



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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PLANNING COMMISSION FINDINGS OF FACT

2007 Annual Comprehensive Plan Docketed Map and Text Amendments and Open-Open Space Requests

The Planning Commission submits the following, findings of fact, conclusions at law and recommendations to the Kittitas County Board of County Commissioners related to the 2007 Annual Comprehensive Plan Docketed Map and Text Amendments, and Open-Open Space Requests:

1. The Planning Commission finds that a legal notice was issued on August 16, 2007 and published on August 18 and 24, 2007 in the Daily Record and August 23 and 30, 2007 in the Northern Kittitas County Tribune.
2. The Planning Commission finds that written comments were solicited and the final date to submit written comments was on October 3, 2007 by 12:00pm. Comments were received and were included as part of the record.
3. The Planning Commission finds that public hearings were held on September 25 and 26, 2007. Notice of said public hearing was published in the Daily Record and Northern Kittitas County Tribune as required by State Statute and County Code. Testimony was taken from those persons present at said hearing that wished to be heard and the necessary inquiry has been made into the public interest.
4. The Planning Commission finds that on September 25, 2007, deliberations and decisions were made on the 2007 Open-Open Space Requests.
5. The Planning Commission finds that a continued hearing where the record was closed was held on October 23, 2007 for Planning Commission deliberation and decision on the 2007 Docketed Items.
6. The Planning Commission finds that a continued hearing where the record was closed was held on November 13, 2007 to consider Planning Commission Findings the 2007 Docketed Items and Open-Open Space Requests.
7. The Planning Commission forwards to the Board of County Commissioners their recommendations with Findings for the 2007 Annual Comprehensive Plan Docketed Map and Text Amendments, and Open-Open Space Requests as follows:

2007 Applications for Open Space/Open Space taxation designations

A. OS-07-01: Larry and Linda Hansen- Open-Open Space Classification

1. The Planning Commission finds that Larry and Linda Hansen submitted a request for open-open space tax classification on November 3, 2006 for map number 19-17-04050-0013.
2. Testimony was given by the proponent during the public hearing.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

3. At the September 25, 2007 Public Hearing the Planning Commission **recommended approval** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).
4. No public testimony was received.

B. OS-07-02: Henley Group Ltd, Thomas Roth and Gloria Hart- Open-Open Space Classification

1. The Planning Commission finds that the Henley Group Ltd, care of Thomas Roth and Gloria Hart, submitted a request for open space tax classification on November 22, 2006 for map number 19-17-04050-0015.
2. Testimony **was not** given by the proponent during the public hearing.
3. The Planning Commission finds that the applicant failed to appear.
4. No public testimony was received.
5. At the September 25, 2007 Public Hearing the Planning Commission **recommended denial** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).

C. OS-07-03: Ian Elliot (640 LLC), Alfred and Anna Lamotte, Nels and Charli Sorenson, Tyler Oxley - Open-Open Space Classification

1. The Planning Commission finds that Ian Elliot (640 LLC), Alfred and Anna Lamotte, Nels and Charli Sorenson, and Tyler Oxley submitted a request for open space tax classification on December 21, 2006 for map numbers 17-20-12000-0002, 0004, and 17-20-17000-0007, 0008.
2. Testimony **was not** given by the proponent during the public hearing.
3. The Planning Commission finds that the applicant failed to appear.
4. No public testimony was received.
5. At the September 25, 2007 Public Hearing the Planning Commission **recommended denial** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).

D. OS-07-04: Circle N LLC, Daniel Nelson, Managing Member - Open-Open Space Classification

1. The Planning Commission finds that Circle N LLC in care of Daniel Nelson, Managing Member submitted a request for open space tax classification on January 2, 2007 for map number 19-16-05020-0003.
2. Testimony **was** given by the proponent during the public hearing.
3. At the September 25, 2007 Public Hearing the Planning Commission **recommended approval** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).
4. No public testimony was received.

E. OS-07-05: Moe/Nisbet - Open-Open Space Classification

1. The Planning Commission finds that Stephen Moe, for Moe/Nisbet a request for open space tax was transmitted on July 10, 2006 from the Board of County Commissioners to Community Development Services for map number 16-19-05010-0004.
2. Testimony **was** given by the proponent during the public hearing.
3. At the September 25, 2007 Public Hearing the Planning Commission **recommended approval** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).
4. No public testimony was received.

