as the critical area and shoreline codes have recently survived public scrutiny and environmental review where Kittitas County has adopted and began to implement these new comprehensive plan policies and codes. Since majority of these comments speak to potential impacts related to development none of these comments provide substantial information on how this request does not meet the intent of the Rural Recreational Land Use Designation or for that matter the rezone change to Rural Recreational. It must be pointed out that if the land use designation is approved then Kittitas County is required by the growth management act to create consistency between its zoning development regulations and its comprehensive plan therefore rezoning too Rural Recreational is appropriate.

Regards,

Chad Bala

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2022 Kittitas County Annual Docket Planning Commission Public Hearing

Mardee Lake

Comprehensive Plan Amendment (CP-22-00005)

And Rezone (RZ-22-00005)

November 8, 2022

Mardee Lake (CP-22-00005 and RZ-22-00005)

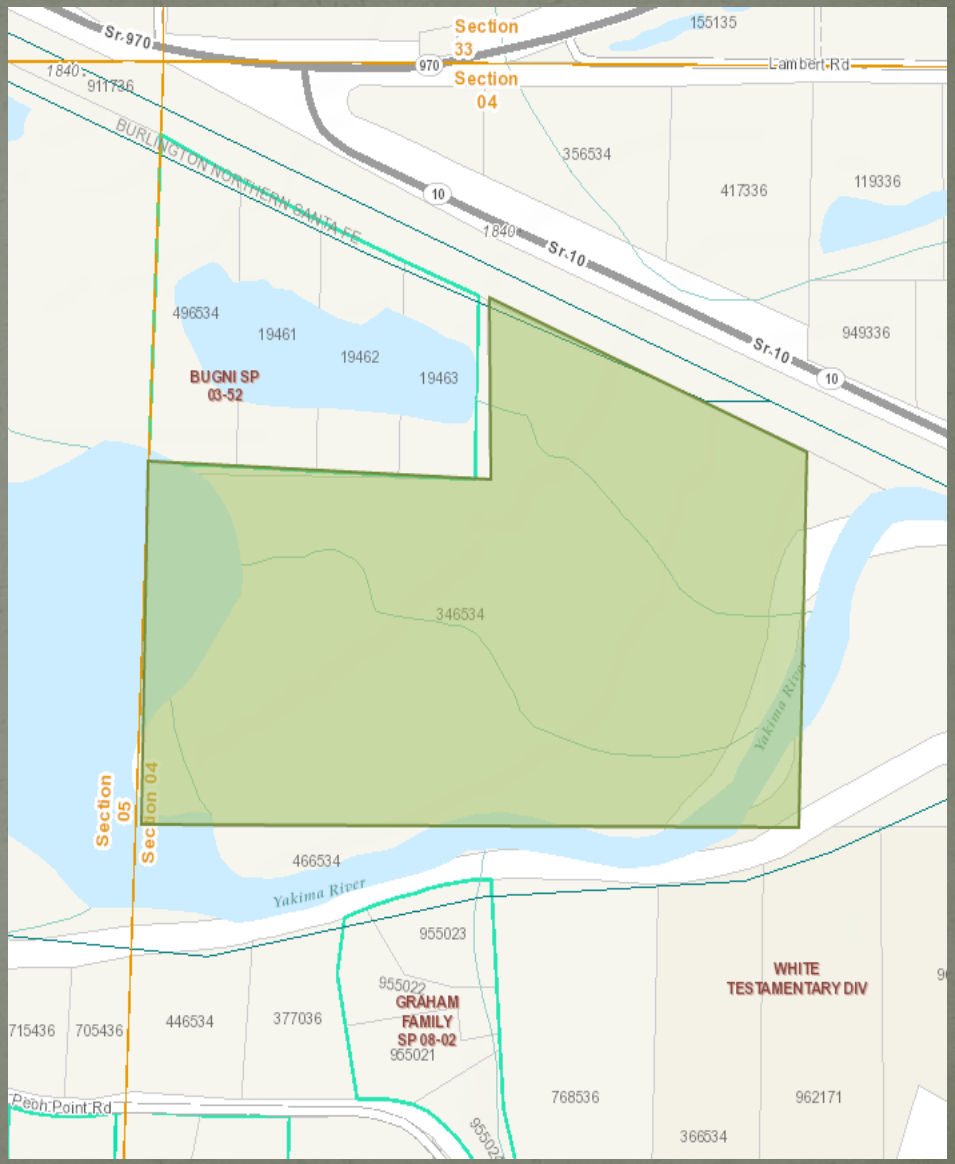
Project Description

- Mardee Lake LLC is requesting a Map Amendment and Rezone of four consecutive parcels (808335, 818335, 828335, and 838335) currently designated Rural Working Land Use and Forest and Range Zone to Rural Recreation Land Use and Zoning, located on Snoqualmie Pass northeast of the I-90 Exit 54.

- The proposed Map Amendment and Rezone encompasses approximately 150.98 acres

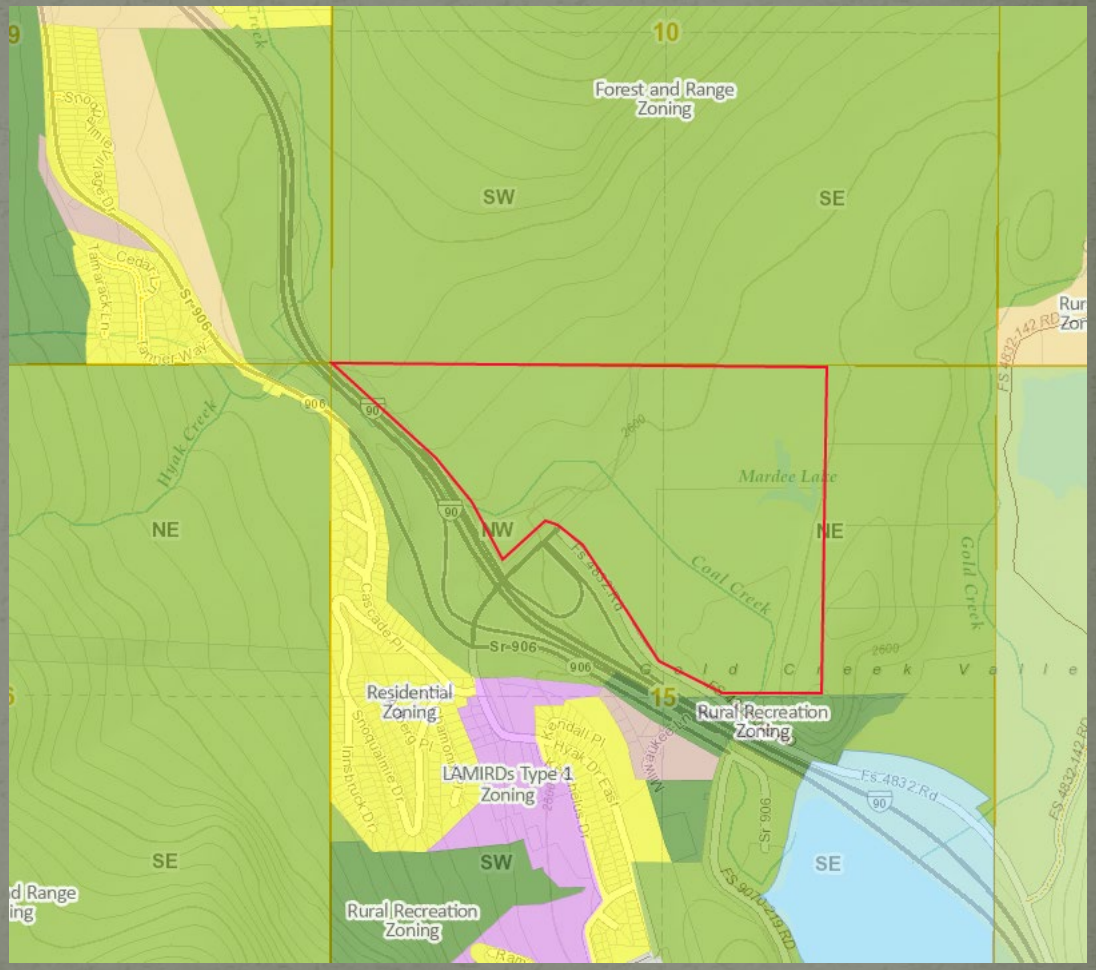
Mardee Lake

- Application for a comprehensive Plan map amendment (CP-22-00005), A Land Use designation change from Rural Working to Rural Recreation and a rezone from Forest and Range zoning to Rural Recreation(RZ-22-00005), and SEPA Environmental checklist were received on June 30, 2022
- The submittal packet was submitted prior to the June 30th 5pm docketing deadline
- Processing of this Map Amendment and Non-Project Rezone follow the Annual Docket process pursuant to KCC 15B.



