

CHAPTER EIGHT: RURAL LANDS

8.1 Introduction

Kittitas County's rural land use designations have been established to balance the differing natural features, landscape types and land use within the land use designation. The County's Rural land uses consist of dispersed and clustered residential developments, farms, ranches, wooded lots, recreational developments and small scale commercial and industrial uses that serve rural residents . Kittitas County's rural landscapes encompass a 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 sensitive areas. The State of Washington defines rural character, rural development and rural governmental services in the Revised Code of Washington (RCW) 36.70A.030 (15), (16), and (17) as follows:

“Rural Character refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- a. In which open space, the natural landscape, and vegetation predominate over the built environment;
- b. That foster traditional rural lifestyles, rural based economies and opportunities to both live and work in rural areas;
- c. That provide visual landscapes that are traditionally found in rural areas and communities;
- d. That are compatible with the use by wildlife and for fish and wildlife habitat
- e. That reduce the inappropriate conversion of undeveloped land into sprawling, low density development
- f. That generally does not require the extension of urban governmental services.
- g. That is consistent with the protection of natural surface water flows and ground water and surface recharge and 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. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

Rural governmental services or rural services include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include individual wells, domestic Group A and B water systems, individual septic systems, community septic systems, Class A reclaimed 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.

Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

8.2 IDENTIFICATION OF RURAL LANDS

General Uses

The Rural Lands exhibit a vibrant and viable landscape where a diversity of land uses and housing densities are compatible with rural character. Many sizes and shapes can be found in the Rural lands, its topography and access variations allow for small to large acreage, economic activities, residential subdivisions, farming, logging, and mining. This rich mix of uses allows the variety of lifestyle choice, which makes up the fabric of rural community life. Some choose a private, more independent lifestyle, or space for small farm activities and children's 4-H projects. Others choose the more compact arrangement found in clustering, with its accompanying open space and close neighbors. Traditionally the most common uses in rural lands are agriculture recreational and residential., which remain important in terms of employment, income and tax base. Kittitas County will strive to encourage and support these activities in whatever areas and zones they occur.

Description of Rural Lands

Kittitas County lies within the Upper Yakima River watershed near the geographic center of Washington State. Lands range from coniferous forestlands of the mountains and foothills in the north and west to arid rangeland to the south and east. Mountains and high hills ring an extensive irrigated area known as the Kittitas Valley where most of the County's residents live. The County Seat and Central Washington University reside on the valley floor in the city of Ellensburg. Other incorporated areas throughout Kittitas County include: Cle Elum, South Cle Elum, Roslyn, and Kittitas. These areas have adopted designated Urban Growth Areas (UGA's). Un-incorporated communities designated as rural areas include: Snoqualmie Pass, Easton, Ronald, Thorp, Vantage, Liberty, Thrall, Lauderdale, Sunlight Waters, Fairview, Denmark, Badger Pocket, Elk Heights, Teanaway, Reecer Creek, and Sky Meadows, as well as others.

A large portion of Kittitas County contains forested lands. Of these lands, approximately 732,000 acres have been designated as forestlands of long-term commercial significance. Further, approximately 358,000 acres of the valley floor's agricultural land has been designated as agricultural land of long-term commercial significance. Mining resource lands of long-term commercial significance have also been adopted. With the exclusion of stated incorporated areas, UGA's, forest lands of long-term commercial significance, agricultural land of long-term commercial significance, and mining resource lands of long-term commercial significance, all remaining areas will be generally considered to be Rural Lands. Together, Chapter 2: Land Use and this chapter form the basis for all future land use patterns and decisions for Kittitas County.

8.3 Rural Land Use

History

Rural land uses in Kittitas County are a mixture of diverse development patterns stemming from trends established decades ago. These patterns include those resulting from the county's zoning code (Title 17, Kittitas County Code). In 1968, an agricultural zone was adopted with a minimum lot size of one acre. Since this time, down-zoning and additions to the code have resulted in minimum lot sizes in agricultural areas of 3 to 20 acres in size. In 1974, the Forest and Range Zone was created which also had a one acre minimum lot size. Minimum lot sizes later increased in this zone to 20 acres and led to the creation of the Rural-3 zone, with a 3-acre minimum lot size. Further, a Commercial Forest zoning designation was adopted which set an 80 acre minimum lot size for lands with this designation.

Rural Land Use Designations

Rural lands are identified on the Land Use Map with the following designations: Rural Transition, Rural Residential, Rural Resource, and Rural Outlying. A Rural Recreational Areas Overlay is provided under the Rural Outlying land use designation, allowing a tool to provide for density shifting to areas identified in the Rural Outlying land use designation where adequate water service, septic service, and infrastructure are available for residential development. The Rural Recreational Areas Overlay has not been pre-identified, and it is recognized that considerations for an overlay will be considered on a case by case basis as requests for such Rural Recreational Areas Overlay designation are received by the county. Based on Countywide Planning Policies, the rural area is expected to take 28.5% of the County's future population growth. Criteria have been developed and used to map the various land use categories. Each land use category is prefaced by the Purpose and Intent Statement and General Policies. In addition Density Standards have been identified for each designation. Future changes in land use categories will be measured against the Purpose and Intent Statement, General Policies, Designation Criteria and Density Standards, in addition to the Comprehensive Plan as a whole.

