

Scott Turnbull

From: Catherine Dunn
Sent: Friday, October 31, 2008 5:02 PM
To: Scott Turnbull; Mandy Weed; Daniel Davis; Dan Valoff; Neil Caulkins
Subject: FW: LAMIRDs - Unseen Problems

From: pat [mailto:pat@patrickdeneen.com]
Sent: Friday, October 31, 2008 4:28 PM
To: Catherine Dunn
Cc: cheryvarnum@gmail.com
Subject: FW: LAMIRDs - Unseen Problems

Catherine ... I have sent the following email to the commissioners. I am sending you a copy to make sure that it gets into the record that closes today at 5:00 pm.... Thanks ... Pat

From: pat [mailto:pat@patrickdeneen.com]
Sent: Friday, October 31, 2008 4:24 PM
To: 'alan.crankovich@co.kittitas.wa.us'; 'Linda.huber@co.kittitas.wa.us'; 'Mark D. McClain'
Cc:
Subject: LAMIRDs - Unseen Problems

Memo To: Kittitas County Commissioners

Memo From: Pat Deneen

Re: LAMIRD's and the Kittitas County Comprehensive Plan

Date: 10/31/08

The county finds its self in a unique situation It looks like there is no record of the very first Comp Plan hearing that was held in front of the EWGMHB...therefore it looks like the court of appeals will instruct the EWGMHB to hold the hearing again ... If there was no first hearing then the second hearing should become moot.

Therefore it is very likely that the county is going to get a "Do Over" in front of the Hearings Board on everything that was in the initial Comp Plan. During the period of time that we have been waiting for court decisions there have been a number of Supreme Court Rulings that go to support the county's various positions.

At this point I do not think that anyone understands the impact that any action that the county takes on the Comp Plan at this time would have on the process or the standing of the county in any of the issues that are before you. It would be my suggestion that the county does nothing until the Court of Appeals makes its decision on remanding all of this back to the Growth Hearings Board.

This is not the time to wipe out the UGN's and make them rural... the damage that this would do would be irreversible and negative impact to private and public investment would reach into the millions of dollars. The County could face significant liability for this lost investment that has already been approved and constructed.

It would destroy the resort at Snoqualmie Pass ability to further develop its potentially costing the county millions of dollars in tax revenue over the next 10 years.

LAMIRD's may be worse than making the UGNs rural. The law requires the LAMIRD be based on the development status in 1990 - 18 years ago. I do not believe this will be possible to do. Development, growth and investment have continued to move forward over these 18 years. LAMIRD's cannot be enlarged or altered once established. The county will not have the opportunity to fix any mistakes that are made. The legal mess that this would cause would take years to unravel. There will be court action to just figure out what could and could not be done in the LAMIRD's if they were created at this late date. And it would be a fight each step of the way. If this action were to occur it would cause at least as much damage, and probably more, to the private and public investment as just making the UGNs rural.

Over the past two years we have had many discussions on LAMIRDs and not one single individual or group of individuals could come up with how they would work, how to determine the boundaries, what would be allowed to occur within them, how many there would be, nor has there been any language prepared for public review in regards to LAMIRDs being adopted into the comp plan. The Rural Town language has been widely distributed throughout the county for five months and it seems to be a solid alternative if the county feels it has to take some action.

To me the best action would be to not do anything to the UGNs until the Court of Appeals rules as to what the county has to do next.

The second best thing to do would be to rename the UGNs to UGA's and let it go at that.

The only other solution to this situation would be to rename the UGNs Rural Towns. This is the only other alternative that has been provided for review by the public and the BOC.

I understand that the county is in a tough spot but we should not rush to judgment. We have all had a total of two days to review the staff recommendation and provide reasonable comment. This decision is too important to rush to judgment. Clearly the process is broken at the EWGMHB so there will need to be new hearings at some point.

I would ask you to please not convert the UGNs to rural or make them LAMIRD's at this time. If you feel you have to act please make the UGNs into UGA's or Rural Towns.

Thank you for considering this. Please place this in the record for the Comp Plan hearing.

Pat Deneen

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