Mardee Lake

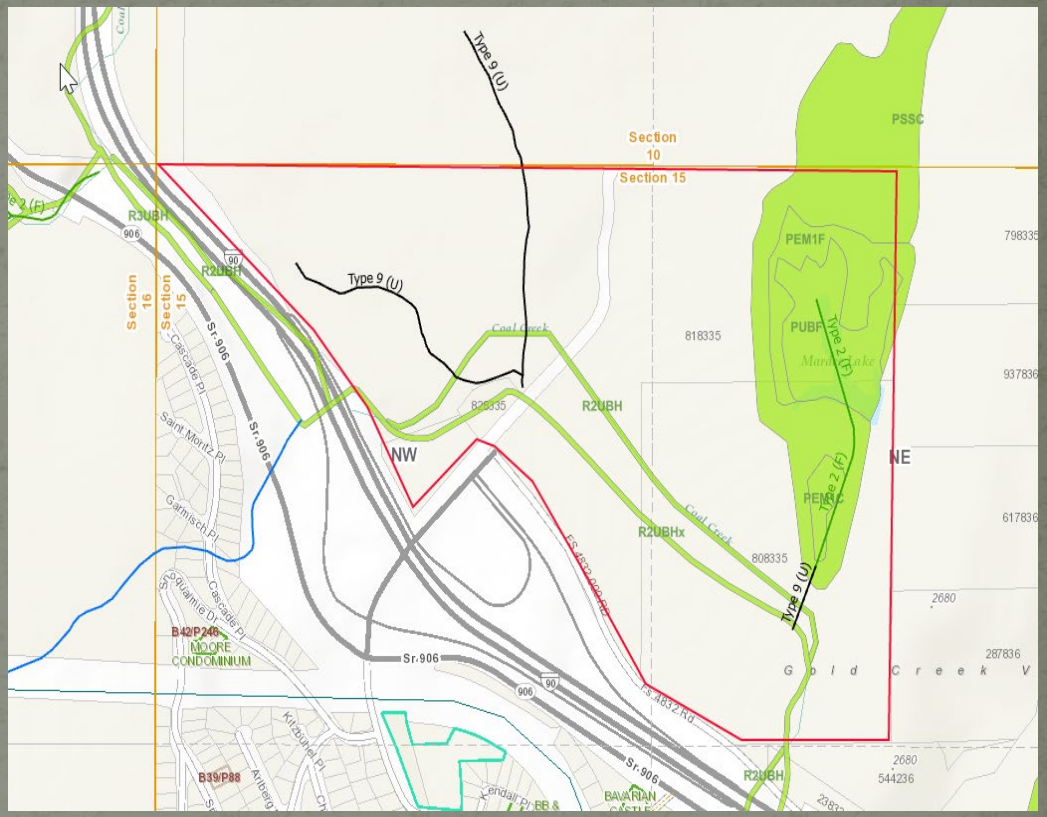
- The subject property currently has no structures and is fairly undisturbed land located in the Gold Creek Valley, approximately 2.5 miles southeast of the Snoqualmie Pass Ski areas.
- The project is boarded on the south by Rural Recreation zoning and land use.



Mardee Lake

- During the SEPA Review many critical areas were identified; including Mardee Lake and associated wetlands, a Type 2 Fish Bearing Stream identified as Coal Creak and multiple other Type 9 Streams, all located within Shoreline Jurisdiction of the State.

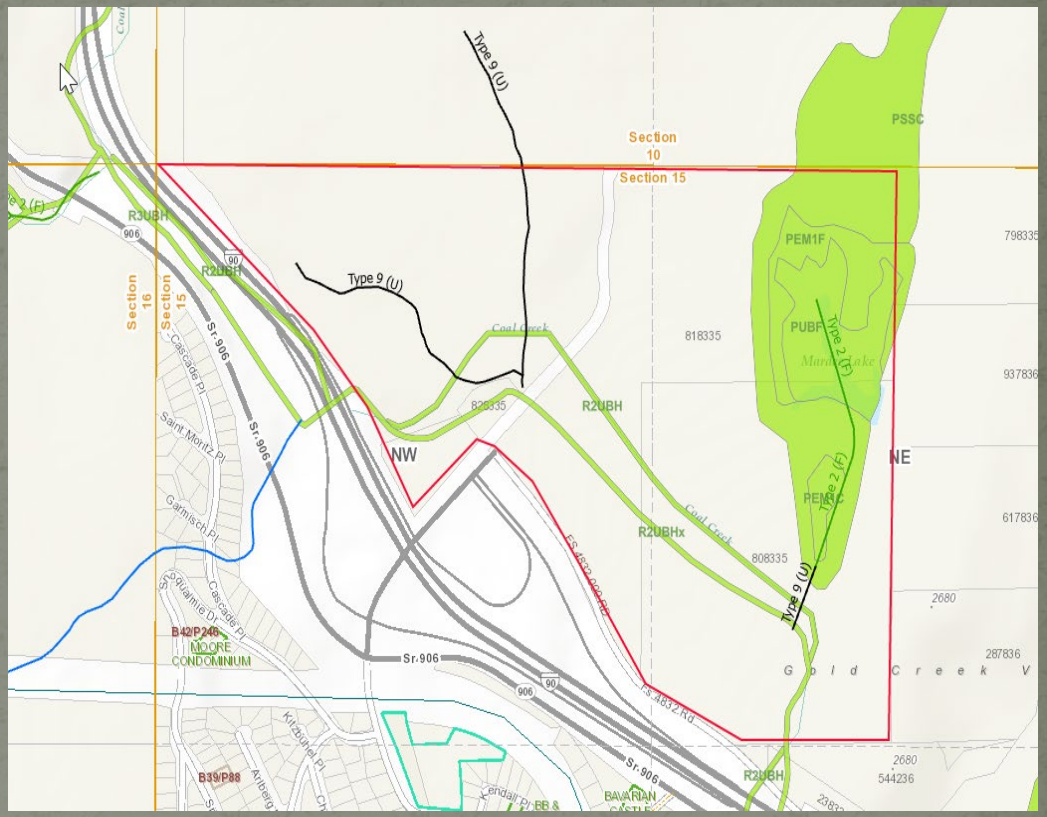
- Many comments were received regarding the critical areas and the area being part of State and Federally funded investment project for the Gold Creek Valley.



Mardee Lake

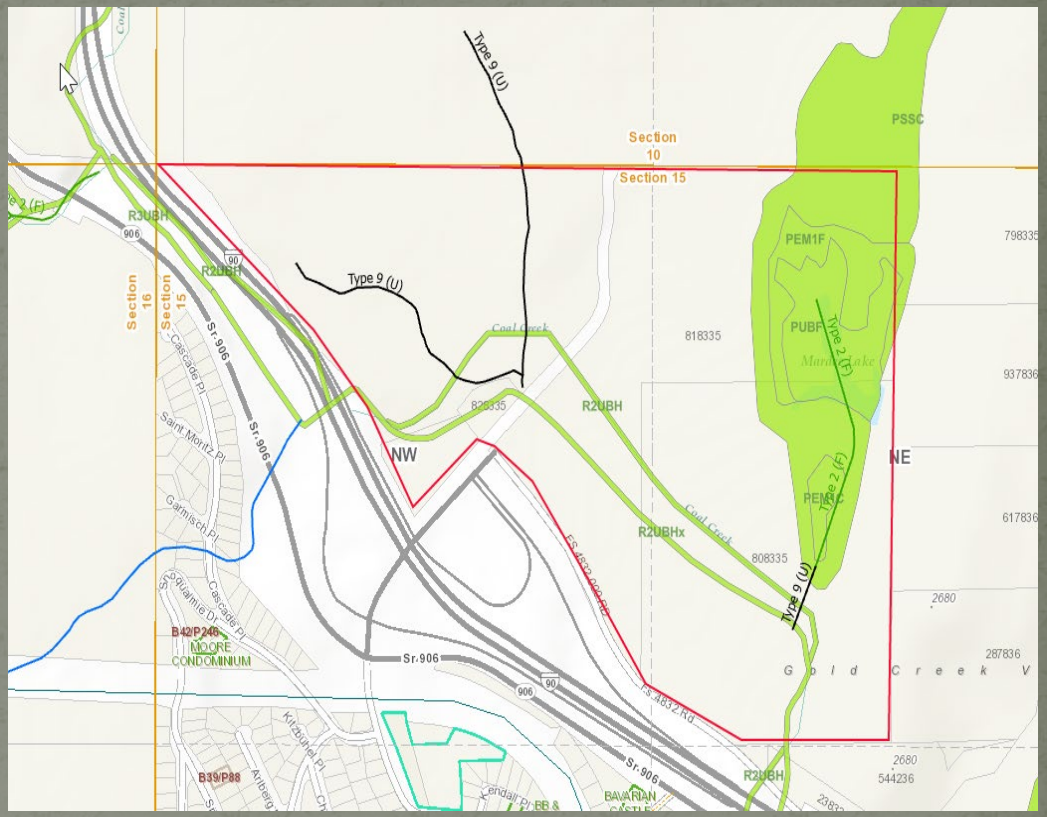
- Staff shared some of the same concerns regarding the Map Amendment and Rezone increasing the allowed density on property that includes numerous critical areas, Shoreline Jurisdiction and that has been highly invested in at the state and federal level to improve the ecological functions.

- The proposed Rezone and Comprehensive Plan Amendment is a non project specific application. Any future land use activity proposals on the property would require additional Critical Areas Review.



Mardee Lake

- Kittitas County issued a SEPA Determination of Non Significance (DNS) on September 8, 2022
- A Notice of SEPA DNS Retention was issued on October 13, 2022 with an appeal period ending on October 27, 2022.
- A timely SEPA Appeal was received by Kittitas County Community Development Services on October 27, 2022 filed by Co-Apellants Conservation Northwest and Karl Flaccus.
- The SEPA Appeal will be heard before the BOCC on November 29, 2022



Mardee Lake

Comprehensive Plan Review

- According to the Comprehensive Plan 2.5 Rural and Resource Lands – Rural Recreation is lands that "often include scenic roadways, vistas, ski and hiking areas, and recreational and seasonal recreation residences.. They include resort activities and provide limited commercial services to tourists and seasonal residents where rural character is preserved. Rural Recreation lands may be located in flood or other hazard areas where fishing and outdoor activities are prevalent."