The following table identifies the corresponding Rural Land Use and Zoning designations.

Land Use	Zoning
Rural Transition	Rural Transition
Rural Residential	Agriculture-3, Rural-3, Agriculture-5, Rural-5
Rural Resource	Agriculture-20, Forest and Range-20
Rural Outlying	Rural Outlying-20 and Rural Outlying -80
Rural Recreational Areas Overlay	Overlay in Rural Outlying Land Use Designation in which underlying zones are Rural Outlying-20 and/or Rural Outlying-80

RURAL TRANSITION AREAS

PURPOSE AND INTENT

Purpose is to implement GMA planning goals related to future population growth and projections for any city, to increasing viable open space, protecting critical areas, and providing adequate infrastructure, transportation and utility corridors for balanced and sustainable future growth.

This land use designation sustains rural character by focusing projected development around existing cities consistent with planned transportation and urban utility corridors. Focusing growth into these areas will reduce pressures on farmlands and less populated rural areas where infrastructure, public services and facilities are more difficult or expensive to provide.

This category is also intended to minimize public service expenditures by encouraging infill and redevelopment of individual lots. To attain this objective, the designation incorporates cost-effective development policies related to community water systems, preferential use of developed road networks and planned transportation corridors, density shifting, and for the creation of and maintenance of open space.

Ultimately, rural transition policies are intended to maintain the sense of rural character while these lands remain outside UGAs, but with the understanding that at some point in time the rural transition area will become associated with the city's next era of projected population growth. These policies also provide incentives to accommodate economically feasible future urban conversion when additional urban land is needed.

POLICIES

Subdivision projects shall be planned with logical transportation and utility corridor extensions.

Density shifting, clustering and other innovative techniques are encouraged within this land use designation.

This land use designation shall encourage development in areas least suited for agriculture.

DESIGNATION CRITERIA

- Criterion 1. Land use designation shall be immediately adjacent to designated UGAs.
- Criterion 2. Lands at the time of adoption of the ordinance designated or zoned , Rural Residential, Ag 3, Rural 3, Ag 5, or Rural 5 and lands that otherwise are located adjacent to and logical extensions of UGA's.

- Criterion 3. Lands located within the logical expansion of urban utility corridors.
- Criterion 4. Lands with the potential to receive services within the 40 year planning period.
- Criterion 5. Lands that are included within and identified by the Kittitas County Transportation Plans.
- Criterion 6. Lands located within an irrigation district, irrigation entities, or non-proratable water district
- Criterion 7. May include lands identified as prime, prime if irrigated, and farmland of statewide or local importance
- Criterion 8. Lands that are not designated Commercial Agriculture, Commercial Forest, and Mineral Lands.
- Criterion 9. May include lands which have been mapped as floodway, or which have excessively steep slopes, unstable soils or other mapped critical area feature is predominant.
- Criterion 10. Lands which have public values that must be protected under state law including but not limited to:
 - i. Shorelines
 - ii. Wetlands
 - iii. Sensitive fish and wildlife habitat

DENSITY

- Standard 1. An average of 1 dwelling unit per 3¹ or 1 dwelling unit per 5 acres within the contiguous land use designation excluding non-conforming lots existing at the time of adoption of this ordinance.
- Standard 2. There are portions of the county that have parcels that have been created that are less than 3 acres. In these areas the density shall be the existing density.
- Standard 3. Property may not be further divided once the average of 1 unit per 3 or 1 dwelling unit per 5 acres density is reached until such time as the property is included in the UGA.
- Standard 4. Development shall be clustered and the use of shadow platting shall be required in order to plan for future incorporation into the UGA. Shadow plats shall identify future transportation and utility corridors.
- Standard 5. Require approved alternative septic and water systems for developments proposing lots sizes less than 3 acres in size.

RURAL RESIDENTIAL AREAS

PURPOSE AND INTENT

The Rural Residential category provides a broad choice of areas within rural Kittitas County where rural lifestyles can be sustained. This category

¹ A stay has been issued by the Superior Court. (Case No. 07-2-00549-1)

is intended to maintain rural character by creating and/or maintaining larger parcel sizes.

POLICIES

The use of public water systems or community wells to conserve resources shall be encouraged. In the instance of Criterion 8 below, they shall be required.