F. OS-07-06: Paul Lyman and Matt Coe - Open-Open Space Classification

1. The Planning Commission finds that a request for open space tax from Paul Lyman and Matt Coe was transmitted on July 10, 2006 from the Board of County Commissioners to Community Development Services for map numbers 20-14-29051-0001, 0002, 0003, 0004 (Coe), 20-14-29050-0001, 0002, 0003, 0004 (Coe and Lyman) and 20-14-29052-0001, 0002, 0003, 0004 (Lyman).
2. Testimony **was not** given by the proponent during the public hearing.
3. The Planning Commission finds that the applicant failed to appear.
4. No public testimony was received.
5. At the September 25, 2007 Public Hearing the Planning Commission **recommended denial** of the application to the Board of County Commissioners based on the information submitted with a 6-0 vote (one member absent).

2007 Comprehensive Plan Map and Text Amendments

DOCKET -07-01	Ellensburg Cement Products Bruce Terrell, Authorized Agent Ellensburg Cement Products, Applicant Three Bar G Ranch Inc. c/o Frank J. Gregerich, landowner	Map Amendment: Rural to Mineral Lands of Long Term Commercial Significance for approximately 80 acres	19-16-25020-0009, and a portion of 19-16- 25030-0001
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1. The Planning Commission finds that Bruce Terrell, authorized agent for Ellensburg Cement Products, applicant and Frank Gregerich of Three Bar G Ranch Inc., landowner, applied for a map amendment to designate approximately 80 acres from Rural to Mineral Lands of Long Term Commercial Significance. Location: off of I-90 Exit #93 south of I-90 and Thorp Prairie Road and southeast of Elk Heights Road in a portion of Section 25, T19N, R16E, WM in Kittitas County. Map number 19-16-25020-0009 and a portion of map number 19-16-25030-0001.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Public hearings were held on September 25 and 26, 2007 to review and receive testimony on the 2007 Docketed items.
4. Testimony **was** given by the proponent.
5. Adverse testimony **was** given on this proposal.
6. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
7. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
8. The Planning Commission finds that burden of proof has not been met by the applicant and the applicant has not met the 9 criteria as provided in the Kittitas County Comprehensive Plan. The information and studies are insufficient to determine if the site meets the criteria of the designation of Mineral Lands of Long Term Commercial Significance.
9. Testimony raised concerns regarding the general land use patterns in the area, impact to surrounding uses that include residential and commercial use, adequacy of access, and impact to water supplies and wildlife.
10. On October 23, 2007 the Planning Commission **recommended denial** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET Graybill
-07-02

Map Amendment: Commercial Agriculture to Rural
for approximately 35.80 acres

17-19-34000-0001,
0049

David Taylor,
Authorized Agent

Brian Graybill,
Landowner

1. On June 26, 2007 Kittitas County Community Development Services received an application from David Taylor, authorized for Brian Graybill, landowner to re-designate 35.80 acres from Commercial Agriculture to Rural. Location: located at 5800 Thrall Road, south of Thrall Road, west of Denmark Road, and east of Payne Road within a portion of Section 34, T17N, R19E, WM in Kittitas County. Map numbers: 17-19-34000-0001 and 17-19-340000049.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Public hearings were held on September 25 and 26, 2007 to review and receive testimony on the 2007 Docketed items.
4. Testimony **was** given by the proponent.
5. Adverse testimony **was** given on this proposal.
6. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
7. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
8. The Planning Commission finds that the burden of proof has not been met by the applicant for the change in designation. No proof regarding economic viability has been provided.
9. The Planning Commission also recognizes that in light of the Eastern Washington Growth Hearings Board Decision (EWGMHB Case No. 07-1-0004c), an area-wide look of the County should occur for the Commercial Agriculture Land Use designation in order to determine appropriateness of such designation. Review of such should utilize the County's Agricultural Lands Advisory Committee.
10. On October 23, 2007 the Planning Commission **recommended denial** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET -07-03	School Heights LLC, Chason Farms LLC, MDJ, J&D Transactions, Bushka Ag LLC, Applicants	Map Amendment: Extension of the City of Kittitas UGA Boundary for approximately 77.83 acres	17-19-02000-0008, 0009, 0030, 0032, 0036, 0037, 17-19-02069-0001, 0002, 0003, 0004, 17-19-02070-0001, 0002, 0003, 0004
	Jim Denison, Authorized Agent		