- Staff finds the proposed property to be sufficient to be considered for designation of Rural Recreation Land Use

Mardee Lake

Comprehensive Plan Review

- Some of the Goals and Policies for Rural Recreation Land Use in the Kittitas County Comprehensive Plan include things like:
  - RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.
  - RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.
  - RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.
  - RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

Mardee Lake

Comprehensive Plan Review

- As there are no current structures located on the property or being proposed and the property is currently used for outdoor recreational activities, staff believes this proposal meets the intent of the Rural Recreation Land Use. Any future proposal to develop the land will require additional critical areas review. Staff provided a land use table comparison in the Staff Report between Forest and Range and Rural Recreation showing the allowed uses within each zone, as well as the processes required for each allowed use.

Mardee Lake
Rezone

- KCC 17.98.020.6 provides the criteria to be met for a rezone:

  1) compatible with the comprehensive plan; and
  2) substantial relation to the public health, safety or welfare; and
  3) Provide merit and value for Kittitas County or a sub-area of the county
  4) Needed because of changed circumstances or need for additional property in zone
  5) In general conformance with zoning standards for proposed zones
  6) Not be materially detrimental to use of properties in the immediate vicinity
  7) Won't adversely impact irrigation water deliveries
  8) Amendment in compliance with KCC 17.13 Transfer of Development Rights.

Staff finds that the rezone is consistent with the eight (8) rezone criteria. It is compatible with the comprehensive plan as shown above, provides merit to the county, is in conformance with the zoning standards of Rural Recreation as the property is over 5 acres, would not be detrimental to the properties in the vicinity as there are few uses other than recreational and seasonal recreation residences in the area. It won't negatively affect irrigation deliveries as it does not have irrigation and is not part of an irrigation district and does not involve TDR's. A full review of the rezone criteria can be found in the staff report.

Mardee Lake
Comments Received

- Agency comments were received from:
  - Washington State Department of Natural Resources – Shane Early
  - Snoqualmie Tribe
  - Washington State Department of Natural Resources – Luke Warthen
  - Washington State Department of Ecology
  - Kittitas County Public Health
  - Kittitas County Public Works
  - Washington State Department of Transportation
  - Washington State Department of Fish and Wildlife
  - Confederated Tribes and Bands of the Yakama Nation
  - Kittitas Conservation Trust

Substantial comments were received in regards to the property being located within Shoreline Jurisdiction, having numerous critical areas on the property (including water, wetlands, riparian, wildlife connectivity, and bull trout rearing habitat, concerns with allowing for increased density on the property, a request from Fish and Wildlife and the Kittitas Conservation Trust to have a Critical Areas Report completed on the property prior to moving forward with the Rezone, a portion of the property being located with 100-year floodplain of Coal Creek and any activities within the Floodplain requiring permitting, concerns regarding potential buildout and the impact to the Interstate 90 Snoqualmie Pass East project, and concerns regarding the effects of any development on the property might have on the state and federally invested project to assess, design and permit large scale restoration needed to improve habitat and flow.

Mardee Lake
Comments Received

- Public Comments were received from:
  - Karl Flacos
  - The Gold Creek Valley Landowners (Sue and Bob Mecklenburg, Kirsten and Vincent Turner, Erin Barzen, Claudia Davis, Charlie Buitron, Jody Jldersma, and Matthew Jenkins, Marry Shwetz and Don Grubb, Barb and Wes Moorhead, Gordon Gray, Amy and Francisco Perez, Jennifer and Gary Gray),
  - Richard Pierson
  - Tom Robey (along with Michael and Fritz Robey).

- Public Comments included concerns for the inconsistency with the multi-million dollar investments made by the state and federal agencies and funded by taxpayers to support Gold Creek wildlife corridor, inconsistencies with the multi-million dollar restoration plans for Gold Greek Valley proposed by Yakima Basin Integrated Plan, inconsistencies with the preservation of an important wetland complex at Mardee Lake, concerns for recreational access, congestion, waste and light in the area, winter access to property being uniquely fragile and the current issues with plowing and access, the addition of commercially owned land in the vicinity will further reduce access to the winter recreation and harder for residents, the current zoning being more consistent with the local benefit rather than distant profit.

Mardee Lake
Staff's Comments Response

Staff's Comments Response:

Staff shares some of the same concerns as the comments submitted by agencies and the public regarding increasing the allowed density on property that includes numerous critical areas, as well as an area that has been highly invested in at the state and federal level to improve the ecological functions. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review. A review of comments can be found in the staff report and all comments can be found in the master file.

Mardee Lake

- CDS recommends the Planning Commission recommends approval of the Mardee Lake Rezone and Map Amendment to Rural Recreation (RZ-22-00005 & CP-22-00005)

Mardee Lake

The plan designates two alternative locations for the visitor center. The first is between Interstate 90 and Highway 906 near Exit 52. This site has the advantage of being in the center of summit activities, where visitors could easily walk to other facilities nearby. However, available land may be too small to accommodate a well designed center and the required parking. The second suggested site is east of Interstate 90, near Exit 52. This site's advantages include a forest setting and ample available land; however, the site is much less convenient and access would be more difficult.

Subarea C also includes some established residential areas on both sides of Interstate 90. Conifer Estates, located between the two activity nodes at the Summit and Ski Acres, which would appear to be an ideal location for commercial lodging uses. However, the number of long-standing private residences in the development warrants the continuation of residential use. The Yellowstone Road area, though near the summit, is somewhat removed from the activities along Highway 906 and is a good location for private residences. New residential development in this area should be planned in clusters in order to preserve natural vegetation and protect streams and wetland areas.

3.7.6 Subarea D Land Use Plan

The Gold Creek Valley will likely experience the greatest change of all areas of the Pass. Currently, the valley is relatively undeveloped. However, preliminary plans have been developed for all of the private land holdings in the area. These plans include single family and multiple family residential, restaurants, hotels and motels, conference facilities and recreation.

During the planning process, the idea of "community" became a common thread among the various committees. As future growth in the number of permanent residents was envisioned, the need for common community services, including commercial and personal services, became evident. The Summit is presently the hub of Pass activity; however, it may not have enough land for all future uses the community wants to see there. The north side of Exit 54 is viewed as another possible location for some of this development, due to its freeway access.

The commercially designated property is crossed by Coal Creek in a northwest to southeast direction. A Forest Service road crosses the property perpendicular to the creek. Mardee Lake and its associated wetlands are located in the northeast corner of the property.

The plan shows that the property could be developed in four commercial pods using the creek and the road as dividing lines. The two pods south of Coal Creek should be developed with highway commercial uses such as service stations, restaurants and motels. The development should be designed to take advantage of the site's visibility while respecting and protecting the alpine character and scenic beauty of the Pass.

The two pods north of the creek could contain a broad mix of uses, including uses commonly found in a community shopping district such as food markets, drug and hardware stores and other retail. The development should be designed in a manner, which would use the existing road route as a "main street" rather than a through road. Pedestrian access and mobility should

be an important design element. Views of the valley should provide a focus for site plan orientation.

Commercial development in this area should not compromise the ecological integrity of Coal Creek. Special attention shall be given to maintaining the vegetation within areas along the riparian zone and preventing run-off of or enhancing contaminated storm water from adjacent parcels. A riparian buffer (with an average width of at least fifty feet, unless a larger one is required by Kittitas County) shall be used for commercial development in this location. Particular care shall be taken to ensure that the architectural design and signage of commercial structures in these areas be compatible with the scenic, visual integrity of the I-90 National Scenic Byway corridor.

East of the commercial area is a steep ridge of rock outcrop and old growth forest. The plan designates this area for limited commercial lodging use and recommends that site planning cluster buildings in small pockets on the parcel where soil and slope are suitable for construction. Development shall be sited to screen the structures from view of I-90, with no disturbance of steep slope and ecologically sensitive areas. Old-growth timber shall be preserved except where necessary for construction, and included within site plans and lots as much as possible. The remainder of the site should be preserved as open space.

Care shall be taken to minimize removal of old growth timber and to screen the lodging elements from view of I-90. In no case shall construction result in increased slope instability or erosion in the area, or disturb ecologically sensitive areas, such as Mardee Lake and its associated wetlands.

North of the proposed commercial area, the U.S. Forest Service manages Section 10, which the plan designates as Active Recreation. This land has been partially logged, and the topography of the southern half of the site is suitable for development as a golf course. While a golf course would provide a much needed recreational facility for non-winter seasons and would provide Nordic skiing in the winter, these uses are not currently contemplated by the Forest Service in the SPAMA. The community will continue to monitor updates to the plan and provide input on any proposed changes to the use of this area.

Lying to the east of Section 10 is a Section of privately owned land, which is, designated Residential. The area is bisected on the diagonal by Gold Creek. Development plans for the majority of the property should reserve a substantial open space greenbelt on both sides of the creek. Development should be clustered on the site to take advantage of views and conserve natural vegetation.

The residential development should be planned with the highest degree of sensitivity to the aesthetic values of the area and the preservation and enhancement of wildlife habitat.