Lands formerly designated as Urban Growth Nodes (UGN), (Snoqualmie Pass, Easton, Ronald, Thorp, and Vantage) and are now designated as Rural Residential at the adoption of this land use designation shall undergo review to decide whether or not these areas should be appropriately designated as Limited Areas of More Intense Development or Urban Growth Areas not associated with a City. These reviews shall include the adoption of new sections specifically including Purpose and Intent, Policies, Designation Criteria, and Density Standards for LAMIRD's and UGA's not associated with cities within the Kittitas Comprehensive Plan. The adoption of this new material shall be completed as identified by the Board of Commissioners.

Group A or B water systems and innovative waste water disposal systems are encouraged. In the instance of Criterion 8 below, they shall be required.

Parcel creation in this land use designation shall minimize conflicts with nearby resource lands.

DESIGNATION CRITERIA

- Criterion 1. Lands outside Urban Growth Areas and the Rural Transition designation.
- Criterion 2. Lands located outside of the Commercial Agriculture or Commercial Forest land use designations.
- Criterion 3. Lands located within a fire district, adjacent to a fire district, or have the demonstrated potential to be serviced by a fire district.
- Criterion 4. Lands served by established county and or state road networks, which are in existence or can be logically extended as provided in the Kittitas County Transportation Plan.
- Criterion 5. May include lands at the time of adoption of the ordinance designated or zoned Rural Residential, Ag 3, Rural 3, Ag 5, or Rural 5 or lands that otherwise are located adjacent to and are logical extensions of this land use designation determined on a case by case basis that provides for a logical boundary of the designation.
- Criterion 6. Lands that do not require extension or provision of public/urban levels of services. Utility Services may be

provided by Public Utility Districts or Private Utility providers.

- Criterion 7. Lands that have not been identified as:
- a. Lands which have been mapped as floodway, or which have excessively steep slopes, unstable soils or other mapped critical area feature is predominant.
 - b. Lands which have public values that must be protected under state law including but not limited to:
 - i. Shorelines
 - ii. Wetlands
 - iii. Sensitive fish and wildlife habitat
- Criterion 8. Lands that otherwise meet all criteria except, Criterion 5, that may have existing “on the ground investments,” including but not limited to, state approved utility service.

DENSITY

- Standard 1. The density within this land use designation shall not exceed 1 dwelling unit per 3² acres or 1 dwelling unit per 5 acres excluding legal non-conforming lots existing at the time of the adoption of this ordinance.
- Standard 2. Parcels may be created with a maximum lot size of 1 acre, unless otherwise determined by the Kittitas County Environmental Health Department. or the Washington State Department of Health requirements, through clustering, density shifting or other innovative techniques as long as the average density of 1 dwelling unit per 3 or 1 dwelling unit per 5 acres is met.
- Standard 3. Parcel development, creating lots less than 3 acres in size shall require, at a minimum, community water and septic systems. Newly created 5 acre parcels may be served by individual wells and onsite individual septic systems.
- Standard 4. Clustering and other innovative techniques are encouraged and recommended for parcels in this land use designation.
- Standard 5. Any parcel development within 1320 feet (1/4 section) of a natural resource land use must be developed using innovative techniques, including but not limited to, clustering, density shifting, and Planned Unit Developments.

RURAL RESOURCE LANDS

PURPOSE AND INTENT

These areas are rural in character and may have access or limited access to services and infrastructure. These lands are found outside of UGAs and Rural Transition Areas. These lands may separate designated Commercial

² A stay has been issued by the Superior Court. (Case No. 07-2-00549-1)

Agriculture or Commercial Forest lands from other more intense land use designations.

It is recognized that Rural Lands by definition, do not include agricultural, forestry and mineral lands that are classified as resource lands with “long-term significance.” Resource lands with long-term commercial significance are considered in the Natural Resources Lands section of the Kittitas County Comprehensive Plan.

Rural Resource Lands may include, however, viable resources uses, which do not fit all of the criteria for inclusion in the resource land designation. It is recognized that this area may have agriculture or forest land practices of small scale and/or commercial significance. In many cases public roads and infrastructure are not available to serve the area and may not be available in the 40 year planning period.

POLICIES

Density shifting, clustering and other innovative techniques are encouraged within this land use designation.

Group A or B water systems and innovative waste water disposal systems are encouraged.

This land use designation shall encourage development in areas least suited for agriculture.

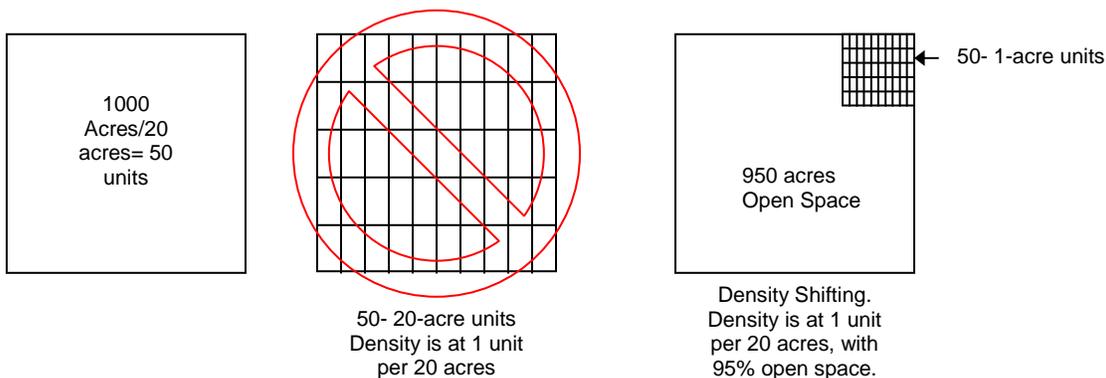
Recognize agriculture as an important economic activity and support the working lands in the county.