1. The Planning Commission finds that Jim Denison, authorized agent for School Heights LLC, Chason Farms LLC, MDJ Development Inc., J&D Transactions and Bushka Ag LLC, landowners submitted an application to extend the City of Kittitas Urban Growth Area boundary to include approximately 77.83 acres. Location: north of Kittitas Highway and east of Fairview Road within a portion of Section 02, T17N, R19E, WM in Kittitas County. Map numbers 17-19-02000-0008, 0009, 0030, 0032, 0036, 0037, 17-19-02069-0001, 0002, 0003, 0004, 17-19-02070-0001, 0002, 0003, and 0004.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Public hearings were held on September 25 and 26, 2007 to review and receive testimony on the 2007 Docketed items.
4. Testimony **was** given by the proponent.
5. Adverse testimony **was** given on this proposal.
6. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
7. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
8. The Planning Commission finds that the proposal does not meet the requirement as provided for in the County Wide Planning Policies Urban Growth Area #7(Policy A), *Amendments or changes to the UGA designation may only be proposed once a year and must be reviewed by KCCOG every five years. Amendments may only be proposed by a City or the County.* This proposal does not have the support of the City.
9. The Planning Commission finds that burden of proof has not been met by the applicant to support the proposal.
10. The Planning Commission finds that analysis submitted by the City of Kittitas doesn't support the expansion of the UGA as proposed in this application, and that such expansion shouldn't be approved until such time there is a demonstrated need based on population projections and a land capacity analysis.
11. On October 23, 2007 the Planning Commission **recommended denial** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET **R&R Heights Land** **Map Amendment: Rural to General Commercial for** **20-15-18052-0001,**
-07-04 **Co. Inc., Applicant** **approximately 18.74 acres** **0002, 0003, 0004**

Vernon Swesey,
Authorized Agent

1. The Planning Commission finds that Vernon Swesey, authorized agent for R&R Heights Land Co. Inc., landowner to re-designate approximately 18.74 acres from Rural and General Commercial. Location: north of Horvatt Road and south of SR-903 off of Horvatt Road within a portion of Section 18, T20N, R15E, WM in Kittitas County. Map numbers 20-15-18052-0001, 0002, 0003, and 0004.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Public hearings were held on September 25 and 26, 2007 to review and receive testimony on the 2007 Docketed items.
4. Testimony **was** given by the proponent.
5. Adverse testimony **was not** given on this proposal.
6. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
7. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
8. The Planning Commission finds that the surrounding area includes commercial uses and proposed development would be subject to regulations in place for commercial development outside Urban Growth Areas.
9. On October 23, 2007 the Planning Commission **recommended approval** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 4-1 (two members absent). There was no minority report presented.

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

1. The Planning Commission finds that on June 29, 2007 Kittitas County Community Development Services received an application from Terra Design Group for a Text Amendment to create a new section titled Fully Contained Communities establishing criteria meeting the requirements and intent of GMA.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Testimony **was** given by the proponent.
4. Adverse testimony **was** given on this proposal.
5. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
6. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
7. The Planning Commission finds that burden of proof has not been met by the applicant to support addition of the text. The Planning Commission recognizes that Fully Contained Communities are a potential tool for the County, however also recognizes the importance of going through a more thorough process for countywide consideration, input and thought. Further studies and review needs to occur in order to address questions raised regarding criteria for designating Fully Contained Communities (FCCs), and also policies and regulations applicable to FCCs.
8. The Planning Commission recognizes this as a task for the Land Use Committee for review and research for recommendations.
9. On October 23, 2007 the Planning Commission **recommended denial** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET Keechelus Ridge
-07-06 HOA

Map Amendment: Commercial Forest to Rural for
approximately 666 acres

21-12-03000-0001,
0002, 0003, 0004,
0005, 0006, 0007,
0008

1. The Planning Commission finds that on June 29, 2007 Kittitas County Community Development Services received an application from the Keechelus Ridge Home Owner's Association (HOA) to re-designate approximately 666 acres from Commercial Forest to Rural. Location: north of I-90 within Section 03, T21N, R12E, WM in Kittitas County. Map numbers 21-12-03000-0001, 0002, 0003, 0004, 0005, 0006, 0007, and 0008.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Testimony was given by the proponent.
4. Adverse testimony was given on this proposal.
5. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
6. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
7. The Planning Commission finds that the burden of proof has not been met by the applicant for the change in designation. The record lacks information to support a de-designation from the Commercial Forest Land Use designation.
8. The Planning Commission finds that concerns were raised regarding adequacy of access, use of Forest Service Roads, and impacts to wildlife.
9. The Planning Commission also recognizes that in light of the Eastern Washington Growth Hearings Board Decision (EWGMHB Case No. 07-1-0004c), an area-wide look of the County should occur for the Commercial Forest Land Use, and designation and de-designation criteria shall be established. Review and development of such should utilize the County's Forest Lands Advisory Committee, and until such criteria are established no de-designations should occur.
10. On October 23, 2007 the Planning Commission **recommended denial** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET -07-07 **City of Cle Elum (in cooperation with Central Cascade Land Company, Inc.)**
C/O Matt Morton,
Applicant