3.7.7 Subarea E Land Use Plan

Development in Subarea E is clustered near Exit 54. Uses range from single family residences to public utilities. The WSDOT highway facility and the Snoqualmie Pass Sewer and Water District's sewage treatment plant are designated Light Industrial, as is a partially vacant area west of the

2.3.4 Access and Utilities

Eastbound traffic on Interstate 90 can access the summit at Exit 52 or Exit 53. Westbound traffic can exit at Exit 53 or access the area via SR906 from Exit 54. (Prior to the opening of Interstate 90, SR906 was part of U.S. Highway 10, or the Sunset Highway, which was the primary route over the pass from the 1930's through the 1960's.) SR906 remains the arterial connector, which links all areas of the pass and is accessible from all three Interstate 90 interchanges. At the summit, between Exits 52 and 53, the roadway is two lanes with extremely wide shoulders on each side. Near Exit 53, the shoulders become narrow with some open roadside drainage.

The area is provided sewer and water by the Snoqualmie Pass Sewer and Water District. Electricity, telephone and cable television are provided by private purveyors.

2.3.5 Development Constraints

Hyak Creek and two other unnamed creeks, which flow from the ski slopes, together with Coal Creek, which flows through the Yellowstone Road area, present development constraints. Wetlands and other sensitive areas associated with the streams must also be identified and protected as development occurs.

2.4 Subarea "D"

2.4.1 Location and General Description

Subarea D is the most eastern portion of the planning area. Gold Creek Valley begins at the head of Keechelus Lake and stretches to the northeast, over seven miles, to Chikamin Ridge. The upper reaches of the valley (outside of this subarea) are within the Alpine Lakes Wilderness. The eastern boundary of the subarea coincides with the Wilderness boundary.

Nearly three lineal miles of the valley are included in the subarea, which encompasses about 6.5 square miles. The valley floor is wide and flat at its entrance and tapers gradually to the study area boundary, beyond which the valley becomes narrow and rugged. Steep slopes rim both sides of the valley.

Interstate 90 crosses perpendicular to the valley and separates the valley from Keechelus Lake and the Summit area.

2.4.2 Natural Features

The valley offers some of the most spectacular scenery in the Pass area including Rampart Ridge, Chikamin Peak and Kendall Peak.

Gold Creek flows year around into Keechelus Lake. In the flatter portions of the valley floor, the creek bed becomes broad and, in dry summer months, part of the creek flows under ground. The lower reaches of the creek are a designated flood plain in the Kittitas County Comprehensive Plan.

There are extensive wetlands near the valley entrance. Some are associated with Gold Creek and others with Mardee Lake and Coal Creek.

2.4.3 Existing Land Use and Ownership

Three square miles within this subarea is Forest Service Land. Nearly two square miles are held by Plum Creek Timber Company, including the northwest corner and south of the subarea, which are steep slopes outside the valley floor. The remaining properties are privately owned primarily in five individual holdings. Most of the privately owned land is within the floor of the valley.

The valley is only sparsely developed, even though most of the private properties have been granted preliminary or final approval for either residential or commercial developments.

The U.S. Forest Service has improved the area around Gold Creek Pond, providing trails, landscaping, picnic areas, parking and rest rooms. This should increase the use of this valuable recreational area by tourists and local residents alike.

2.4.4 Access and Utilities

The Gold Creek Valley has access from SR906 and Interstate 90 at Exit 54. The underpass at this interchange allows access between the valley and other areas of the Pass. A paved frontage road parallels the freeway and intersects with a gravel Forest Service road which leads up the valley to Gold Creek Pond and private cabins. This road is the primary access to the largest area of private land ownership on the east side of Gold Creek. This same road leads to the trail head for hikes up the valley to Alaska Lake and Joe Lake.

A second Forest Service road leads directly from the freeway interchange in a northeast direction and traverses private property to provide access to Forest Service properties and privately owned timber lands. A gate prohibits unauthorized vehicles onto Forest Service and timber lands.

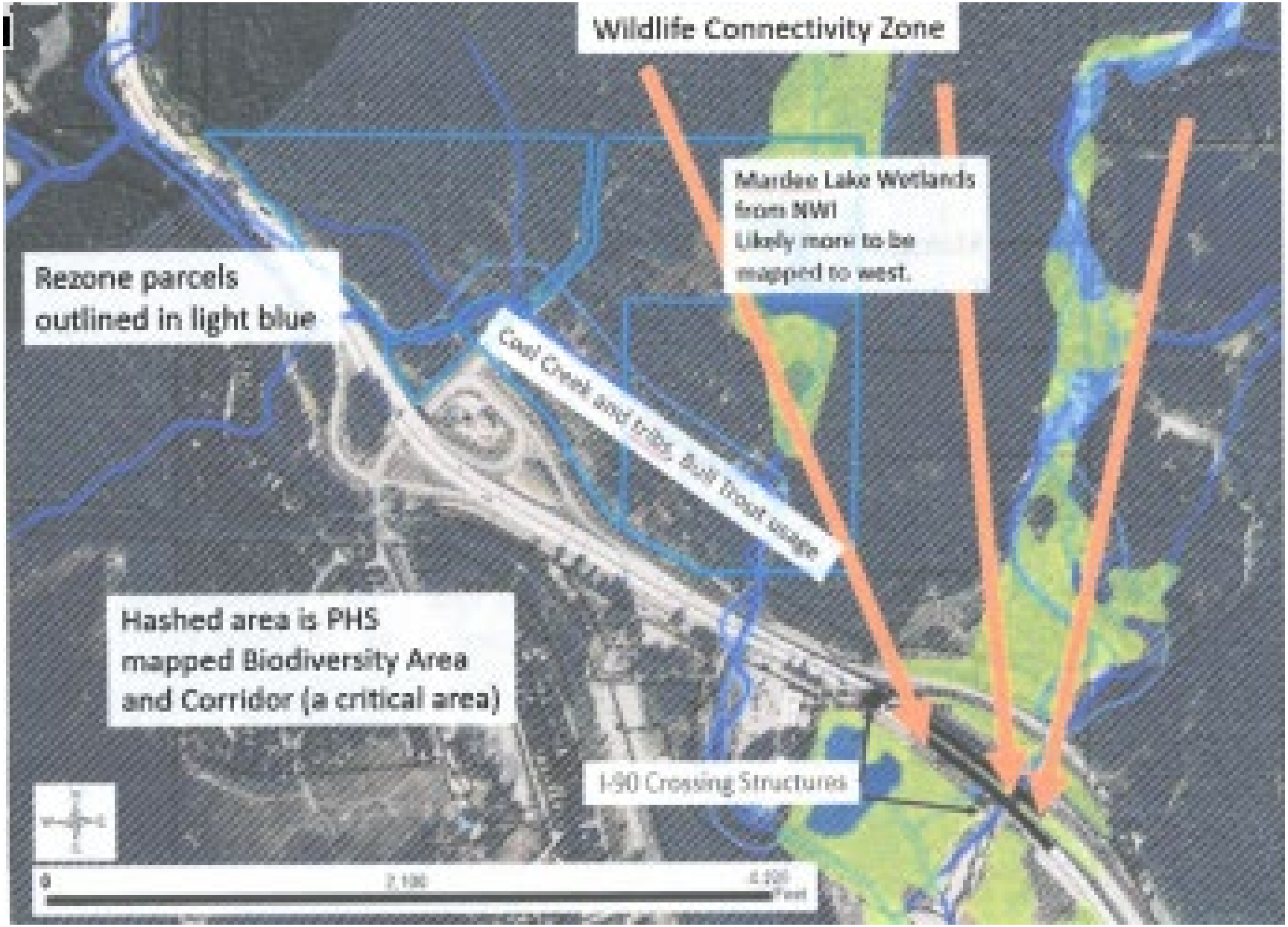
Presently, sewers have not been extended into the valley. The existing cabins are served with individual septic systems and most share a community water system. Power, telephone and other utilities are available (not) available in the valley at the present time.

2.4.5 Development Constraints

Gold Creek Valley can be served with sewer and water systems by the Snoqualmie Pass Sewer and Water District. Therefore, utility services should present no constraints to development.

The steep slopes on the east side of the valley are unbuildable and development will be limited to the valley floor. Gold Creek should be protected as a sensitive environmental area and respected as a potential source of flooding.

Extensive wetland areas around Mardee Lake present constraints to development, as do steep slopes and rock outcropping on a ridge area east of Mardee Lake.


Wildlife Connectivity Zone
Mardee Lake Wetlands from NWI
Likely more to be mapped to west.
Rezone parcels outlined in light blue
Coal Creek and trib, Bull Trout usage
Hashed area is PHS mapped Biodiversity Area and Corridor (a critical area)
I-90 Crossing Structures

818335
818335
818335
798335
937836
617836
808335
287836
544236
Residential Zoning
LAMIRDs Type 1 Zoning
Rural Recreation Zoning
App State

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STAFF REPORT
Mardee Lake Non-Project Rezone (CP-22-00005 & RZ-22-00005) – Docket Item 22.25

I. GENERAL INFORMATION

Requested Action:
Terra Design Group Inc. (Chad Bala), agent for Mardee Lake Inc., is proposing a rezone and map amendment to four parcels (808335, 818335, 828335 and 838335) currently zoned Forest and Range with a Rural Working Land Use, rezoned to Rural Recreation zoning and land use designation. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

Location: Tax parcels 808335, 818335, 828335, 838335, located on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

II. SITE INFORMATION

Total Proposal Size:	approximately 150.98 acres
Number of Lots:	4
Domestic Water:	None requested/proposed at this time.
Sewage Disposal:	None requested/proposed at this time.
Fire Protection:	Snoqualmie Pass Fire District #51
Irrigation District:	None

Site Characteristics: The site is undeveloped Forest and Range with Rural Conservancy Shoreline Jurisdiction and primarily located within the Channel Migration Zone for Coal Creek.