DESIGNATION CRITERIA

- Criterion 1. Lands outside Urban Growth Areas and the Rural Transition Areas land use designation.
- Criterion 2. Lands may have agriculture or forest land practices of small scale and/or commercial significance.
- Criterion 3. May include lands which have been mapped as floodway, or which have excessively steep slopes, unstable soils or other mapped critical area feature is predominant.
- Criterion 4. Lands located within areas serviced by irrigation entities.
- Criterion 5. Lands which have public values that must be protected under state law including but not limited to:
 - i. Shorelines
 - ii. Wetlands
 - iii. Sensitive fish and wildlife habitat

DENSITY

- Standard 1. The density within this land use designation shall not exceed 1 dwelling unit per 20 acres excluding legal non-conforming lots existing at the time of the adoption of this ordinance. .
- Standard 2. Parcels may be created with a maximum lot size of 1 acre, unless otherwise determined by Kittitas County Environmental Health Department. or the Washington State Department of Health requirements, through clustering, density shifting or other innovative techniques as long as the density of 1 dwelling unit per 20 acres is met.



RURAL OUTLYING AREAS

PURPOSE AND INTENT

These outlying areas have been historically rural in character and include large tracts of undeveloped open space.. It is recognized that these area may have agriculture or forest land practices of small scale and/or commercial significance and or recreational significance. Areas may also be adjacent to designated resource lands. In many cases public roads and infrastructure are not available to serve the area.

POLICIES

Development in this land use designation shall be limited to encourage conservation of open space.

Any development that occurs in this land use designation shall be encouraged to use clustering, density shifting or other innovative techniques.

Development less than 20 acres shall use innovative techniques, including, but not limited to, clustering, density shifting, and Planned Unit Developments. The use of provisions as allowed in Performance Based Cluster shall be available in this designation with consideration for up to a 200% density bonus.

The use of a Transfer of Development Rights Program (TDRs) is preferred and shall be strongly encouraged.

The County shall not extend county roads into lands designated as Rural Outlying Lands, unless identified as a transportation corridor in the Kittitas County Transportation Plan.

DESIGNATION CRITERIA

- Criterion 1. Large undeveloped parcels with no direct county road or state highway access.
- Criterion 2. Lands located outside of an identified Irrigation Entity.
- Criterion 3. Lands in close proximity to Public Lands and private lands that have historically provided access to public recreation areas.
- Criterion 4. Lands previously designated as Commercial Forest and Commercial Agriculture land use.
- Criterion 5. May include lands previously zoned Agriculture-20 and Forest and Range-20. Lands zoned as such shall continue to retain a 1 dwelling unit per 20 acre development density, and shall be classified under the Rural -20 zone.
- Criterion 6. May include lands classified under “open space” tax classification per RCW 84.34 .
- Criterion 7. May include lands which have public values that must be protected under state law including but not limited to:
 - i. Shorelines
 - ii. Wetlands
 - iii. Sensitive fish and wildlife habitat
- Criterion 8. May include lands which have been mapped as floodway, or which have excessively steep slopes, unstable soils or other mapped critical area feature is predominant.
- Criterion 9. May include lands that were formerly designated as Commercial Forest Lands that could provide a buffer between Rural Residential and Commercial Forest Lands.

DENSITY

- Standard 1. Density in this land use designation shall be

- a. 1 dwelling unit per 20 acres.
 - b. 1 dwelling unit per 80 acres consistent with Standard 2 below excluding non-conforming lots existing at the time of adoption of this ordinance.
 - c. 1 dwelling unit per 5 acres when planned and developed using the Performance Based Cluster Plat.
- Standard 2. De-designated natural resource lands shall be at existing density unless, plans for de-designation have been reviewed and subject to approval by the following committees.
- a. Commercial Forest Lands shall be reviewed by the Forest Lands Advisory Committee.
 - b. Commercial Agriculture lands shall be reviewed by the Agricultural Lands Advisory Committee.
- Standard 3. Land use plans shall be reviewed and shall be subject to approval by the Land Use Advisory Committee for consistency with requested Rural Land Use Designation.
- Standard 4. The minimum lot size shall be 20 acres for lots created not using innovative techniques that is consistent with the density of 1 dwelling unit per 20 acres.
- Standard 5. Maximum lot size is 1 acre unless otherwise determined by Kittitas County Environmental Health Department or the Washington State Department of Health requirements for lots developed using innovative techniques.