Map Amendment: Rural to City of Cle Elum Urban Growth Area (Industrial) for approximately 90 acres

20-15-21040-0001, 0008, 0009, 0010

Anne Watanabe,
Authorized Agent

1. The Planning Commission finds that on June 29, 2007 Kittitas County Community Development Services received an application from Anne Watanabe, authorized agent and Matt Morton, City of Cle Elum to re-designate approximately 90 acres from Rural to Industrial and inclusion into the City of Cle Elum Urban Growth Area. Location: north of SR-903 and No. 5 Mine Road within Section 21, T20N, R15E, WM in Kittitas County. Map numbers 20-15-21040-0001, 0008, 0009, and 0010.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Testimony **was** given by the proponent.
4. Adverse testimony **was not** given on this proposal.
5. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
6. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
7. The Planning Commission finds that the docket was supported by the City and burden of proof has been presented by the applicant that includes a land analysis supporting the proposal.
8. The Planning Commission finds that this proposal meets the City's population and employment projections, and the location of the proposed urban growth area expansion is consistent with the City's direction for siting industrial lands away from the floodplain. The City has provided documentation documenting the ability to provide services such as water, sewer and transportation to the site.
9. On October 23, 2007 the Planning Commission **recommended approval** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 5-0 (two members absent).

DOCKET Merle Thompson, Map Amendment: Agricultural to Urban Residential 18-17-11013-0015,
-07-08 Landowner for approximately 10.49 acres (Rezone submitted: Z- 0016
Paula Thompson,
Authorized Agent 07-12, Thompson Rezone, AG-20 to Residential)

1. The Planning Commission finds that on June 29, 2007 Kittitas County Community Development Services received an application from Paula Thompson, authorized agent for Merle Thompson, landowner to re-designate approximately 10.49 acres from Agricultural to Urban Residential. Location: north of Goodwin Road at 551 Goodwin Road, Thorp, WA within Section 11, T18N, R17E, WM in Kittitas County. Map numbers 18-17-11013-0015 and 0016
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Testimony was given by the proponent.
4. Adverse testimony was given on this proposal.
5. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
6. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
7. On October 23, 2007 the Planning Commission moved to **forward the proposal with no recommendation** to the Board of County Commissioners the application based on the information submitted with a vote of 3-2 (two members absent). The following minority report was provided: the application should be passed forward with a recommendation for denial to the Board of County Commissioners because urban densities should not be occurring outside designated Urban Growth Areas and in light of the Eastern Washington Growth Hearings Board Decision (EWGMHB Case No. 07-1-0004c), the subject property is located in an Urban Growth Node which yet has to be determined to either be classified as an Urban Area, Limited Areas of More Intense Rural Development (LAMIRD), or Rural Land Use.

DOCKET Lee Beedle,
-07-09 Applicant

Map Amendment: Rural to Commercial for
approximately 1.36 acres (Rezone submitted: Z-07-13,
Beedle Rezone, AG-3 to Limited Commercial)

20-15-21030-0011

John Ufkes,
Authorized Agent

1. The Planning Commission finds that on June 29, 2007 Kittitas County Community Development Services received an application from John Ufkes, authorized agent for Lee Beedle, landowner to re-designate approximately 1.36 acres from Rural to Commercial. Location: north of Carek Road, south of No 245 Road, east of SR 903 and west of Shaft Street within Section 21, T20N, R15E, WM in Kittitas County. Map number 20-15-21030-0011.
2. The Planning Commission finds that Kittitas County Community Development Services issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 16, 2007. This notice was published in the official county newspaper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. Further, legal notices were published in the Daily Record on August 18 and 24, 2007 and the Northern Kittitas County Tribune on August 23 and 30, 2007.
3. Testimony was given by the proponent.
4. No public testimony was received for this proposal.
5. The final deadline to submit written comments for Planning Commission consideration was on October 3, 2007 at noon. All timely comments were included in the record.
6. The Planning Commission held a continued hearing with the record closed on October 23, 2007 for decision and deliberation.
7. The Planning Commission finds that the surrounding properties consists of commercial uses, and is in the proximity of the Bullfrog roundabout, and of previously approved designation changes to commercial.
8. On October 23, 2007 the Planning Commission **recommended approval** of the proposal to the Board of County Commissioners the application based on the information submitted with a vote of 4-1 (two members absent). The following minority report was provided: this is inconsistent with the Growth Management Act in regards to vicinity to a Master Planned Resort.



David Black, Chairman, Kittitas County Planning Commission

11/13/07

Date