Surrounding Property:
- North: Wenatchee National Forest
- South: I-90 Corridor/Hyak Estates
- East: Privately owned forested land
- West: Wenatchee National Forest

Access: The proposal has access from I-90 and Forest Service Road 4832.

Zoning and Development Standards: The subject property is currently zoned Forest and Range with a Rural Working Land Use. The application is to amend both the zoning and land use to Rural Recreation. The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. The proposed rezone has the potential to allow for future recreational/residential/resource activity consistent with surrounding properties. Attachment A of this Staff Report is a land use table comparison between Forest and Range and Rural Recreation showing the allowed uses within each zone, as well as the processes required for each allowed use.

III. ADMINISTRATIVE REVIEW

Complete Annual Comprehensive Plan Docket Application: Application for a comprehensive plan map amendment, rezone from Rural Working Land Use and Forest and Range Zoning to Rural Recreation zoning and land use, and SEPA environmental checklist was received on June 30, 2022. This submittal packet was received prior to the June 30th docketing deadline. The application was deemed complete on July 29, 2022. A Notice of Application was issued on August 11, 2022. These notices were published in the official county paper of record and were mailed to jurisdictional government agencies, adjacent property owners within 500 feet and other interested parties.

Posting of Site: The signed Affidavit of Posting was returned to CDS on August 1, 2022 indicating that the site had been accurately posted with the "Land Use Action" signs as provided by CDS and required per KCC 15A.03.110.

IV. COMPREHENSIVE PLAN

The current land use designation is Rural Working. The proposed land use designation is Rural Recreation. Under the 2021 Comprehensive Plan, Kittitas County has established the following goals and policies to guide future development through a 20-year planning window. These goals and policies were developed in an effort to ensure consistency and coordination with County Wide Planning Policies:

> RR-G26: Maintain and enhance the extraordinary and expansive recreational opportunities in Kittitas County.
>
> RR-G27: Provide safe opportunities to develop public and private recreational spaces while preserving rural character.
>
> RR-G28: Increase rural tourist and rural recreational spaces while maintaining environments characteristic to rural areas.
>
> RR-G29: Allow for and encourage commercial activities characteristic to recreational activity while maintaining rural character.

V. REZONE CRITERIA

The following criteria must be met per KCC 17.98.020.6 (a-h).

a) The proposed amendment is compatible with the comprehensive plan; and
b) The proposed amendment bears a substantial relation to the public health, safety or welfare; and
c) The proposed amendment has merit and value for Kittitas County or a sub-area of the county; and
d) The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property; and
e) The subject property is suitable for development in general conformance with zoning standards for the proposed zone; and
f) The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property; and
g) The proposed change in use of the subject property shall not adversely impact irrigation water deliveries to other properties; and
h) The proposed amendment is in full compliance with KCC 17.13 Transfer of Development Rights.

The applicant's and staff response to the above criteria can be found below:

a) The proposed amendment is compatible with the comprehensive plan.

Applicants Response: *"This Project's relationship and compatibility with the Kittitas County Comprehensive Plan is consistent with the goals and policies outlined within Exhibit 4 of this proposal along with the additional goals and policies listed below.*
H-G 1: Support strategies that increase and maintain the availability of affordable housing for all incomes levels throughout the county.
This zone change will allow for additional housing to be built in the future with domestic water provided by Group A water system. Housing units needed for future populations, per the comprehensive plan, is projected to be 8,611 units by the year 2037. This is one of the very few areas in the upper county that is be served by a Group A water system via the Snoqualmie Pass Utility District.
H-G3: Provide equitable housing options to allow residents with supported living needs to live as independently as possible throughout the County.
The proposal will create the possibility for new homes to be built in the future which will provide future home ownership.
H-G7: Provide a sufficient number of housing units for future populations in rural areas of Kittitas County while maintaining environmental corridors and quality habitats.
This proposal will could provide for additional housing units while maintaining the environmental corridors and quality habitats that this land contains.
H-G8: Provide for future populations while protecting individual property rights.
This proposal allows for the continued protection of private property rights.
H-P3: Identify lands within areas which are served by centralized water and sewer systems, paved streets and other public services provide to them which are suitable for high density residential use including multi-family and single family planned unit developments and cluster housing.
This proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. The subject parcels have immediate access from 1-90 and are within a 1.5 to 2 miles of other public services."

Staff Response: This project proposes to change the Land Use and Zoning designations conforming with adjacent properties zoning and recreational uses within the vicinity. The requested zone change is compatible with the County's Comprehensive Plan.

b) The proposed amendment bears a substantial relation to the public health, safety or welfare.

Applicants Response: "*The proposed amendment must bear a substantial relation to only one of the following: public health, safety or welfare and this proposal benefits county residents in all three categories.*
Kittitas County Population Growth: The Kittitas County Conference of Governments (COG) made a recommendation to the Board of County Commissioners to adopt the Office of Financial Management's (OFM) numbers and distribution of populations projections through 2037. These projections are intended to guide in the development of Kittitas County. This recommendation included a population projection of 65,967 residents within Kittitas County by the year 2037. Using this projection, the 20-year population allocation for Kittitas County is anticipated to increase by 23,297 people. This proposal provides for the possibility of housing that will add to the greater mix of residential housing types that will assist in meeting the carrying capacity that the county is required to provide for in the Kittitas County Comprehensive Plan. By changing this zone to Agricultural-5 with property located in the future boundaries of a Group A Water System that has the water rights to serve this area bears a substantial relation to the public health, safety and/or welfare; and

Public Health: In 2016 Kittitas County had the availability of new domestic water supplies greatly reduced as the Department of Ecology has determined that the water in the upper Yakima River basin has been over allocated. In addition, the Department of Ecology has found that there is a connection between surface and ground water in the Upper Yakima River Basin and has determined that there will be no new water rights (surface or ground) issued for any use unless mitigated by an existing senior water right. Since this decision Kittitas County came into compliance with the adoption of their comprehensive plan along with the continued development on how to provide water for domestic purposes. One example is that Kittitas County has purchased water rights and developed an over the county water program to meet the domestic needs of Kittitas County. Furthermore, private water banks were developed, with approval from WA ST. Dept. of Ecology to also allow for the ability to provide domestic water for new and future residential uses. Furthermore, this proposal is within the service area of the Snoqualmie Pass Utility (water and sewer) District. This district provides domestic water and sewer to the proposed land to be re-designated to rural recreational. By providing domestic water and sewer by being within the service area of the Snoqualmie Pass Utility District this amendment bears a substantial relation to the public health; and Welfare: The Merriam-Webster dictionary defines "welfare" as "the state of doing well especially in respect to good fortune, happiness, well-being, or prosperity ". Home ownership intermixed with recreation activities are specifically designed to provide happiness and well-being. The property is located adjacent to other properties in the same area that provide for wide variety of recreational opportunities for both summer and winter
(Snoqualmie Pass Skiing, snow shoeing, mtn. biking, fishing, hunting, hili.ng, access to Wenatchee National Forest to name a few). By providing these new opportunities the proposal bears a substantial relation to welfare; and Safety The Merriam-Webster dictionary defines "safety" as "the condition of being safe from undergoing or causing hurt, injury, or loss". The change in the zone from Forest & Range - 20 to Rural Recreational will provide a similar environment for the continued and growing rural population and recreation uses. The proposal is already being encircled by surrounding smaller densities along with other existing recreational uses. By zoning these parcels to Rural Recreational will bring this property into consistency with the surrounding area, allow for innovated techniques to occur for residential development while protecting the rural character and natural environment with a safe water and sewer supply in a safe environment, therefore this amendment bears a substantial relation to safety."

Staff Response: This amendment will not be detrimental to the health, safety, or welfare of the public as the proposal is currently a non-project specific application. CDS staff does have concerns in regard to the potential additional density proposed on property that has numerous critical areas, however those concerns would be addressed at the time of development review of specific projects. The primary goal and intent of the proposed zoning, Rural Recreation, is to promote rural recreation residential development associated with the many natural amenities found within Kittitas County. The property is located in the vicinity of a wide array of outdoor recreational opportunities.

c) The proposed amendment has merit and value for Kittitas County or a sub-area of the county.

Applicants Response: *"The Merriam-Webster dictionary defines "merit" as "a good quality or feature that deserves to be praised' and/or "the quality of being good, important, or useful ".*
Protection of existing natural areas: With the concept of preserving natural areas, by designating this land as rural recreation land provides for consistency within the immediate area and those similar recreational uses. All the surrounding land has been continually developed making it even more difficult to continue with any future recreational types of scenarios. By changing the land use designation and zoning designation allows for the continued rural recreational lifestyle to occur. By doing this the amendment and rezone has merit and value for the county.
Protection of Coal Creek: Coal Creek is located on a portion of this proposal. By including this rural recreational growth on these lands allows for the continue recreational use (merit and value for the County) of Coal Creek and other associated natural areas.
Water Availability: This amendment and rezone will also allow any future recreational use/development

to use the Snoqualmie Pass Utility (water & sewer) District for domestic uses. By doing this the amendment has merit and value for the county allowing further protections to the natural recreational area.
Access: With access from 1-90 and the existing county road allows for the immediate access to the subject property and provides the ability for future connectivity for future recreational development proves that this amendment has merit and value for the county."