RURAL RECREATIONAL AREAS OVERLAY

PURPOSE AND INTENT

Kittitas County is known for the recreational opportunities that its varied landscape offers. From the crest of the Cascades, to the Columbia River, Kittitas County provides residents and visitors of Washington State, a wonderful recreational playground during all the seasons of the year. Because of its location close proximity of the Puget Sound region Kittitas County is a growing location for second homes

These second homeowners are not accounted for in the Washington State Office of Financial Managements population projections for Kittitas County is required to plan for under GMA. This land use overlay is meant to recognize an area for planning that has been overlooked by GMA.

This land use designation overlay is for use in areas that may accommodate residential development associated with Kittitas County's recreation opportunities. This land use designation overlay may also

include large tracts of recreation land and public or private forest land where no residential development occurs.

POLICIES

Development shall require Group A water systems with adequate water rights.

Development shall occur using clustering, density shifting and other innovative techniques.

Residential development shall be clustered, developed as a Master Planned Resort, or as a Planned Unit Development, or through the use of other innovative techniques.

Lands included within this land use designation shall require a water right and a public water system for all residential development.

Parcel sizes shall be limited to a 1 acre maximum unless otherwise determined by Environmental Health and Department of Health requirements.

DESIGNATION CRITERIA

- Criterion 1. Lands adjacent to or associated with lands used for recreation.
- Criterion 2. Lands outside of UGA's and those designated Rural Transition Areas.
- Criterion 3. May include lands that were designated Commercial Forest.

- Criterion 4. Lands located within Rural Land Use Designation.
- Criterion 5. May include lands beyond the existing county road or state route access network.
- Criterion 6. May include lands which have public values that must be protected under state law including:
 - i. Shorelines
 - ii. Wetlands
 - iii. Sensitive fish and wildlife habitat
- Criterion 7. May include lands which have been mapped as floodway, or which have excessively steep slopes, unstable soils or other mapped critical area feature is predominant.

DENSITY

- Standard 1. Density shall be that of the underlying land use designation or as allowed by the use of innovative techniques. ,

8.4 GOVERNMENT SERVICES IN RURAL LANDS

Government services, which should be available in rural areas, are those which are necessary to protect the public health and safety, such as police protection, public roads, domestic water systems and provisions for public health. Municipal or urban services such as centralized sewage collection and treatment, urban street infrastructure, and storm water systems will not generally be provided by government entities in rural areas. Cities may provide water service beyond a designated urban growth area if the service area is required by agreement through a Coordinated Water Supply Plan. For areas of more intensive rural development established under RCW 36.70A.070(5)(d), public services and facilities necessary to service these areas would be permitted.

Rural residents should expect that public services will not be supplied at the same level that city governments provide. Emergency response times for sheriff, fire departments, medical care, snow removal, etc. will be greater as the distance from urban areas increases. Those choosing to live in rural rather than urban areas must understand and accept these differences in urban and rural services.

GPO 8.1 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 or Fully Contained Community 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.

GPO 8.2A 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) or Fully Contained Community to the extent elsewhere permitted), 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.

GPO 8.2B Electric and natural gas transmission and distribution facilities may be sited within and through areas of Kittitas County both inside and outside of municipal boundaries, UGAs, Master Planned Resorts, and Fully Contained Communities, including to and through rural areas of Kittitas County.

GPO 8.3 Sprawl will be discouraged if 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 are not allowed to expand into adjacent Rural Land.

GPO 8.4 Essential public facilities whose nature requires that they be sited outside cities, or urban growth areas must be self-supporting and 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 urban growth areas unless the nature of their operations needs or dictates that they be sited in the rural area of the county.

8.5 GOALS, POLICIES AND OBJECTIVES FOR LAND USES ON RURAL LANDS

The following goals, policies and objectives for Rural Lands are established in an attempt to prevent sprawl, direct growth toward the Urban Growth Areas, provide for a variety of densities and uses, respect private property rights, provide for residences, recreation, and economic development opportunities, support farming, forestry and mining activities, show concern for shorelines, critical areas, habitat, scenic areas, and open space while keeping with good governance and the wishes of the people of Kittitas County and to comply with the GMA and other planning mandates.

8.5(A) GENERAL GOALS, POLICIES AND OBJECTIVES

The following GPO's apply to all Rural Lands or uses on those lands:

GPO 8.5 Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on Rural Lands.

GPO 8.6 An expanded public lands element may be added to the comprehensive plan before 1999, which contains strategies for county involvement in decisions and action on public lands within the Rural Lands designated area.

GPO 8.7 Private owners should not be expected to provide public benefits without just compensation. If the citizens desire open space, or habitat, or scenic vistas that would require a sacrifice by the landowner or homeowner, all citizens should be prepared to shoulder their share in the sacrifice.

GPO 8.8 Voluntary, cooperation-seeking, incentive-based strategies will be sought in directing specific uses or prohibitions of uses on Rural Lands.

GPO 8.9 Projects or developments which result in the significant conservation of rural lands or rural character will be encouraged.

GPO 8.10 Factors within municipalities that encourage movement onto Rural Lands should be identified and referred to the municipality.

GPO 8.11 Existing and traditional uses should be protected and supported while allowing as much as possible for diversity, progress, experimentation, development and choice in keeping with the retention of Rural Lands.

GPO 8.12A In order to promote conservation and preservation of open space innovative planning tools shall be encouraged including but not limited to clustering and density shifting.

GPO 8.12B Innovative measures and techniques for conserving water and aquifer recharge shall be encouraged.

GPO 8.12C Consider the development and implementation of a Transfer of Development Rights program a market-based tool in which landowners volunteer to sell the right to develop their land to areas where greater density is more appropriate, permanently conserving lands.

GPO 8.12D Consider the development and implementation of an Agricultural Production District Overlay, a voluntary and incentive-based program used to encourage agricultural landowners to maintain their land in agricultural production.

GPO 8.12E Consider the development and implementation Rural Villages that may be used throughout the county as an innovative technique.

GPO 8.13 Methods other than large lot zoning to reduce densities and prevent sprawl should be investigated.

GPO 8.14 Master Planned Resorts (MPRS) may be approved in all rural designations in accordance with:

- (1) RCW 36.70A.360, *Master planned resorts*;
- (2) County Comprehensive Plan policies; and,
- (3) County Development Regulations.

8.5(B) RURAL USES ADJACENT TO DESIGNATED RESOURCE LANDS

As required under the Growth Management planning process, Kittitas County has adopted Kittitas County Codes 17.31 - Commercial Agriculture and 17.57 - Commercial Forest, which designates natural resource lands of long-term commercial significance. In addition, Kittitas County adopted Resolution 94-152, adopting the classification and designation for mineral lands of long-term commercial significance. The following policies are intended to minimize potential conflicts between activities on state designated lands and rural lands activities.

GPO 8.15 All conveyance instruments including plats, short plats as well as other development activities of a residential nature on or within 1,000 feet of land designated as resource lands, shall contain a notice which states: "The subject property is within or adjacent to existing resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of limited duration. Resource activities performed in accordance with county, state, and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted Right to Farm provisions contained in Section 17.74 of the Kittitas County Code."

GPO 8.16 Growth in the Rural Lands should be managed in a manner that minimizes impacts on adjacent natural resource lands.

GPO 8.17 Support for right-to-farm ordinances should be continued and expanded.

GPO 8.18 Irrigation delivery facilities should be managed and maintained to facilitate the unimpeded delivery of water to agricultural lands.

GPO 8.19 Clustering of residential development adjacent to commercial forest and agricultural land should be encouraged. The open space in the clustered development may buffer adjacent natural resource land from development.

GPO 8.20 Development standards for access, lot size, and configuration, fire protection, forest protection, water supply and dwelling unit location should be adopted for development within or adjacent to forest lands.

GPO 8.21 During the review of proposed new land uses that have the potential to conflict with commercial mining activities, such as residential subdivision, consideration of both surface and mineral rights ownership should be included in the review.

GPO 8.22 New conflicting uses such as residential and commercial may be required by the County to locate, site and / or be screened away from designated commercial mining activities.

8.5(C) NON-DESIGNATED RESOURCE USES - FORESTRY, FARMING, MINING

Natural Resource activities contribute to the County's overall economic base, as such, commercial agriculture, forestry and mining in Rural Lands should be encouraged and enhanced. The County's commitment to support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance should be achieved through the following policies.

GPO 8.23 Kittitas County will continue to explore incentives for farming and ranching to continue as significant land uses.

GPO 8.24 Resource activities performed in accordance with county, state and federal laws should not be subject to legal actions as public nuisances.

GPO 8.25 Support for right-to-farm ordinances should be continued and expanded.

GPO 8.26 Laws and regulations which unnecessarily restrict farming, logging and mining should be opposed, and laws and regulations which enhance them should be supported.

GPO 8.27 Kittitas County should cooperate in sound voluntary farm conservation or preservation plans.

GPO 8.28 Non-farmers in agricultural areas should be encouraged to meet commonly accepted farm standards.

GPO 8.29 County restrictions on free-running dogs shall be developed and enforced.

GPO 8.30 Look at solutions to the problems of needing to sell house lots without selling farm ground.

GPO 8.31 Portions of Kittitas County are covered by the Open Range Law. If rural residents in Open Range Areas do not want cattle, sheep or other livestock on their property, it is the rural resident's responsibility to fence the livestock out.