Staff Response: CDS staff has concerns regarding the potential increased density proposed in an area identified by state and federal programs of needing enhancement for the wildlife corridor. Staff also recognizes the value and merit of creating additional recreational properties in an area with winter and summer recreational opportunities including skiing and hiking which would provide additional tax revenue for the county.

d) The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.

Applicants Response: *"The proposed amendment needs to be found appropriate because one of the following (i) because of changed circumstances (ii) because of a need for additional property in the proposed zone (iii) because the proposed zone is appropriate for reasonable development of the subject property. As stated above the amendment for the proposal needs to meet only one of these criteria.*
Because of Changed Circumstances:
First and foremost, this proposal is forested ground but is not considered a working forest property. There have been major changes in the timber industry over the last 15 plus years, last two remaining local timber processing mills have shut down or are on limited operations and are no longer buying timber to process into lumber. This has eliminated the ability of the land to sustain any reasonable commercial timber harvest cycle and has changed the use of this land forever. With the current forest & range zoning designation covering this property and the change in the timber industry alone creates inconsistencies with the purpose and intent of the Forest & Range zoning district, which states the following "this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where development of lands for uses and activities incompatible with resource land management are discouraged.". These conditions over the last 15along with this land not designated as forest resource lands of long-term commercial significance warrant a change and not meeting the intent of the existing zone warrant a change in the land use and zone designation.
Secondly, there has been major changes with regards to water rights. Snoqualmie Pass Utility District has recently completed their update to their comprehensive water plan. During this update water rights have increased to allow for future growth. See Exhibit#. With these new changes in water the applicant can be provided with domestic water from an existing community water system therefore eliminating the need to for individual wells to be used. Thirdly, there has been the continued development of the surrounding areas and adjacent lands. 20 acre lots have been developed to the east of this proposal. Directly across 1-90 Kittitas County recently (within the last 4-5 years) approved a planned unit development that contains residential, commercial, open space, and recreational uses. This newly planned unit development is less than a ½ mile away and along with this change will create additional need of recreational lands.
Finally, the implementation of the newly designation of Rural Recreational lands constitutes a major change. As you can see when Kittitas County designated lands in the Snoqualmie Pass Area as Rural Recreational, they just designated the existing ski pass areas and their associated uses. This property was not taken into consideration regarding whether other private lands provided a recreational use or for that matter be designated as recreational lands. This land is Rural Recreational lands designated to the west and to the south and it is only fitting, through meeting that criterial, be designated as rural recreational lands along with a zoning designation of rural recreational. Because of a need for additional property in the proposed zone his amendment is due to the need for lands to be included into the Rural Recreational

Land Use. There are limited areas within Kittitas County that were designated appropriately, and one might say inappropriately designated. For example, one of these areas is the Master Plan Resort, now called Suncadia just west of the City of Cle Elum. This master planned resort with golf courses is just that a Master Plan Resort and is continuously being built out mainly as residential development with golf courses/trails etc. There are other areas along the SR903 corridor that are mainly residential development that contain higher residential uses than recreational uses. You also have land that includes the Snoqualmie ski area, which is appropriately designated as recreational land use. It is also important to note that recreational second homes area are allowed under this land use designation. As you look at the land use map of county and the total acreage of rural recreational lands you will see there is a need for additional lands to be designated with a recreational land use designation along with a rural recreational zone. This proposal fits this needed as it is adjacent to Rural Recreational zoning to the south and to the north, but more importantly this land does not fit the Rural Working Land use designation. This land is not a working farm or forest land. 1bis amendment is 1-2.5 miles away from Snoqualmie Pass (ski areas) and fits in with the recreational nature of hiking, snow shoeing, skiing, mountain biking etc. that occurs in the surrounding area. Also, this proposal contains a recreational element of having streams flowing through it that provides for recreational fishing activities, along with Mardee Lake, hiking, snow shoeing, skiing, mountain biking all that are similar if not the same uses allowed on the surrounding/adjacent lands. Because the proposed zone is appropriate for reasonable development of the subject property because. The surrounding land is no longer used as resource-based land. The land that is now used for rural recreational lands. The proposed rezone for the property provides for the reasonable development of the land for rural recreational uses.
As stated above this proposed amendment is appropriate because of changed circumstances and because of a need for and because the proposed zone is appropriate for reasonable development of the subject property."

Staff Response: CDS staff finds that the proposal is adjacent to the west and south of other rural recreation land use and zoning and the proposed rezone would allow for reasonable development of the land for rural recreational uses.

e) The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

Applicants Response: *"Chapter 17.30 R-R-RURAL RECREATION ZONE*
17.30.010 Purpose and intent.
The purpose and intent of the Rural - Recreation zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. A primary goal and intent in siting R-R zones will be to promote rural recreation residential development associated with the many natural amenities found within Kittitas County.
As pointed out throughout this proposal the uses that are surrounding the subject parcels are consistent with this proposed land use and zone change by being recreational is nature compared to the existing zoning of Forest & Range. In comparison the intent of the forest & range zone is where natural resource management is the highest priority and the development of lands for uses and activities incompatible with resource management are discouraged. With respect to the uses allowed (permitted & conditional uses) within the existing zone and compared to the proposed zone of Rural Recreational there are some extremely intense uses that do not appropriately fit this recreational area (See Exhibit 9).
Within the Forest & Range-20 zone (KCC 17.56), the current zoning of this proposal, there are certain uses such as, Agricultural enhance uses, Agricultural direct marketing activities, Agricultural seasonal harvest festivities use, Agricultural expanded seasonal harvest festivities, Taverns, Asphalt/Concrete Plants, mini-warehouse, refuse & recycle centers, boarding house, Mining & excavation, & Rock Crushing uses, that are allowed within this zone. This land does not lend itself to the agricultural uses within with the Forest & Range zone. This land is mainly timber land along with natural amenities. Most importantly, The Forest & Range zone allows for one of the most intensive uses in Kittitas County, with

the use being mining and rock crushing. These two types of uses do not fit within this land or for that matter the surrounding recreational lands. These types of uses should not be allowed within a recreational area of Snoqualmie pass and if allowed could be a detriment to the recreational vitality of the area.
The surrounding land, the surrounding uses of the property, the changing uses of the land to more of a rural recreational area, the available of water & sewer through the Snoqualmie Pass Utility (water & sewer) District water only shows that the property is suitable for development in general conformance with zoning standards of the Rural Recreational zone."

Staff Response: The existing zoning designation is Forest and Range, and the proposed zoning designation is Rural Recreation. This proposal is adjacent to property on the west and east sides currently zoned rural recreation, directly outside of the Snoqualmie Pass LAMIRD. While the proposed zoning would allow for higher density (5-acre lot sizes), it conforms with the Goals of the Rural Recreation Zoning by allowing for additional residential development on a low-density basis or in residential clusters, promoting rural recreation residential development associated with the natural amenities found within Kittitas County.

f) The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

Applicants Response: *"The proposed rezone of the property will enhance the properties in the immediate vicinity of the subject property. Under the land use and zoning of F&R-20 that allows for certain uses that are agricultural driven that does not fit this land, and more importantly this current zone allows for a very high intense use of Mining and Rock Crushing. This type of use is not conducive to the recreational vitality in the area, or for that matter conducive to the natural environment in the immediate vicinity. By rezoning this property, will not be materially detrimental to the use of the properties in the immediate vicinity of the subject property and would be more protective to the properties in the immediate vicinity help further grow the recreational aspect of the area."*

Staff Response: CDS staff finds that the proposed rezone and Comprehensive Plan Amendment will not likely be detrimental to the use of property owners within the immediate vicinity of the subject property. Staff does share concerns regarding the change allowing for higher density (5-acre parcels) on property that has many critical areas associated with it and has multiple plans identified by state and federal agencies to improve the wildlife corridor within the vicinity and the possible impact future development may have on the improvements.

g) The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

Applicants Response: *"There are no irrigation water on the subject property nor any irrigation conveyance ditches that run through the property."*

Staff Response: The proposal is not located within an irrigation district; therefore, it does not have any irrigation ditches for deliver. The project will not have any impacts on irrigation.

i) The proposed amendment is in full compliance with KCC 17.13 Transfer of Development Rights.

Applicants Response: "*The proposed amendment is in full compliance with Chapter KCC 17.13 Transfer of Development Rights.*
According to KCC 17.*13 Transfer of Development Rights, specifically 17.14.080.2 the transfer of development rights is not a precondition for any amendment to the Comprehensive Plan, Zoning Map, or*

proposed development to be approved."

Staff Response: Upon review of KCC 17.13 Transfer of Development Rights, staff has determined that the rezone request is outside of the scope of consideration and the legislative intent of KCC 17.13 when it was adopted in 2009 and further amended in 2010 and 2011. Therefore, TDRs are not required for this rezone proposal.

V. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this comment period and other information on file with Community Development Services, Kittitas County issued a Determination of Non-Significance (DNS) on September 8, 2022. The appeal period ends on October 27, 2022 at 5:00 p.m. A timely SEPA Appeal was file on October 27, 2022 and the SEPA Appeal Hearing is scheduled for November 29th, 2022 at 6pm.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. The following parties provided substantive comments during the comment period:

Washington State Department of Natural Resources- Shane Early:
WSDNR provided comment stating that as project area appears to be primarily forested, DNR wanted to formally note that current or future landowners within the proposed rezoned area may need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest. DNR also wished to note that the site has a network of fish bearing and non-fish bearing streams and associated wetlands within the project site and the need for the property owner to engage with DNR and/or WDFW prior to any development in order to create access roads with approved stream crossing structures.

Staff Response: Staff has transmitted these comments to the applicant, and they are aware that any timber harvest on any of the parcels may require the need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Snoqualmie Tribe:
Snoqualmie Tribe stated they had no substantive comments at this time but reserve the right to modify their position if the scope of the project or the parameters for defining the APE change.

Staff Response: CDS Staff transmitted the comments to the applicants and note that if any changes are made to the application Snoqualmie Tribe will be notified.

Washington State Department of Natural Resources- Luke Warthen:
WSDNR provided comment stating that as project area appears to be primarily forested, DNR wanted to formally note that current or future landowners within the proposed rezoned area may need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Staff Response: Staff has transmitted these comments to the applicant, and they are aware that any timber harvest on any of the parcels may require the need to obtain an approved Forest Practices Application (FPA) prior to conducting any timber harvest.

Washington State Department of Ecology:
WSDOE provided comment regarding Coal Creek, Mardee Lake, Lake Keechelus, and the nearby Gold

Creek all being Shorelines of the State and any work proposed within the County's designated Shoreline Jurisdiction must meet the purposes and intent of the County's Shoreline Master Program (SMP), the need to adhere to all buffer requirements established within the County's SMP, a large wetland complex surrounding Mardee Lake and if work proposed within a wetland would require review and authorization from the DOE and U.S. Army Corps of Engineers. DOE strongly encouraged the use of mitigation sequencing and the avoidance of all wetland impacts and noted the importance of the largely undeveloped area to the wildlife, wetlands, shoreline and streams. This creates a large wildlife corridor and for these reasons they strongly encourage the existing corridor to remain intact.

Staff response: Staff shares concerns regarding the impact development of any kind will have on this sensitive area. Any proposed land use activity on the property would require additional environmental review.

Kittitas County Public Health:
KCPH state they had no comments or concerns with the project as this is a rezone and does not propose the withdrawing of groundwater or discharging wastewater at this time.

Staff Response: Community Development Services (CDS) staff agrees that the current Zoning and Comprehensive Plan Amendment is a non-project specific proposal and does not include withdrawing of groundwater or discharging wastewater currently.

Kittitas County Public Works:
KCPW provided comments solely regarding flood. KCPW stated a portion of the proposal is within the 100-year floodplain of Coal Creek and any activities within the floodplain must be permitted through the floodplain development permit process. This requirement pertains to all construction, including buildings exempt from building permit.

Washington State Department of Transportation:
WSDOT provided comment stating their concern surrounding potential buildout being up to an additional 296 additional lots according to their calculations and the density and location of the associated future development having the potential to affect the function of publicly funded improvements associated with the Interstate 90 Snoqualmie Pass East project, the 20 plus years of collaboration of WSDOT, US Forest Service and other natural resource agencies to identity and define a landscape-scale, watershed-based approach to allow for the expansion of I-90, the identification of the Gold Creek Valley as an important connectivity emphasis area due to ecological improvement opportunities within the watershed, the impacts the increased land use densities and development within the adjacent to the valley could have and that WSDOT does not believe that the Non-Significance determination for this proposal sufficiently addresses potential impacts, including ecological connectivity investments.

Staff Response: The calculations used to identify number of potential lots is incorrect. The project encompasses a total of 150.98 acres. Under the proposed Rural Recreation zoning (lot size minimum of 5 acres), the applicants could divide the property into a total of 30 parcels. If the applicants proposed a Cluster Plat subdivision under KCC 16.09 they would only be allowed up to 30 parcels in the cluster and 60% of the land outside of the cluster must remain in contiguous open space in perpetuity.

Washington State Department of Fish and Wildlife:
WDFW commented in regard to the concern of rezoning the property to allow for more intensive recreation on the property that holds multiple critical areas and the intensive recreation's incompatibility with protection of these critical areas, these areas include streams, bull trout rearing habitat, wetlands, wildlife connectivity area. WDFW brought up concerns with potential water withdrawals on Coal Creek, the public investment into the Gold Creek Valley and WDFW's recommendation on the SEPA

Determination. WDFW did not agree with the SEPA determination of DNS and the rezone proposed in this area would likely have substantial impact on the environment. WDFW requested that prior to any decision or the public hearing of this rezone, that a critical areas report be completed.

Staff Response: Staff shares some of the same concerns as the WDFW regarding increasing the allowed density on property that includes numerous critical areas as well as an area that has been highly invested in at the state and federal level to improve the ecological functions. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Confederated Tribes and Bands of the Yakama Nation:
The Yakama Nation commented on concerns for the critical areas on the property including water, wetlands, riparian, wildlife connectivity, and bull trout rearing habitat. Yakama Nation stated that the project fails to address impacts to the natural environment and has a high likelihood of contributing to habitat degradation.

Staff Response: Staff shares some of the same concerns as the Yakama Nation in regards increasing the allowed density on property that includes numerous critical areas. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Kittitas Conservation Trust:
KCT provided comment concerning the proposal which would allow more intensive recreation and development on the property in an area where bull trout recovery efforts are currently underway, and the degradation of existing habitats within this area would further hamper current investments to improve conditions for the Gold Creek Bull Trout, the significant investments made by the state and federal partners in assessing, designing, and permit large scale restoration needed to improve habitat and flow and requested that a critical areas report be conducted prior to any decision or public hearing on the proposed rezone application.

Staff Response: Staff shares some of the same concerns as the KCT regarding increasing the allowed density on property that includes numerous critical areas. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Public Comments:
Public Comments were received from Karl Flaccus, The Gold Creek Valley Landowners (Sue and Bob Mecklenburg, Kirsten and Vincent Turner, Erin Barzen, Claudia Davis, Charlie Buitron, Jody Jldersma and Matthew Jenkins, Mary Shwetz and Don Grubb, Barb and Wes Moorhead, Gordon Gray, Amy and Francisco Perez, Jennifer and Gary Gray), Richard Pierson, Tom Robey (along with Michael and Fritz Robey).

Public Comments included concerns for the inconsistency with the multi-million dollar investments made by the state and federal agencies and funded by taxpayers to support Gold Creek wildlife corridor, inconsistencies with the multi-million dollar restoration plans for Gold Greek Valley proposed by Yakima Basin Integrated Plan, inconsistencies with the preservation of an important wetland complex at Mardee Lake, concerns for recreational access, congestion, waste and light in the area, winter access to property being uniquely fragile and the current issues with plowing and access, the addition of commercially owned land in the vicinity will further reduce access to the winter recreation and harder for residents, the current zoning being more consistent with the local benefit rather than distant profit.

Staff Response: Staff shares some of the same concerns as the comments submitted by the public

regarding increasing the allowed density on property that includes numerous critical areas as well as an area that has been highly invested in at the state and federal level to improve the ecological functions. The proposed Rezone and Comprehensive Plan Amendment is not a project specific application. Any future development proposals on the property would require critical areas review.

Planning Commission Public Hearing – Agency and Public Comments:

Washington State Department of Fish and Wildlife – Elizabeth Torrey:
Elizabeth Torey provided verbal comments to support WDFW's previous statements and elaborate on them, commenting that the Mardee Lake Rezoning proposal and the development that can reasonably be expected to follow presents significant risks to fish and wildlife habitat and other critical areas. She also commented that the proposal is inconsistent with the County Comprehensive Plan, and that as heard earlier in the hearing, consistency with the plan is required as a part of the rezoning criteria. She also commented that rezoning of over 150 acres to Rural Recreation will open the door to many types of allowable uses, including housing and other developments and consequently will increase buildout in density. She also commented that many of the Mardee Lake environmental improvements were constructed using public funding including the tens of millions of dollars that had been invested along the I-90 corridor for the purpose of enhancing fish and wildlife habitat. These projects were designed and constructed with the Comp Plan and it goes against the Comp Plan to believe the rezone will have no environmental impacts. The plan clearly states the intent to limit development in rural areas and to protect natural resources, even as going so far to call out Mardee Lake and Coal Creek and the extensive associated wetlands as areas of specific importance to protect. She concluded by saying that there are two takeaways that WDFW would like for the Commissioners to consider based on the comments provided: 1) Consistency with the Comprehensive Plan is requirement for a rezone. 2) The SEPA is currently in appeal, and it is going to be heard later this month by the Board of County Commissioners. She recommended that the Planning Commission choose not to proceed with sending this onto the County Commissioners because it is inconsistent with the rezoning criteria, but at least that they abstain from passing it on until after the County Commissioners can determine whether or not the SEPA is in good standing.

Conservation Northwest – Laurel Baum
Laurel Baum stated that Conservation Northwest is a non-profit agency that has been engaged in the Snoqualmie Pass Area and the habitat connectivity of the area for over two decades, and that they are the Co-Appellants to the SEPA DNS appeal, They are appealing the SEPA determination of nonsignficance (DNS) on the basis that part of the proposal does not comply with the comprehensive plan, the rezone and the DNS overlooks the protections needed for the critical areas consistent with the Kittitas County Comprehensive plan and the county code. The appeal letter references a number of areas of inconsistencies. The appellants are requesting a Critical Areas Report be completed for the property that includes potential future effects of the activities that would be increased under the rezoning.