GPO 8.32 Where appropriate, Kittitas County should exert its influence to help provide the delivery of water to all lands within the county whether the deliveries are through the Bureau of Reclamation, Irrigation Districts, or private facilities; discourage other governmental agency action impairing water rights or delivery.

GPO 8.33 Efforts to see that all lands receive their full allocation of water should be supported.

GPO 8.34 Special taxing districts associated with urban growth should be opposed on rural lands.

GPO 8.35 Additional tax incentives to retain productive agricultural lands should be sought and supported.

GPO 8.36 Kittitas County should support and encourage the maintenance of forestlands in timber and current use property tax classifications consistent with RCW 84.28, 84.33, and 84.34.

GPO 8.37 Valuation agricultural lands for tax purposes at their current agricultural land use value should be encouraged.

8.5(D) OTHER BUSINESS USES

The economy of our rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands. Policies on the continuation of these resource uses are found in Section 8.5 (C) of the Comprehensive Plan. Rural Areas are not just rustic places; they are vital, thriving communities with working landscapes and working peoples. Economically viable farming and logging may occur with or beyond the state designated areas (LLTCS) but more and more it is necessary to supplement income from outside sources in order to

support natural resource operations. Other businesses and economic growth can be realized without sacrificing our rural character.

The value of agricultural and forest products can be increased by having them processed locally, instead of shipping the products and thus economic benefits elsewhere. Direct marketing of local products, such as through farmers' markets, roadside stands, and "U-pick" operations also increases value.

Our many scenic and recreation areas provide economic opportunities through tourism and recreation. These recreational and tourist uses, including the commercial facilities, which serve them, are important sources of income and employment.

Some commercial and industrial uses are appropriate in rural areas and are permitted through the Growth Management Act. Home-based occupations are growing in popularity and provide workers with flexible hours, an alternative to commuting, and an answer to childcare concerns. Computers and advancements in communication open new opportunities for home-based businesses.

GPO 8.38 Cottage and home occupations should be encouraged. Cottage industries are considered a small industry in or near the operator's home with a few employees, but with a low impact on neighbors and services.

GPO 8.39 Kittitas County recognizes home occupations and cottage industries as valuable additions to the economic health of the community. In addition, where distances from other employment warrants, limited-dispersed rural business activities (LD-RBA's) of low impact and with necessary infrastructure will be encouraged on a case by case basis as long as these sustain or are compatible with the rural character of the area in which they operate.

GPO 8.40 Limited-dispersed rural business activities (LD-RBA's), not necessarily resource-based, including but not limited to: information, legal, office and health services, arts and crafts, clothing, small manufacture and repair, may be located as an overlay zone in all rural areas.

GPO 8.41 Provisions should be made for roadside stands, farmers' markets, "U-pick," and customer share cropping operations.

GPO 8.42 The development of resource based industries and processing should be encouraged.

GPO 8.43 To increase commercial, industrial, recreational and tourist opportunities, the County should consider the establishment of areas of more intensive rural development, according to RCW 36.70A.070(5)(d).

GPO 8.44 Kittitas County recognizes the need for neighborhood convenience businesses and motorist services.

GPO 8.45 The County should consider major industrial development in the rural areas according to RCW 36.70A.365.

8.5(E) RESIDENTIAL USES

Rural Lands of Kittitas County are the home sites for thousands of families and provide a very special quality of life for these people. These people vary from being resource producers living and working on their own lands to out-of-state or out-of-area individuals with recreation and vacation homes. These people also could consist of retired people or young families commuting to out-of-area jobs. Residences may be isolated, or in rural neighborhoods, or part of housing developments located on small lots or large land-holdings. These residential lots may be located in dense forest or desert sage, along rivers and lakes or along main thoroughfares to towns and cities. The best description of residential uses on Rural Lands is diverse and varied.

GPO 8.46 Residential development on rural lands must be in areas that can support adequate private water and sewer systems.

GPO 8.47 Insofar as residences are situated where farming, mining, and forestry exists, particular precaution should be taken to minimize the conflict between new residential developments and farm operations. Farming, forestry and mining cannot be expected to curtail normal operation in the interest of residential development.

GPO 8.48 The possibilities and benefits of cluster residential developments located in rural lands should be retained.

GPO 8.49 Lot size should be determined by provision for water and sewer.

GPO 8.50 In the case of Planned Unit Developments (PUDs), only residential PUDs should be permitted outside of UGA's.

GPO 8.51 Innovations in housing developments such as but not limited to: cluster developments, planned unit developments, mobile home courts, and density bonuses should be encouraged whenever possible.

GPO 8.52 Existing lots of record are vested with the right to construct a single-family dwelling, subject to all applicable requirements in effect at the time of building permit application.

GPO 8.53 Where new residential development may be incompatible with resource production activities, any buffering necessary should be carried out by the new development unless an alternative is mutually agreed upon by adjacent landowners.