James Evens:
James Evens provided comment that he appreciated the technical comments from WSDOT, WDFW and other government agencies and believes this rezoning action deserves a high level of review.

Jay Wiseman:
Jay Wiseman commented that he supports commissioner Deneen's comments and is in support of the rezone as a property owner in Kittitas County and previously on Snoqualmie Pass.

Karl Flaccus:
Karl Flaccus stated he is the co-appellant for the SEPA DNS appeal. He commented that under SEPA the agency must address the probable impacts of any future project action the proposal would allow, and he

believes the county misapplied that standard by not considering permitted activities that would be allowed by the rezone. He believes the county made a mistake and misapplied SEPA and did not take into consideration all the laws and regulations that have been cited in the appeal. He is seeking invalidation of the DNS, as well as seeking a critical areas report and an environmental impact statement.

Liz Martin:
Liz Martin provided comment that this property is working land and that wetlands are working ways, are pathways for animals, filter stormwater runoff, provide wildlife nurturance and habitat. The zoning change seems to pave the way for development of the property. She commented that she can't see how changing the zone would prevent trespassing and she asked the commissioners to pay close attention to the agency comments.

Richard Pierson:
Richard Pierson stated he supports comments made by Carl Flaccus and Conservation Northwest.

Sandy Cope:
Sandy Cope addressed the narrative which states that the streams allow for fishing. She commented that all streams in the area are closed to fishing and that the area adjacent to the property is also a wildlife corridor which is not to be trespassed on. She also asked how the rezone will keep people from trespassing.

Scott Burbridge:
Scott Burbridge stated he is more concerned with the Mardee Lake Road that the project borders, because the road is a mess on the weekend with parking on both sides of the street, and any vehicles that stay in place don't allow for the county to plow the road. He stated maybe there is a way to partner with these landowners for the subject property, stating that it could be a win-win for everybody in the community.

Susan Mecklenburg:
Susan Mecklenburg stated that she had already made comments and invited her neighbors to make comment and that those were included in our report.

Toni Desona:
Toni Desona stated he was echoing what others have said, stating that Mardee Lake Road is a challenge and that he is concerned that development in this area will just increase the issues. He is also concerned that access to Kendall Lakes trail head will possibly be restricted if the zoning is changed.

VII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:
The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: RR-G26, RR-G27, RR-G28, and RR-G29. This proposal is consistent with the intent of the Rural and Resource Lands of Kittitas County.

Consistency with the provisions of KCC Title 12 Roads and Bridges:
This proposal is for a non-project rezone, therefore there will be no impact on existing infrastructure. The

proposal is consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC 13 Water and Sewers Code:
This proposal is for a non-project rezone. This proposal is consistent with the Kittitas County Code for Water and Sewers.

Consistency with the provisions of KCC Title 14 Buildings and Construction:
As this is a non-project rezone and comprehensive plan request, no building or construction is being requested by this action. This proposal is consistent with Kittitas County Code Title 14 for Building and Construction.

Consistency with the provisions of KCC 17.30, Rural Recreation zoning:
This proposal is consistent with the Kittitas County Zoning Code 17.30. The proposal is compatible with KCC 17.30.020 referring to the uses table in KCC 17.15.

Consistency with the provisions of KCC 17A Critical Areas Code:
As this is a non-project specific rezone no critical areas will be affected. Future activities and/or development will be required to comply with all regulations at the time of the new proposal and the critical areas will be assessed at that time.

Consistency with the provisions of KCC 20 Fire and Life Safety Code:
As this is a non-project rezone this proposal is consistent with the Kittitas County Code for Fire Life Safety.

VIII. RECOMMENDATION

Staff recommended approval of the Mardee Lake Non-project Rezone (CP-22-00005 & RZ-22-00005) subject to the following findings of facts and conditions:

Findings of Fact

1. Terra Design Group Inc. (Chad Bala), agent for Mardee Lake Inc., is proposing a rezone and map amendment to four parcels (808335, 818335, 828335 and 838335) currently zoned Forest and Range with a Rural Working Land Use, rezoned to Rural Recreation zoning and land use designation. The rezone will allow the current use of the property to be consistent and compatible with the zoning code of rural recreation, as well as allow future expansion of existing uses. A comprehensive plan amendment (CP-22-00005), rezone application (RZ-22-00005), and SEPA checklist were submitted as part of the application packet. This project is being processed through the 2022 Annual Comprehensive Plan Docket process.

2. This proposal is located on tax parcels 808335, 818335, 828335, 838335, on Snoqualmie Pass northeast of the I-90 Exit 54 in Section 15, T.22N, R.11E, W.M.; Kittitas County parcel map numbers 22-11-15020-0001, 22-11-15020-0002, 22-11-15020-0003, 22-11-15010-0002.

3.

Total Proposal Size:	approximately 150.98 acres
Number of Lots:	4
Domestic Water:	None requested/proposed at this time.
Sewage Disposal:	None requested/proposed at this time.
Fire Protection:	Snoqualmie Pass Fire District #51
Irrigation District:	None

4. Site Characteristics: The site is undeveloped Forest and Range with Rural Conservancy Shoreline Jurisdiction and primarily located within the Channel Migration Zone for Coal Creek.

5. Surrounding Property:
   North: Wenatchee National Forest
   South: I-90 Corridor/Hyak Estates
   East: Privately owned forested land
   West: Wenatchee National Forest

Access: The proposal has access from I-90 and Forest Service Road 4832.

6. The Comprehensive Plan designation is Rural Working.

7. The subject property is currently located within the Forest and Range zoning district and is within the Rural Working Land Use. Rural Recreation Zoning and Land Use are being requested, which is consistent with lands to the west and south of the property as well as the uses located in the vicinity, including hiking trails and The Snoqualmie ski resort. The purpose and intent of this zone is to provide areas where residential development may occur on a low-density basis or in residential clusters. The proposed zone has the potential to allow for future commercial/residential/resource activity consistent with surrounding properties.

8. Application for a comprehensive plan map amendment, rezone from Urban Residential to Forest and Range, and SEPA environmental checklist was received on June 30, 2022. This submittal packet was received prior to the June 30th docketing deadline. The application was deemed complete on July 29, 2022. A Notice of Application was issued on August 11, 2022. These notices were published in the official county paper of record and were mailed to jurisdictional government agencies, adjacent property owners within 500 feet and other interested parties.

9. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this comment period and other information on file with Community Development Services, Kittitas County issued a Determination of Non-Significance (DNS) on September 8, 2022. The appeal period for the DNS ends on October 27, 2022 at 5:00 p.m. A timely SEPA Appeal was file on October 27, 2022 and the SEPA Appeal Hearing is scheduled for November 29th, 2022 at 6pm.

10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: RR-G26, RR-G27, RR-G28, and RR-G29. This proposal is consistent with the intent of the Rural and Resource Lands of Kittitas County.

11. This proposal is consistent with the provisions of Kittitas County Roads and Bridges Title 12.

12. This proposal is consistent with the provisions of KCC 13 Water and Sewers Code.

13. This proposal is consistent with Kittitas County Code Title 14 for Building and Construction.

14. This proposal is consistent with the Kittitas County Zoning Code Title 17, more specifically KCC 17.30 R-R.

15. This proposal is consistent with Kittitas County Code Title 17A Critical Areas.

16. This proposal is consistent with Kittitas County Code Title 20 Fire Life Safety.

17. This proposal is consistent with Kittitas County Code (KCC 17.13) Transfer of Development Rights.

18. The following agencies commented on this proposal: Washington State Department of Natural Resources – Shane Early and Luke Warthen, Snoqualmie Tribe, Washington State Department of Ecology, Kittitas County Public Health, Kittitas County Public Works, Washington State Department of Transportation, Washington State Department of Fish and Wildlife, The Yakama Nation, and Kittitas Conservation Trust.

19. The following members of the public commented on this proposal: Karl Flaccus, The Gold Creek Valley Landowners (Sue and Bob Mecklenburg, Kirsten and Vincent Turner, Erin Barzen, Claudia Davis, Charlie Buitron, Jody Jldersma and Matthew Jenkins, Mary Shwetz and Don Grubb, Barb and Wes Moorhead, Gordon Gray, Amy and Francisco Perez, Jennifer and Gary Gray), Richard Pierson, Tom Robey (along with Michael and Fritz Robey).

20. The following agencies and members of the pubic commented during the Planning Commission meeting held November 8, 2022: Washington Department of Fish and Wildlife – Elizabeth Torrey, Conservation Northwest – Laurel Baum, James Evens, Jay Wiseman, Karl Flaccus, Liz Martin, Richard Pierson, Sandy Cope, Scott Burbridge, Susan Mecklenburg, Toni Desona.

Suggested Conclusions:

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.

2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.

3. Public use and interest will be served by approval of this proposal.

4. As conditioned, the proposal is consistent with Kittitas County Code Title 12 Roads and Bridges, Title 13 Water and Sewer, Title 14 Building and Construction, Title 15 Environmental Policy, Title 17 Zoning, Title 17A Critical Areas, and Title 20 Fire Life Safety.

Suggested Conditions of Approval:

1. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.

After considering the application and testimony provided at the November 8, 2022 Planning Commission Public Hearing, the Planning Commission recommended approval of the proposed comprehensive plan amendment and rezone by a vote of 4-1.