8.5(F) RECREATION USES

While parks, open space and community recreational areas play an important role in any community, substantial amounts of recreation lands in this county are already owned by the public. These provide more than ample opportunities for water recreation, hunting, fishing, camping, hiking, trail riding, winter recreation and wildlife viewing. Public parks and recreation areas are more fully addressed in Section 5.3 of the Comprehensive Plan. In addition to publicly-owned areas, many private businesses cater to the public in providing skiing, golfing, camping and trail riding on private lands.

The County and the various cities have different roles regarding public 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. This is reflected in the cities providing organized recreation facilities and small parks.

The County has varied recreational related responsibilities. The availability of such a wide variety of recreation areas in the County, 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 County's exiting recreation facilities should be the County's recreation focus.

The Kittitas County Board of Commissioners created a Recreation Advisory Committee to create a Recreation Plan consisting of the following elements:

1. Economic analysis quantifying the influence of recreation/tourism activities on the local economy.
2. Mapping database identifying formal, informal, and proposed recreational infrastructures in Kittitas County.
3. Plan identifying proposed infrastructure retention, enhancement, and acquisition projects in Kittitas County to include timelines and proposed funding sources.

The 2004 version of the Recreation Plan is adopted by reference into this comprehensive plan subject to the following limitations:

- The Recreation Plan is adopted as a reference document to be used by Kittitas County as an aid in land use discussions and by members of the public wishing to propose recreation projects, pursue grants for projects, or propose agreements with landholders.
- The Recreation Plan may be used as a reference in the development of potential subdivision or zoning codes amendments related to proposed use of density bonuses or mitigation of identified project impacts.
- The Recreation Plan may be used as a part of the Kittitas County Capital Facilities plan for purposes of utilizing REET proceeds for acquisition or expansion of recreational infrastructure.
- Non-compliance or inconsistency with the Recreation Plan shall not be considered non-compliance or an inconsistency with the comprehensive plan or the GMA; nor may any non-compliance or inconsistency with the Recreation Plan be a basis for appeal of any land use decision made by Kittitas County

- The Recreation Plan shall not be used as evidence of use of property in an action for prescriptive easement or adverse possession.

The Recreation Advisory Committee shall review the plan annually for presentation to the BOCC in an announced public hearing prior to June 1 of each year. The updated plan shall be included in the docket of proposed comprehensive plan amendments.

GPO 8.54 Existing county-owned land should be the preferred location for any new recreation facilities.

GPO 8.55 Kittitas County should direct the greater part of its recreation budget to maintaining access to exiting areas and continuing to emphasize public safety.

GPO 8.56 Private development of recreational opportunities should be encouraged through a predictable, uncomplicated permit process.

GPO 8.57 Open space is a benefit, which must be provided and financed by the public at large, not at the expense of individual landowners or property taxpayers.

GPO 8.58 Greater identification and education is needed for public recreational lands, particularly in regards to private property, access, parking and community notification.

GPO 8.59 The County should seek financial support from state and federal agencies to assist in providing for recreational area access and safety.

GPO 8.60 Rural home sites and private lands are not for public use and landowners' privacy and property must be respected.

GPO 8.61 All trespass laws should be strictly enforced.

8.5(G) SHORELINES, CRITICAL AREAS, HABITAT, AND SCENIC AREAS

Kittitas County offers a diverse natural environment. Critical areas such as wetlands, which play an important role in local and regional hydrologic cycles, and unique fish and wildlife habitat, are important to County residents. In a manner consistent with private property rights, critical areas located in Rural Lands are protected by Kittitas County Code 17A - Critical Areas, and the Kittitas County Shoreline Master Program, as well as the Flood Damage Prevention Ordinance - KCC 17.08. Policies to address ground water are located in Section 2.2(F) and water rights are discussed in Section 2.2(B) of this plan.

Habitat and scenic areas are a benefit to the County. However, as pointed out by the Land Use Study Commission in its 1996 Annual Report, "If voters are not willing to bear the cost of additional open space and habitat protection, it is unclear how effective the GMA will be in increasing the amount of open space, recreational, and habitat opportunities." Kittitas County residents must make the difficult decision on how much they are willing to pay in taxes to obtain these benefits.

GPO 8.62 Habitat and scenic areas are public benefits which must be provided and financed by the public at large, not at the expense of individual landowners and homeowners.

GPO 8.63 Any policies or actions concerning critical areas shall not be in conflict with Section 2.2(B), Private Property and Water Rights.

GPO 8.64 Kittitas County may accept by bequest lands for habitat and scenic areas.

GPO 8.65 If Kittitas County chooses to acquire additional lands for habitat and scenic areas, it may consider a variety of methods of financing, including grants of state or federal funds, or other instruments.

GPO 8.66A The County should recognize the abundance of habitat, scenic areas and views on publicly-owned lands when assessing the need for additional such lands. Efforts to connect habitat and open space on private lands to habitat and open space on public lands shall be encouraged.

GPO 8.66B Efforts to retain access to public lands shall be encouraged.